

COVID-19 Update From EKA – April 27, 2020

If you have any questions or if we can be of any assistance, please reach out to EKA, and we will be happy to assist you. Please feel free to share our daily email updates. If you would like to see previous EKA COVID-19 updates, click [here](#).

Stay At Home Order Day 40

Today is day 40 of the [statewide "Stay-at-Home" Order](#). 48 Days ago, the World Health Organization declared COVID-19 a pandemic.

LOS ANGELES COUNTY

Board Of Supervisors Chair Unveils 4-Point Plan

Supervisor Kathryn Barger, who is Chair of the County Board of Supervisors, unveiled a four-point plan whose criteria she said will have to be achieved before County eases restrictions. She stressed that county officials don't want to lift the restrictions prematurely, potentially leading to another spike in cases that could overwhelm hospitals and unnecessarily put lives at risk. The benchmarks being examined by the County echo those outlined previously discussed by county health officials, as well as guidelines detailed by Governor Newsom and by Mayor Eric Garcetti. In an [interview on KABC-TV](#) she said Public Health had identified four measures that must occur to modify provisions in the Safer at Home Order and safely reopen certain businesses, institutions, and public spaces. The recovery prerequisites are:

1. Ensure hospitals and primary care and specialty services capacity to care for people who are ill and for those who need routine health care.
2. Ensure protections for vulnerable populations - especially the elderly, people with underlying health conditions, residents in institutional settings, people experiencing homelessness, and people with poor access to needed services and supports. This includes making sure that there are enough trained staff and personal protective equipment to appropriately manage care at institutional settings.
3. Ensure capacity for testing, isolating, and quarantining individuals and for surveillance to prevent the spread of infection.
4. Ensure capacity to maintain maximum physical distancing and infection control at all spaces and places where people interact with each other outside of their homes.

The Health Department said that when the Safer at Home Order is relaxed, people will be around one another more and this will increase the risk and likely the rate of transmission and cases in the County.

Disaster Help Center Offers More Service for L.A. County

The Department of Workforce, Development, Aging, and Community Services and other County and State agencies are working together to run the [Disaster Help Center](#). The center can help business owners and workers access important resources during the COVID-19 emergency. They now additional resources for non-profits and renters. They expanded their

hours of operation to 8:30 a.m. to 5:30 p.m. Monday through Friday and 10 a.m. to 3 p.m. on Saturdays. To reach the Disaster Help Center call (833) 238.4450

Long-term Care Facilities

The Los Angeles County Department of Public Health issued a new public order for all licensed congregate healthcare facilities (nursing homes, skilled nursing facilities, and assisted living facilities). The public Order includes the following measures:

- Restricting all visitors
- Suspending all communal dining and activities to ensure physical distancing
- Screening frequent temperature checks for staff, patients and residents
- Testing for all employees and residents
- Staff will be required to wear surgical masks at all times and personal protective equipment when appropriate.
- Residents will also need to wear surgical masks or cloth face coverings when they are outside of their personal room.

To see the Public Health Officer Order, click [here](#). To see Skilled Nursing Facilities: Infection Prevention Resources and Guidance, click [here](#).

CITY OF LOS ANGELES

Los Angeles City Council to Require Businesses to Rehire Former Employees

Several local California governments have imposed additional paid leave requirements for larger employers, without an offsetting tax credit or another funding mechanism, meaning the employer will bear the full cost.

Employers who have laid off workers due to COVID-19 may soon be required to rehire the laid-off workers before they can hire any new employees. The Council unanimously approved a measure giving specified workers a "right of recall." Employees who work in stadiums, concert halls, hotels, and airport-affiliated businesses, as well as janitorial workers, may be covered by the Ordinance. Employers opposing the Ordinance worry that it will spark an avalanche of lawsuits, further complicating the rehiring and business-reopening process. Once the final version of the Ordinance is drafted, the Council must approve it again before it goes to the Mayor Garcetti for final approval and implementation. Mayor Garcetti already has [indicated that he will sign](#) such a measure. We will keep you updated on the status of the Ordinance.

