

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Commerce and Tourism

SB 542 — Evidentiary Standards for Actions Arising During an Emergency

by Senator Rodriguez

The bill specifies that the following actions taken by a business during a declared public health emergency or a declared state of emergency may not be used as evidence against the business in certain enumerated civil causes of action to establish the existence of an employer-employee relationship:

- Providing financial assistance to individuals who are unable to work because of health and safety concerns;
- Directly providing benefits related to health and safety, including medical or cleaning supplies, personal protective equipment, health checks, or medical testing;
- Providing training or information related to health and safety; or
- Taking any action, including action required or suggested by any federal, state, or local law, ordinance, order, or directive intended to protect public health and safety.

The bill applies to civil actions relating to workers' compensation, retaliatory personnel actions, state minimum wage, labor pool violations, devices used in payment for labor, and unclaimed wages. Additionally, the bill applies to civil actions to recover lost wages, salary, employment benefits, or other compensation.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 39-0; House 115-2