

Dear Senate President Courtney,

As businesses, schools, and local governments start to reopen, they are implementing safety measures in alignment with state public health guidelines and rules to protect workers and customers. But even if they implement public health measures, that doesn't mean the risk of contracting COVID-19 is zero. Oregon's schools, businesses, and nonprofits shouldn't live in fear of opportunistic attorneys and crippling litigation during these uncertain times. Legislators must provide Oregon employers with a solution in HB 4212.

Liability protection is crucial.

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.

I am worried that even though we are following state and federal public health guidelines, we are still at risk of a lawsuit from a customer or employee saying that we didn't go far enough. One of these lawsuits would cripple my business. It's already tough to keep my doors open in these challenging economic times.

The ask is simple: 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."

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.

Sincerely,

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