July 31, 2020

Honorable Nancy Pelosi
Speaker
United States House of Representatives
H-232, The Capitol
Washington, DC 20515

Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, The Capitol
Washington, DC 20515

Honorable Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

Honorable Chuck Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

Re: 141 Organizations Oppose S. 4317, the “SAFE TO WORK Act

Dear Speaker Pelosi, and Leaders McCarthy, McConnell, and Schumer:

In May, the undersigned organizations wrote to the Senate Judiciary Committee to strongly oppose any legislation that would establish nationwide immunity for businesses that operate in an unreasonably unsafe manner, causing workers and consumers to risk COVID-19 infection. We explained that removing legal accountability for businesses would both jeopardize the health and safety of workers, and jeopardize everyone who enters those workplaces. In addition, we explained that such immunity would be extremely damaging to the nation’s economic recovery. Now, after reviewing S. 4317, the SAFE TO WORK Act, we are dismayed to see that this proposal is worse than we could have imagined. We strongly and unreservedly oppose S. 4317.

Any recovery requires the public to have confidence that businesses are operating as safely as possible. Establishing legal immunity for businesses that operate unsafely would do the opposite of instilling public confidence. Instead, it would introduce new anxieties to an already highly anxious public. And it would have real-life consequences for every community, because the potential for being held liable for harm caused by failure to take reasonable care is one of the most powerful incentives we have to ensure that businesses operate safely. When workplaces are not properly protected, patients, customers, clients, and the community are all at risk.

This concern is not hypothetical. Some essential businesses have already put employees back in the workforce without ensuring their safety. As a result, infections have spread in and out of the workplace.¹ In some cases, this has led to renewed shutdowns, slowing the pace of recovery.²


From protecting the food supply chain to preventing needless deaths in nursing homes, it is clear that companies responsible for the health and safety of others must have every incentive to act responsibly. The pandemic cannot be an excuse for failing to take reasonable steps to protect workers and the public.

Greatly compounding the problem are recent trends toward deregulation and lax regulatory enforcement of workplaces. The federal Occupational Safety and Health Administration has substantially stepped back from its role to protect the health and safety of workers during this pandemic. Under these circumstances, the specter of unsafe workplaces is a significant concern. Without adequate protective equipment and other safety measures, workers will be deterred from coming back to work. Immunity would only exacerbate these problems.

We strongly oppose S. 4317. We urge you to reject this and similar immunity proposals and instead to focus on protecting workers, especially black and brown workers who bear the brunt of the coronavirus crisis, and provide the necessary safety nets to ensure that people can pay their rent and put food on the table. For any questions or follow-up, please contact Joanne Doroshow, Center for Justice & Democracy, joanned@centerjd.org, or Remington A. Gregg, Public Citizen, rgregg@citizen.org.

Very sincerely,

Accountable.US  CAARMA Consumer Advocates Against
AFL-CIO Reverse Mortgage Abuse
AFSCME California Employment Lawyers
African American Ministers In Action Association
Alfred E Smith Houses Resident California Reinvestment Coalition
Association, Inc.
Alianza Nacional de Campesinas Center for American Progress
Alliance for Justice Center for Auto Safety
American Association for Justice Center for Biological Diversity
American Museum of Tort Law Center for Digital Democracy
American Muslim Health Professionals Center for Disability Rights
Asian Pacific American Labor Alliance, The Center for HIV Law and Policy
AFL-CIO Center for Justice & Democracy
Autistic Self Advocacy Network Center for Popular Democracy
Bazelon Center for Mental Health Law Center for Progressive Reform
A Better Balance Center for Science in the Public Interest
BiNet USA CenterLink: The Community of LGBT
Blue Ridge Environmental Defense League Centers
Citizen Works

Constitutional Accountability Center
Consumer Action
Consumer Assistance Council, Inc.
Consumer Federation of America
Consumer Federation of California
Consumer Reports
Consumer Watchdog
Consumers for Auto Reliability and Safety
Cortland County Mutual Aid Network
Delaware Community Reinvestment Action Council, Inc.
Demos
Disability Rights Education & Defense Fund
Earthjustice
Economic Policy Institute
Empowering Pacific Islander Communities (EPIC)
Environmental Working Group
Equal Voice Action
Equality North Carolina
Essential Information
Farmworker Association of Florida
Florida Silver Haired Legislature, Inc
Food & Water Action
Freedom Network USA
Friends of the Batiquitos Lagoon
Futures Without Violence
Georgia Watch
Global Witness
Government Information Watch
Green For All
Greenpeace USA
Housing and Economic Rights Advocates
Human Rights Watch
Impact Fund
Indivisible
Institute for Agriculture and Trade Policy
Interfaith Center on Corporate Responsibility
International Brotherhood of Teamsters
Justice for Migrant Women
Justice in Aging
Largo Florida Civic Association
The Leadership Conference on Civil and Human Rights
Leading Age California
Legal Aid at Work
Long Term Care Community Coalition
Main Street Alliance
Mental Health Legal Advisors Committee (MHLAC)
Minority Veterans of America
Modern Military Association of America
Mohegan Congregational Church and Inmate Legal Aid Program
NAACP
NAACP Legal Defense and Educational Fund Inc. (LDF)
National Association of Consumer Advocates
National Center for Law and Economic Justice
National Center for Transgender Equality
National Consumer Voice for Quality Long-Term Care
National Consumers League
National Council of Asian Pacific Americans
National Council of Jewish Women
National Council for Occupational Safety and Health (National COSH)
National Employment Law Project
National Employment Lawyers Association
National Equality Action Team
National Lawyers Guild
National Lawyers Guild - Mass Chapter
National Partnership for Women & Families
National Wildlife Federation
National Women’s Health Network
National Women’s Law Center
National Workrights Institute
Natural Resources Defense Council
NC Justice Center
NETWORK Lobby for Catholic Social Justice
New America’s Open Technology Institute
New Economics for Women
Northwest Workers’ Justice Project
NYPIRG
Oasis Legal Services
OCA - Asian Pacific American Advocates
OHS Section, American Public Health Association
Open Markets Institute
Oxfam America
Partnership for Working Families
People For the American Way
People’s Parity Project
Positive Women’s Network-USA
Project on Government Oversight
Pride at Work
Protect All Children's Environment
Public Advocacy for Kids (PAK)
Public Citizen
Public Justice
Public Rights Project
Rights & Democracy NH
Rights & Democracy VT
Santa Clara County Wage Theft Coalition
Shriver Center on Poverty Law
Service Employees International Union
(SEIU)
South Carolina Appleseed
SPLC Action Fund
Sugar Law Center for Economic and Social Justice
Tax March
Texas Watch
Towards Justice
Ujima Inc.: The National Center on Violence Against Women in the Black Community
United For Respect
U.S. PIRG
Utility Workers Union of America, AFL-CIO
Virginia Citizens Consumer Council
Workplace Fairness