

Co-Chairs Kotek and Courtney:

My husband and I are farmers. I support an amendment to HB 4212 that would provide temporary and targeted liability protections to entities that are adhering to state and federal public health guidelines and rules to reduce the risk of COVID-19 exposure.

Governor Brown's executive orders have flattened the COVID-19 curve, but the changing regulatory environment also has created immense liability and uncertainty for public and private sector employers.

We have done our best to keep our workers safe. However, I am worried that even though we are following state and federal public health guidelines, we are still at risk of a lawsuit from an employee saying that we didn't go far enough. Farming is difficult these days and a lawsuit would have a huge negative impact in our part in ensuring a secure food supply.

Please amend HB 4212 to include the language: ***"A person or entity acting in good faith shall not be subject to civil damages resulting from acts or omissions that complied with an executive order or regulation or were in accordance with guidance regarding COVID-19, unless the damages result from the person or entity's gross negligence or from the person or entity's reckless, wanton or intentional misconduct. This section applies to all causes of action that accrue during the complete duration of the COVID-19 emergency declaration, EO 20-03 issued March 9, 2020."***

We continue to work to keep our family and employees on the farm safe...we work side by side. Please don't leave me exposed to unnecessary legal risk!

Thank you for your leadership on this important issue to those of us that are trying to do the right thing.

Best regards,

Elin

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