

## COVID-19 Update From EKA – April 11, 2020

EKA's media, government, public relations and crisis support services teams are tracking the state, local and national government responses to the COVID-19 Pandemic. 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 below are live and will bring you to the information mentioned.

### Resources for Businesses

As we continue to work together to maintain the safety and health of our community, EKA continues to relay information regarding the resources that have come available to businesses. Attached to this email is a straightforward Resource Guide the EKA team created to alert you to the various COVID-19 resources available.

## COUNTY OF LOS ANGELES

### LA County Stay-At-Home Order Extended To May 15

Los Angeles County's stay-at-home and business-closure orders were extended today to May 15, with health officials saying that while physical-distancing requirements have dramatically slowed the spread of coronavirus, lifting them now could lead to nearly 96% of the population being infected by August. The orders had been set to expire on April 19. Citing a detailed analysis of cases to date and modeling of future case projections, county health officials said the numbers show that existing social-distancing practices have "flattened the curve" of infections. But lifting the stay-at-home requirements and business closures would quickly reverse that trend. The modeling presentation produced by the L.A. County Department of Health Services can be found [here](#).

The county health orders were implemented in mid-March, requiring people to stay at home as much as possible and to avoid large public gatherings. The orders also shuttered non-essential businesses, leaving only retailers such as grocery stores, restaurants, pharmacies and other outlets open. While the public health orders were extended to May 15, officials could not provide any insight on whether they will actually end at that point, saying they will simply have to reevaluate the situation at that time. To view the Health Department's FAQ, click [here](#).

**Note:** Page two to the Order details the measures that Essential Businesses who remain **open are required to implement**. To read the new Health Order, click [here](#).

### Temporary Relief for Traffic and Non-Traffic Infractions

Presiding Judge Kevin Brazile announced the immediate temporary relief for all traffic and non-traffic infraction defendants for 90 days. To read the order, click [here](#).

### Monthly Subsidy for Renters

Los Angeles County Supervisors Janice Hahn and Hilda Solis have proposed creating an Emergency Rent Assistance Program during the COVID-19 crisis. The program would provide up

to \$1,000 per month for three months to renters who have lost income due to the coronavirus pandemic. The number of families that would be helped by the program would depend on the level of funding. Those eligible to receive the rent subsidies would likely have to be under certain income levels, but that has not yet been determined. Funding for the program would come from the second round of funding Los Angeles County expects to receive from the Federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Additional funding could come from philanthropy and private sources. The Emergency Rent Assistance Program proposal will be voted on during this Tuesday's virtual meeting of the Board of Supervisors. If the board approves the motion, it is expected that a report on the implementation of the program will be presented to the board within 30 days. To read the full motion, click [here](#).

### **COVID-19 Incident Update**

L.A. County Emergency Operation Center's COVID-19 disaster response center issued a high-level summary that includes the number of confirmed positive cases of COVID-19 among Los Angeles County Sheriff's Department and Los Angeles County Fire Department employees. To read the report, click [here](#).

## **CITY OF LOS ANGELES**

### **Requesting Protective Gear**

Through the City's L.A. Protects manufacturing initiative, 800 companies have signed up to produce non-medical-grade masks for essential businesses, and 600 companies have, in total, requested more than 900,000 of them. Businesses can ask for masks and other protective equipment through the website [laprotects.org](http://laprotects.org). If your organization requires protective gear, click [here](#) and fill out the form to provide more information about your organization and your protective gear needs.