Paid Leave & Sick Leave

Los Angeles already had its own [paid sick leave requirements](#) prior to the COVID-19 outbreak. After COVID-19, the City implemented an ordinance that [requires supplemental paid leave](#). While there are several exemptions, the Order applies to employers that have either: (i) 500 or more employees within the City of Los Angeles; or (ii) 2,000 or more employees within the United States. Employees covered by the Order are those who perform any work within the geographic boundaries of the City of Los Angeles and who were continuously employed by the same employer from February 3, 2020 to March 4, 2020. Companies must provide up to 80 hours of supplemental paid sick leave (capped at US\$511/day and US\$5,110 in aggregate) to

employees who (i) has been employed with the same employer from February 3, 2020 through March 4, 2020; (ii) is unable to work or telework; and (iii) works at least 40 hours per week or is classified as a full-time employee by the employer. Employees that otherwise are eligible but who work less than 40 hours per week or are not classified as full-time are eligible for supplemental paid sick leave in an amount no greater than the employee's average two-week pay over the period of February 3, 2020 through March 4, 2020. The supplemental paid sick leave provided under the Los Angeles ordinance may be used if the employee:

- Needs time off due to a COVID-19 infection or because self-quarantine has been recommended or required by a public health official or health care provider;
- Is at least 65 years old or has a health condition such as heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system;
- Needs to care for a family member for whom quarantine/self-isolation has been recommended or required by a health care provider or public health official; or
- Needs to care for a senior or minor family member whose regular care provider has temporarily ceased in response to a public health or other public officials recommendation and the employee is unable to secure a reasonable alternative caregiver.

On the one hand, the Los Angeles Ordinance is narrower than the FFCRA that we have mentioned in several prior updates in that there is no requirement to provide ten weeks of leave for childcare. On the other hand, the Ordinance is broader than the FFCRA in several respects, including expanding the circumstances in which the sick leave may be used and prohibiting employers from requiring a doctor's note or documentation for supplemental paid leave. The Los Angeles law has some exemptions similar to the FFCRA, e.g., emergency and health care workers, but it also exempts global parcel delivery services, employers that provide 160+ hours annually in paid time off, new businesses, and businesses closed for at least 14 days because of the Safer at Home order. Companies that fail to comply could be liable for back pay and attorneys' fees, and employees may not waive the paid leave. The facts, laws, and regulations regarding COVID-19 are developing rapidly. EKA suggests that those with questions consult with your legal counsel for guidance.

LONG BEACH

Long Beach Partner Processing Paycheck Protection Program Loan Applications

The [National Development Council \(NDC\)](#) is a PPP lender. The City of Long Beach has a longstanding partnership with NDC. This partnership enables Long Beach small businesses to submit PPP applications through NDC's application portal. Click [here](#) to link to the NDC's PPP application portal.

Sacramento

Governor Newsom Signs More Executive Orders

Governor Newsom issued an Executive Order addressing a variety of issues in response to the COVID-19 pandemic. He granted a 60-day extension for customers on several DMV deadlines, including for recently expired drivers' licenses and identification cards. The Order also suspends late fees from being applied to expired vehicle registrations. The Order will allow certain posting, filing and notice requirements under the California Environmental Quality Act (CEQA) to be satisfied through electronic means. Finally, the Order will temporarily allow retailers, particularly grocery stores, to provide bags to consumers without charge, and to pause redemption of beverage containers in-store to mitigate the spread of COVID-19. The Order also temporarily suspends the requirement for recycling centers to hold a minimum number of hours of operation and directs the Department of Resources Recycling and Recovery (CalRecycle) to develop and issue operating guidelines. The text of the Governor's Executive Order can be found [here](#) and a copy can be found [here](#).

Schools COVID-19 Response

The Governor issued an Executive Order that empowers schools to focus on responding to COVID-19. The Order extends the deadlines for local educational agencies to submit Local Control and Accountability Plans (LCAP), which are multi-year planning documents tied to budget projections. The Order waives a number of requirements. The text of the Governor's Executive Order can be found [here](#) and a copy can be found [here](#).

