

I've been asked to sign a COVID-19 waiver—what do I do?

MFPE has recently been made aware that some employers are asking employees to sign waivers in the event an employee contracts COVID-19 at the workplace.

Our advice? Don't sign. Immediately contact your local president with a copy of the waiver.

Montana's Public Employee Collective Bargaining law requires that employers *bargain* working conditions and *prohibits* an employer from unilaterally implementing a liability waiver without first bargaining to agreement or impasse with your local affiliate.

Secondly, it's unlikely that such a waiver is even legal. If the employer hasn't or isn't willing to follow suggested safety protocols in the workplace, they risk running afoul of state regulations requiring a safe workplace. Montana's Safety Culture Act, 39-71-1501, also requires work comp insurers to work with employers to devise plans for a safe workplace.

Finally, employers cannot legally require employees to waive their right to file a workers' compensation claim and it's unlikely that a court would undermine the foundation of the workers' compensation system to enforce a COVID-19 waiver.