### **Child Care Program For Essential Hospital Employees**

The Mayor launched the L.A. Emergency Child Care Connection, a program to provide childcare resources to essential employees of participating hospitals during the COVID19 crisis. The L.A. Emergency Child Care Connection is a Mayor's office initiative coordinated with the Mayor's Fund for Los Angeles and the Department of Recreation and Parks, with three main components:

- **Stipend:** A \$100 stipend per shift to help qualifying hospital employees pay for the type of childcare that works best for them. Families are encouraged to use the stipend to help children stay at home or in the home of a trusted relative or neighbor. Participating hospitals must commit to making the full allowance available to all non-professional employees and prioritize low-wage workers.
- **Child Care Referrals:** Free referrals to licensed providers in the community. That means access to three high-quality resources for finding childcare: Carina Care, a web-based matching program aligned with SEIU Local 99; WeeCare, the nation's largest online private care matching agency; and enhanced referrals through L.A. County led by the Child Care Alliance of Los Angeles member agencies.

- **City Recreation Centers:** Starting April 13, the City's Recreation and Parks Department will provide free care for children between the ages of 6 and 14 at City recreation centers located near participating hospitals to accommodate employees who are unable to have their children cared for at home. Each site will be open 7 days a week from 6 am to 8 pm and will offer programming and meals and adhere to public health guidelines.

The first hospitals to participate are White Memorial, California Medical Center, and Northridge Medical Center. In addition, the City is partnering with Glendale Memorial Hospital to support their staff with stipends and childcare referrals. The Mayor's Office is working to grow the list of participating hospitals and medical centers.

### **Two LA City Employees Have Died From COVID-19**

Mayor Garcetti said that the novel coronavirus has hit the city employee ranks hard, with two workers dying from the illness in recent days. There were no further details about which departments the employees worked in. The Mayor said the identifies of the people "are not public yet.

## **SACRAMENTO**

### **Auto Insurance Coverage**

With restaurants and businesses expanding deliveries to comply with "shelter in place" rules, the Insurance Commissioner urged insurance companies to extend auto insurance coverage for drivers who are using their personal vehicles to fulfill deliveries for California's essential businesses during the COVID-19 Pandemic. Because personal automobile policies do not typically provide coverage for vehicles used for commercial purposes and some drivers may not be covered under their employer's commercial automobile policy issued to a California essential business, temporary delivery drivers may be inadvertently uninsured as they carry out their job duties. Under today's [Notice](#), insurance companies should not deny a claim under a personal auto policy solely because the driver was providing delivery service on behalf of a California essential business impacted by the COVID-19 Pandemic. The Notice applies to 16 categories of "essential critical infrastructure workers" identified by the U.S. Department of Homeland Security on March 19, including those who deliver food, medication, and other essential goods. The Department is also requesting insurance companies to extend delivery coverage for motorcycle and bicycle riders, and allow essential businesses to retroactively add drivers to their commercial automobile policies beginning on March 19, 2020.

### **Public Records Act Requests**

Seeking to piggyback on the [State of Emergency](#) Governor Gavin Newsom declared on March 4, 2020, as part of the state's response to address the global COVID-19 Pandemic, California cities filed a letter with the Governor asking him to "pause" various important statutory timelines that apply to twelve parts of state law, including several that play a central role in the ongoing housing crisis. In the six-page letter, dated March 22, 2020, the League of California Cities requests "immediate action to pause certain statutory requirements" by 120 days from when the deadline would otherwise expire if the deadline would have otherwise expired during the State of Emergency.

The League requested the Governor to state that the phrase "unusual circumstances" found in Government Code section 6253(c) includes the State of Emergency and to suspend the provision in that section of the Public Records Act putting a 14-day limit on cities' obligation to respond to public records requests unless the request seeks records created during, and relating to, the State of Emergency."

The League's request follows numerous Executive Orders, including [N-25-20](#), [N-29-20](#), and [N-35-20](#). Acting under the authority of the California Emergency Services Act, the Governor has already waived laws and regulations, through those Executive Orders, in a broad range of subjects including meetings of local legislative bodies under the requirements of the Ralph M Brown Act.