Special Enrollment-Period for Health Care Coverage due to COVID-19

Covered California has issued a special enrollment period for those impacted by income changes, reduced hours or lay off due to COVID-19. If the following circumstances apply, residents may be eligible for health care coverage through Covered CA:

- Lost Medi-Cal coverage
- Lost your employer-sponsored coverage
- COBRA coverage is exhausted
- No longer eligible for student health coverage

To learn more, click [here](#). To apply click [here](#).

Home Meals for Seniors

Governor Newsom launched a first-in-the-nation "Restaurants Deliver: Home Meals for Seniors" program. The state is partnering with FEMA, as well as local cities and counties, to have local restaurants deliver healthy meals to seniors. There is no cap on the number of meals. Decisions on which restaurants are eligible to provide meals will be made at the local level. Seniors either must have been at high-risk of exposure to coronavirus; their finances are below 600 percent of the federal poverty level, have already been exposed to coronavirus, or are broadly at higher risk for coronavirus. The reimbursement for restaurants is up to \$16 for breakfast, \$17 for lunch, and \$28 for dinner. The food will be low sodium, along with other guidelines around the food's health. FEMA is reimbursing 75 percent of the funding, with the state paying for 75 percent of the remaining 25 percent, Newsom said — the rest will be paid for by cities and counties. This is for people ineligible for other programs. Click [here](#) for additional details on the program.

Checking In On Seniors

The Governor said that the state is significantly expanding its wellness and check-in programs. The state is working with Sacramento State University, utilizing students to help in the efforts to reach seniors. United Airlines offered the state the use its call center employees, and California is tasking those employees with doing check-ins on seniors. The Governor said [a new "Friendship Line"](#) (888) 670-1360 for seniors who need emotional support, offering a number for people who need someone to talk to at this time.

NATIONAL

Paycheck Protection Program Reopens & Will Begin Taking Applications Today

The Small Business Administration (SBA) said they would begin accepting new applications for loans available through the Paycheck Protection Program (PPP) today. Out of the total funding amount, \$319 billion was earmarked for the PPP with \$60 billion designated for small lenders and community banks. Administrator of the U.S. Small Business Administration Jovita Carranza and U.S. Treasury Secretary Steven Mnuchin issued a statement on the resumption of the PPP. To read the statement, click [here](#). Click [here](#) for more information on the PPP.

Webinar: Paycheck Protection Program

The Small Business Majority is hosting a webinar with the U.S. Small Business Administration tomorrow. Topics include:

- The difference between Economic Injury Disaster Loans and Paycheck Protection Program loans and how to apply
- An overview of alternative lending options including the Small Business Administration's loan guarantee program, Community Development Financial Institutions, reputable online lenders, and crowdfunding
- How to avoid predatory lenders

For more information and to register, click [here](#).

OSHA Issues COVID-19 Guidance for the Construction Workforce

The Occupational Safety and Health Administration (OSHA) has issued [an alert](#) listing [safety tips \(guidance\)](#) employers can follow to help protect construction workers from exposure to the coronavirus. OSHA's guidance acknowledges that the six-foot social distancing is not an absolute that must be observed at all times, but rather is to be followed "where possible." Six foot social distancing is not always required or appropriate and if work processes cannot be modified to permit six-foot distancing, employers should develop clear procedures outlining the precautions and conditions that must be followed to minimize risk.

We should note that the OSHA [manufacturing industry Guidance](#) encourages employers not to share tools and equipment. Still, the construction guidance acknowledges that tools will be shared and must be cleaned consistently with "manufacturer's recommendations." We are not sure that the manufacturer's provide recommendations for sanitizing construction tools.

