



BUSINESS & INDUSTRY ASSOCIATION
New Hampshire's Statewide
Chamber of Commerce

July 16, 2020

The Honorable Jeanne Shaheen
2 Wall Street, Suite 220
Manchester, NH 03101

Dear Senator Shaheen:

I'm writing to urge you to support liability relief legislation to provide businesses a safe harbor from unwarranted COVID-19 related litigation. Absent some form of legal "safe harbor," employers of all kinds will be targets for lawsuits. This is already deterring some enterprises from reopening and will hinder others from returning to pre-pandemic operations.

Despite employers' good faith efforts to comply with state and federal workplace health guidelines, many are concerned that they'll be forced to defend themselves against a wave of lawsuits. That's why Congress should provide a legal safe harbor that holds bad actors accountable, but protects employers acting in good faith during this unprecedented situation.

You may be aware that BIA advocated for establishment of a legal safe harbor for employers in New Hampshire. To this end, we provided Governor Sununu and legislative leadership with draft safe harbor language. Unfortunately, the Governor said he believes this issue is best addressed at the federal level. Nor did the General Court act on this matter before concluding its 2020 session. The reality is that with no protections in place at the state or federal level, employers of all shapes and sizes who have been making good faith efforts to protect their employees, visitors, and customers from COVID-19 are vulnerable to costly, time-consuming and unwarranted liability-related litigation.

It's our understanding that some form of liability protection language will be included in the US Senate's next round of COVID-19 response legislation. We urge you to support this concept and provide businesses a safe harbor from unwarranted COVID-19 related litigation. Thank you for your attention on this critical matter, so vital to economic recovery.

Best Regards,

Jim Roche
President

PROMOTING A HEALTHY CLIMATE FOR JOB CREATION AND A STRONG NEW HAMPSHIRE ECONOMY