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Legal Spotlight for Resilience of COVID-19: Public Nuisance in Workplaces

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The COVID-19 pandemic has already created reflective dreadful effects in each country diversely. Governments have taken strict measures to lessen the shocking consequences of the outbreak and with the intention of combating the deadly virus. Accordingly, litigations which relate with workplaces not complying with COVID-19 health guidelines have been increased as exposure of employees as well as their family members to the virus may fence in employers liable for their infection. The modern notion of the public nuisance cause of action is addressed in these lawsuits, and it has become a trend. Hence, this research follows a doctrinal methodology, which intends to study whether and to what extent new-fangled appearance of public nuisance is applied in the scenario of COVID-19 pandemic, and it discusses optimistic and pessimistic outcomes of such applications as well as the defences. The article concludes by having positioned the workplace policies and practices implemented and enforced in the prevailing legal framework that meet the recommended health guidelines and various existing defences to the focal theory, which can help to set aside public nuisance claims.

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