

# REAL ESTATE WEEKLY

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## Employers want government to protect them from COVID lawsuits

by REW May 12, 2020

Long Island business leaders are calling on the government to create a COVID-19 business liability shield so that employers can't be sued if their worker contracts coronavirus after returning to work.

Calling it "as crucial to reopening the economy as face masks and contact tracing," Kyle Strober, executive director of the Association for a Better Long Island (ABLI), said that, regardless of how stringent a business follows CDC disinfecting protocols, tests its employees, and monitors those who enter and exit its premises, it will be impossible to completely eliminate the threat of infection.

Unless Congress acts, Strober said business owners will be liable from employee, visitor, and/or customer lawsuits should they contract the virus.

In a letter to Congressional leadership the ABLI noted, "We believe the business 'liability shield' may ultimately be a key determining factor in how, or even whether, America's economy begins to rebuild in the next weeks and months. Until there is a vaccine, experts have stated that we will continue to live in a pandemic vulnerable world. As a result, individuals may continue to contract the virus, either from friends, family, colleagues, or passing strangers. Stores and companies that reopen, many which have no other choice in order avoid bankruptcy or to prevent closing altogether, could unintentionally allow the spread of the virus."

"Already, a cottage industry of 'COVID-19 employee lawsuits' is beginning to emerge, severely exposing business owners who are trying to recover and retain their employees. This threat will make businesses, large and small, think twice about reopening and/or whether it is even worthwhile to continue operations. As a result, we anticipate hundreds of businesses and tens of thousands of jobs could be lost on Long Island and countless other areas across the nation. This disturbing but likely scenario makes it critical to address this issue now if our nation is to successfully restart our economy," Strober warned.

Long Island is located within the epicenter of the COVID-19 pandemic, with approximately 70,000 positive cases and over 3,000 fatalities.

Currently, New York State is in the process of developing a phased plan to restart the state's economy, consulting with health officials, business experts, and elected officials and targeting a date in early June.

Without legislation establishing a COVID-19 business liability waiver to protect and encourage businesses to restart our country's economy, the ABLI fears the current economic wasteland that threatens America will last for a generation.