

116TH CONGRESS  
2D SESSION

# H. R. 6844

To provide expanded unemployment protection for employees and a limitation on liability for employers with respect to exposure to COVID-19.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2020

Mr. TURNER introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide expanded unemployment protection for employees and a limitation on liability for employers with respect to exposure to COVID-19.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Employer and Em-  
5 ployee COVID Protection Act”.

6 **SEC. 2. LIMITATION ON LIABILITY FOR EMPLOYERS.**

7 (a) IN GENERAL.—Except as provided in subsection

8 (b) an employer may not be held liable in any cause of

1 action before a State or Federal court for any injury that  
2 resulted from an employee contracting COVID-19.

3 (b) EXCEPTION.—Subsection (a) shall not apply if  
4 the employer violates State or Federal Law related to  
5 workplace safety.

6 (c) EMPLOYEE CONCERNS ABOUT RESUMING OR  
7 CONTINUING EMPLOYMENT.—

8 (1) An employee may inform their employer of  
9 any health concerns the employee has regarding re-  
10 suming or continuing employment after the head of  
11 the State in which the employee works has issued an  
12 order declaring that business operation may resume.

13 (2) RESPONSE FROM EMPLOYER.—An employer  
14 that is informed of a concern under paragraph (1)  
15 may—

16 (A) install additional protective equipment;

17 (B) adjust the work environment to the  
18 unique concerns of the covered employee; or

19 (C) find alternative suitable employment,  
20 as defined by State law, for the covered em-  
21 ployee.

22 (3) UNEMPLOYMENT BENEFITS.—With respect  
23 to an employee that informs their employer of con-  
24 cerns as described in paragraph (1) and is  
25 unsatisfied with the response from their employer as

1 described in paragraph (2), such employee may ter-  
2 minate their employment and have such termination  
3 be considered “through no fault of their own” for  
4 purposes of determining eligibility for State and  
5 Federal unemployment benefits.

6 (d) EFFECTIVE DATE.—This section shall take effect  
7 upon the date of the enactment of this Act and applies  
8 if the injury resulting from the employee contracting  
9 COVID-19 occurred after the date of the enactment of  
10 this Act.

11 (e) DEFINITIONS.—In this section:

12 (1) COVID-19.—The term “COVID-19” means  
13 the 2019 Novel Coronavirus or 2019-nCoV.

14 (2) EMPLOYEE.—The term “employee” has the  
15 meaning given such term in section 3 of the Occupa-  
16 tional Safety and Health Act of 1970 (29 U.S.C.  
17 652(3)).

18 (3) EMPLOYER.—The term “employer” has the  
19 meaning given such term in section 3 of the Occupa-  
20 tional Safety and Health Act of 1970 (29 U.S.C.  
21 652(3)).

22 (4) STATE.—The term “State” shall include  
23 the District of Columbia, and all territories of the  
24 United States.

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