

September 15, 2020

To the Honorable Members of the Pennsylvania General Assembly:

On behalf of our organizations representing a broad range of industries and employers throughout Pennsylvania, we urge your support for providing the business, nonprofit, education and healthcare communities with temporary safe harbor from unwarranted lawsuits, while not precluding appropriate action against bad actors or those acting irresponsibly.

Healthcare professionals and facilities continue their heroic efforts to treat COVID-19 patients and have been supported by manufacturers producing critical medical and personal protective equipment, at times reorienting entire operations. Other businesses, nonprofits, local governments and their employees have worked tirelessly during the course of the pandemic to sustain communities; while other Pennsylvanians who had a successful company mere months ago have drained savings and are at risk of shuttering.

All share the prospect of an uncertain future and likely significant additional compliance costs to protect the health and safety of their employees, customers and the public. All also face the threat of unfair, opportunistic pandemic-related litigation and some Pennsylvania employers have already been targeted with unwarranted lawsuits.

For the foreseeable future, employers will be subject to strict workplace health and safety requirements and those who adopt these precautions should proceed with confidence knowing they will not be targeted with frivolous, and potentially devastating, litigation. On the other hand, those who act with gross negligence or disregard safety precautions should not be protected and we support robust enforcement against bad actors or irresponsible employers.

We appreciate your work and support up to this point and urge you to continue these efforts by providing temporary, targeted legal safe harbor for those operating in good faith and complying with relevant requirements. These protections will help employers survive, allow medical providers to direct their focus and resources to public health and are critical to facilitating an economic recovery.

Thank you.

American Academy of Pediatrics, Pennsylvania Chapter
American College of Medicine, Pennsylvania Chapter
American Institute of Architects, Pennsylvania
Associated Builders and Contractors of Pennsylvania
Associated Pennsylvania Constructors
Association of Independent Colleges and Universities of Pennsylvania
Brewers of Pennsylvania
Broadband Cable Association of Pennsylvania
County Commissioners Association of Pennsylvania
CrossState Credit Union Association
Energy Association of Pennsylvania
Fight Crime: Invest in Kids PA
First Up

Healthcare Council of Western Pennsylvania
Hospital and Healthsystem Association of Pennsylvania
Insurance Federation of Pennsylvania
LeadingAge PA
Life Sciences Pennsylvania
Manufacturer & Business Association
Mission: Readiness PA
National Federation of Independent Business
Pennsylvania Academy of Family Physicians
Pennsylvania Aggregates & Concrete Association
Pennsylvania Amusement Parks and Attractions
Pennsylvania Association for the Education of Young Children
Pennsylvania Association of Bed & Breakfast Inns
Pennsylvania Association of Community Bankers
Pennsylvania Association of Community Health Centers
Pennsylvania Association of Mutual Insurance Companies
Pennsylvania Association of Nonprofit Organizations
Pennsylvania Association of Realtors
Pennsylvania Bankers Association
Pennsylvania Builders Association
Pennsylvania Bus Association
Pennsylvania Campground Owners Association
Pennsylvania Chamber of Business and Industry
Pennsylvania Child Care Association
Pennsylvania Chiropractic Association
Pennsylvania Coalition for Civil Justice Reform
Pennsylvania Commission for Community Colleges
Pennsylvania Council of Children, Youth & Family Services
Pennsylvania Council of General Contractors
Pennsylvania Dental Association
Pennsylvania Farm Bureau
Pennsylvania Food Merchants Association
Pennsylvania Head Start Association
Pennsylvania Health Care Association
Pennsylvania Homecare Association
Pennsylvania Institute of Certified Public Accountants
Pennsylvania Licensed Beverage and Tavern Association
Pennsylvania Manufactured Housing Association
Pennsylvania Manufacturers' Association
Pennsylvania Medical Society
Pennsylvania Municipal League
Pennsylvania Orthopaedic Society
Pennsylvania Partnerships for Children
Pennsylvania Pharmacists Association
Pennsylvania Recreation Vehicle & Camping Association

Pennsylvania Restaurant & Lodging Association
Pennsylvania Retailers Association
Pennsylvania School Board Association
Pennsylvania Ski Areas Association
Pennsylvania State Alliance of YMCAs
Pennsylvania State Association of Boroughs
Pennsylvania State Association of Township Supervisors
Pennsylvania State Snowmobile Association
Pennsylvania Winery Association
Public Citizens for Children and Youth
Rehabilitation & Community Providers Association
Start Strong PA
Trying Together
United Way of Pennsylvania