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December 1, 2020

The Honorable Ed Emery
Missouri State Senate
Committee on Government Reform
201 West Capital, Room 423
Jefferson City, MO 65101

Re: Senate Bill No. 1-Testimony in Support of Senate Bill 1

Dear Senator Emery:

My name is Jerry M. Hunter. I am currently Senior Counsel with the law firm of Bryan Cave Leighton Paisner LLP, a St. Louis, Missouri-based international law firm. I also serve as Chairman of the Board of Directors of Associated Industries of Missouri ("AIM"). I previously served as Director of the Missouri Department of Labor and Industrial Relations under former Governor John D. Ashcroft from 1986 to 1989. I also served as General Counsel of the National Labor Relations Board under former President George H. W. Bush from 1989 through 1993.

First of all, I would like to thank you for your leadership and willingness to file and support legislation in the Missouri Senate to provide protection for Missouri employers and businesses which have been adversely impacted and, in fact, devastated from the effects of the Coronavirus (COVID-19). As you are well aware, the State of Missouri and the United States as a whole have been suffering from the pandemic which has been in effect since the beginning of this year. Missouri businesses large, mid-size and small have been devastated by the impact of COVID-19. Thousands of businesses have closed, employers have had to lay off thousands of employees, tax revenues to the State of Revenue have been on a steady decline, and the Unemployment Compensation Fund is at a dangerous low as a result of the thousands of claims for unemployment compensation which have been filed by employees who were laid off from their job through no fault of their own.

It is undeniable that Missouri businesses have taken a gigantic hit from the COVID-19 pandemic. The citizens of Missouri and employees and employers need these businesses, educational institutions, hospitals and other healthcare facilities and other entities which have been adversely impacted by COVID-19 to safely open and remain open in order that the Missouri economy can recover and employees will have the opportunity to earn a living and provide for their families.

I am sure that you are aware that all businesses in the State of Missouri, including those in the manufacturing sector, educational institutions, hospitals and healthcare facilities are concerned

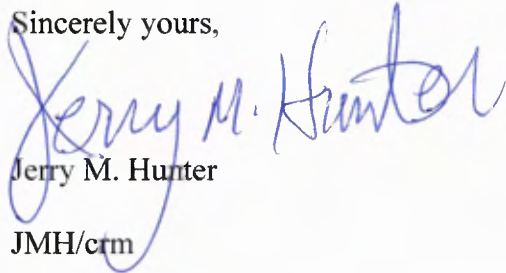
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that even when they take appropriate and reasonable action to provide protection for their employees, they are not insulated from frivolous lawsuits which may be brought by a trial lawyer who is looking for anyone to file a lawsuit against, no matter how frivolous the claim is. Missouri businesses really need protection from these frivolous lawsuits and this protection has to be provided through legislation passed by the Missouri General Assembly and signed by Governor Parson. The businesses and employers in the State of Missouri that follow public health guidelines and work toward creating a safe environment for its employees and customers should not have to worry about devastating COVID-19 lawsuits as they work toward returning their employees back to work and getting their businesses back on track. Such COVID-19 liability protections should be extended to other business entities, including education institutions, hospitals and healthcare facilities and other business entities.

I am writing to not only request but to support your efforts to pass much-needed COVID-19 liability protections for Missouri businesses. I am also requesting that every effort be made to pass this much-needed COVID-19 liability protection during the Special Session of the Legislature this month. Such legislation should, at a minimum, provide protections for any and all businesses and employers, including manufacturing businesses, schools and hospitals from the onset of the Coronavirus (COVID-19) at the beginning of this year. Again, I would respectfully recommend that the legislation should cover any claims which allegedly arose at the inception or onset of the Coronavirus and not just claims which may have arisen following the passage of the legislation by the Missouri General Assembly and its signing by Governor Parson.

I would like to thank you again for your support of COVID-19 liability protections for Missouri businesses and employers. If I can respond to any questions or be of any assistance to you, please do not hesitate to contact me.

Sincerely yours,



Jerry M. Hunter

JMH/ctm