

NFIB: Gov. Evers' plan to release small business names with COVID cases would cause financial harm, economic uncertainty

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Madison, October 6, 2020- NFIB, or the National Federation of Independent Business, the state's leading advocate on behalf of small business, is strongly urging the governor not to release the names of thousands of Wisconsin small businesses with reported COVID-19 cases since June. Even worse is the governor's plan to also release business information even if they have no employees test positive but had two or more contact tracing investigations. While we understand that there are legal requirements under the state's open records law, NFIB is concerned with the reputational and financial damage this could cause thousands of struggling small business owners in Wisconsin. NFIB applauds Waukesha County Judge Lloyd Carter for his ruling last week that issued a temporary restraining order against the governor for releasing the names of businesses whose employees have tested positive for COVID-19. NFIB urges the governor to take notice of the ruling and not cause further harm to Wisconsin small businesses.

"The release of the names of small businesses with reported COVID cases will punish struggling Main Street businesses in communities across Wisconsin," **said NFIB State Director in Wisconsin, Bill G. Smith.** "We are deeply disappointed Governor Evers feels he needs to take this action even when hard working small business owners are doing everything they can to keep their employees and customers safe. Releasing this list is essentially telling the public these small businesses are unsafe and the public should not go there anymore. The governor's

actions will only send our economy back into a tailspin while hurting our job creating and economy stabilizing entrepreneurs.”

Identifying the names of small businesses that had employees or customers who tested positive for COVID-19 gives the false impression that the employees or customers got the virus at their place of work or at a small business location – when that is impossible to know. The information could also expose small businesses to greater liability for frivolous lawsuits. Wisconsin needs to enact legislation that provides liability protection for small business – a top NFIB priority. Without that protection, providing the name of a small business with employees or customers who have tested positive for the virus is giving trial lawyers a list of victims to target, and recklessly placing the economic future of our small businesses in jeopardy. NFIB in Wisconsin has been a strong advocate for and [has been pushing for liability reform here in Wisconsin](#).

Small business owners are already in a bad financial and economic situation. There's no need to single out and embarrass small businesses. NFIB is also concerned that some Wisconsinites will see the list and believe it is unsafe to return to work even when that small business is following CDC and state recommendations to keep their workplace safe. Right now, we need to encourage economic activity so small business owners can help get Wisconsin's economy back on track.