Forty-three percent of COVID-19-related workplace lawsuits have been initiated between employees and employers were filed in the past month, according to data collected by the Fisher Phillips LLC law firm.

A total of 283 COVID-19-related lawsuits were filed in federal and state courts through June 30, with 122 of them filed in the month of June, “demonstrating an exponential increase in the number of claims involving disputes between workers and employers,” the Atlanta-based firm said in a statement.

June's numbers show a 30% increase from the 94 cases filed in May and a 103% increase from the 60 cases filed in April, according to the data.

The firm’s data also revealed an increase in the number of class-action lawsuits filed: 41 such class-action claims have been filed against employers since the beginning of the pandemic, with 16 having been filed in June and six filed in the last week of June. This is an increase of 65% in class actions filed through May 2020, according to the firm.

The two types of COVID-19 claims that have been filed most frequently are employment discrimination claims and work-from-home/leave claims. Of the 63 pandemic-related discrimination claims, many “sound like classic workplace disputes wrapped in a COVID-19 context,” the firm said.

Some examples included in the firm’s analysis include a gender discrimination claim where a pregnant woman claims she was furloughed due to the pandemic but was replaced by a non-pregnant individual; a disability discrimination claim where an employee was forced to reveal a multiple sclerosis diagnosis to justify accommodation requests and was subsequently terminated; a sexual harassment claim where the employee claims the employer used the pandemic as a “cover story” to terminate her employment while the real reason was that she refused her boss’ sexual advances; and a worker who was sent home with flu-like symptoms but still terminated even after he presented a negative COVID-19 test result.

Sixty-two work-from-home or employee-leave claims had been filed as of June 30, with lawsuits allegations “generally consistent,” with workers claiming to not receive time off from work despite a legitimate need for such leave, or that the requested leave fell within the rights of the federal Families First Coronavirus Response Act. Some suits indicate that a request to work from home was denied, with employees claiming “myriad reasons” for wanting to work from home or take time off work, whether it is their own vulnerable status due to medical condition or age, their caring for a close family member with a vulnerable condition, a
possible diagnosis with COVID-19 or an instruction to self-quarantine for a period of time, or a childcare issue or similar family arrangement, according to the firm’s analysis.

California and Florida are seeing the most COVID-19-related workplace litigation, with California seeing 47 cases and Florida 32. New Jersey and New York also saw higher numbers of suits, 31 and 21, respectively, according to the analysis.

California and Florida are also ranked the highest when it comes to the number of COVID-19 class-action workplace lawsuits filed through June 30: 11 in California and eight in Florida, according to the data.