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Litigation Tips for Food-Industry Employers in the Wake of COVID-19

In the wake of the COVID-19 crisis, food production and meatpacking plants have been the subject of much discussion regarding the risk of community transmission of the virus. Coronavirus infections and deaths among those who work in the industry have spurred a slew of lawsuits against employers.

However, a Missouri district court recently dismissed a suit seeking injunctive relief to mandate additional workplace safeguards for a meatpacking plant. In doing so, the Missouri court relied on and reinforced the power of the primary-jurisdiction doctrine, which allows a court to refer a matter to the appropriate administrative agency for ruling in the first instance.

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