WHAT WE'RE READING

Coalition Of 'Nonessential' Small Businesses Claim Shelter-In-Place Orders Are Unconstitutional

A [new lawsuit filed](#) in federal court Friday challenges the authority of California Gov. Gavin Newsom, Attorney General Xavier Becerra, the state's public health officials and Los Angeles Mayor Eric Garcetti to decide which businesses are "essential" and "nonessential" concerning business closure orders and the state-imposed lockdown over the coronavirus scare. To read the full article, click [here](#).

Even harder than shutting down: How does Newsom reopen California?

As California gradually reopens amid a pandemic that has killed nearly 48,000 Americans and left more than 3 million Californians unemployed, Gov. Gavin Newsom is faced with his toughest decisions yet: When and how do we return to normal? To read the full article, click [here](#).

A Staggered, 4-Part Plan To Reopen The U.S. Could Start In May. Only 20% Of The Workforce Would Be Back In Offices By August

A staggered, 4-part plan for reopening the country, out from the Edmond J. Safra Center for Ethics at Harvard University, puts 20% of the workforce back in their offices by August. The plan also requires massive investments in testing, contact tracing, and social support for people who need to stay home when they're sick or have been exposed to the coronavirus. To read the full article, click [here](#).

Los Angeles Likely To Force Delivery Apps To Cap Restaurant Fees At 15 Percent

Los Angeles could be the next California city to cap restaurant fees from delivery apps, if L.A. Councilmember Mitch O'Farrell has his way. O'Farrell introduced a motion last night to the Council that would cap fees for restaurants at 15 percent, mirroring what has already been [approved and implemented](#) via emergency order earlier this month in San Francisco. Current delivery fees for restaurants vary by app but can run as much as 30 percent. To read the full article, click [here](#).

California Cities Expect To Lose At Least \$7B Due To Coronavirus

California cities are anticipating a near \$7 billion collective revenue shortfall over the next two fiscal years due to the coronavirus pandemic — an estimate that could grow substantially if stay-at-home orders last through the summer. To read the full article, click [here](#)

The World's Largest Airline Parking Lot: California Airfield Where America's Beleaguered Carriers Have Dumped 400 Of Their Idle Jets

Stunning footage has revealed how more than 400 jetliners grounded by the coronavirus pandemic have been parked in the California desert. Pilot Bryan Keith was given access to fly his Grumman Tiger over the Southern California Logistics Airport in Victorville where the dry climate minimizes the risk of rust. The Victorville facility in California is a decommissioned Air Force base. Last year, Southwest Airlines began storing its fleet of Boeing 737 Max jets thereafter the airplane was grounded following two fatal crashes. To read the full article, click

FDA Issues Warning Against Hydroxychloroquine

The Food and Drug Administration warned patients against taking two anti-malaria medications that have been talked up by President Trump for COVID-19 unless carefully monitored in a hospital or as part of a clinical trial. To read the full article, click [here](#).

These Anti-Quarantine Websites Are Fakes. Here's What They're Really After

Over the last month, more than 540 domain names have been registered with the word "reopen" in the URL, but don't take it as a sign that ending social distancing directives has become a mainstream goal. Hundreds of these websites are designed to lend credibility to anti-lockdown protests, according to new research, and many come from suspicious sources or resellers looking to make money. In a report published Friday, threat-intelligence company DomainTools said it's found hundreds of domain names tied to the "reopen" campaign, which broadly argues against state lockdown measures adopted to curtail the spread of the novel coronavirus. The campaign wants social distancing restrictions to end and businesses to reopen. To read the full article, click [here](#).

Here's When Stay-At-Home Orders Are Expiring In Each Of California's 58 Counties

While all Californians are currently living under a [statewide stay-at-home order](#) implemented in response to the [coronavirus outbreak](#), some counties have also crafted additional or more-targeted local regulations aimed at stemming the disease's spread. The county-level orders vary, as do their expiration dates. Some of the measures are in place until a specified date, others until further notice. To read the full article, click [here](#)

Note: *This update has been prepared for informational purposes and is compiled from publicly available sources and is not intended to be legal or tax advice. All hyperlinks are live and will bring you to the information mentioned.*