

Virus Liability Shields May Hinge on New Agency Guidance

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Carlton Fields labor and employment attorney Rae Vann was quoted in a *Bloomberg Daily Labor Report* article titled, “Virus Liability Shields May Hinge on New Agency Guidance,” about potential guidance from federal agencies that would guard employers against coronavirus-related actions. While agencies have been reluctant to issue regulations related to reopening liability, several Senate members are arguing for an agreement that would force the Labor Department, the Occupational Safety and Health Administration (OSHA), and the Equal Employment Opportunity Commission (EEOC) to focus on providing employer protections. Vann agrees that there could be further agency guidance for employers, especially when it comes to protected populations. “The CDC considers persons over the age of 65 to be at higher risk of severe illness if infected by COVID-19,” Vann said. “However, we know the [Age Discrimination in Employment Act] bars excluding or otherwise discriminating on the basis of age. It would be helpful for the EEOC to provide some strategies or best practices that employers should consider to protect vulnerable groups short of being accused of acting on the basis of an individual’s protected status.” [Read the article.](#)

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