### **Hearing on State's COVID-19 Response**

Assembly Speaker Anthony Rendon announced today that the Assembly has scheduled its first Budget subcommittee hearing focused on the state's response to the COVID-19 crisis. Assembly Budget Subcommittee 6, chaired by Assemblymember Phil Ting will meet on Monday, April 20, at 10:00am in Room 4202 in the State Capitol. The hearing will include oversight and assessment of California's COVID-19 expenditures, including the use of the emergency funds approved by the Legislature in March. The Capitol will be open for attendance of this hearing. Given the statewide stay-at-home order, and guidance on physical distancing, seating will be very limited for press and for the public. All are encouraged to watch the hearing from its live stream on the [Assembly's website](#). The method of participation in public testimony during this hearing will be announced closer to the hearing date but will include an online option to support physical distancing and public health.

### **Emergency Orders Affecting Employment Actions**

The Judicial Council of California met this week and issued emergency rules related to the COVID-19 Pandemic. Overall, the Judicial Council of California issued eleven different orders; however, several of them will directly affect employment cases. Most importantly, under Emergency Rule No. 9, the statute of limitations is tolled for all causes of action from April 6, 2020, until 90 days after the Governor declares that the state of emergency related to the COVID-19 Pandemic is lifted. Generally, the statute of limitations for various employment law claims vary.

As detailed in previous updates, the California legislature recently passed a law extending employees' statute of limitations to file administrative complaints of discrimination with the California Department of Fair Employment and Housing to three (3) years. After the DFEH complaint is filed and a Right to Sue is obtained, employees have one (1) year from the Right to Sue Notice from the Department to file a discrimination, harassment or retaliation lawsuit. According to this order, if an employee's statute of limitations would have run between April 6, 2020, and on (through 90 days after the State of Emergency is lifted), their time to file their lawsuits is tolled indefinitely for the time being.

### **Main Street Lending Program**

On Thursday, the Treasury and the Federal Reserve announced the details of a Main Street Lending Program authorized by the CARES Act to help small and mid-sized businesses obtain funding of up to \$600 billion. The program establishes two potential lending facilities – an up to \$25 million unsecured facility for new loans originated on or after April 8, 2020, and an extension facility of up to \$150 million for loans in existence as of April 8, 2020. Term sheets for both programs can be found [here](#).

The Main Street Lending Program is open to businesses with up to 10,000 employees or up to \$2.5 billion in annual 2019 revenues, which are created or organized in the U.S. with significant operations and employees located in the U.S. Currently, no guidance has been released as to whether affiliation rules apply or how employees or revenue caps will be determined. Unlike the SBA's payroll loans, the amounts loaned under the Main Street Lending Program are not currently planned to be forgivable, although in the case of the new facility, they are unsecured. Based on the guidance provided to date, it appears that the Main Street Lending Program will be available until September 30, 2020. Based on public statements recently made by the Federal Reserve, the Main Street Lending Program should be operational within the coming two to three weeks.

#### ARTICLES OF INTEREST

##### **Wimbledon paid pandemic insurance for almost 20 years. Now it's getting \$141 million**

Wimbledon organizers will receive a massive insurance payout after the coronavirus pandemic forced the cancellation of the major tennis tournament. The Club has purchased pandemic insurance for 17 years at the cost of roughly \$2 million per year, according to multiple reports. The Wimbledon organizers reportedly sought a pandemic insurance clause after the SARS outbreak in 2003. The pandemic insurance policy will pay out an estimated \$141 million following the decision to cancel Wimbledon. To read more, click [here](#).

##### **Coronavirus lawsuits are coming to work, as health and privacy collide**

Can your employer ask if you are sick? And can you be fired if you are? Those questions, fraught in normal times, are coming to the fore as workers and businesses navigate a new environment where a sick colleague isn't just an inconvenience, but a potential threat to the company and the workforce. To read more, click [here](#).

##### **How far has coronavirus spread?**

Starting yesterday, L.A. County health officials began testing the blood of 1,000 randomly selected residents, including those with no symptoms, to see if they have or had COVID-19. Using emerging technology that tests for antibodies to a virus, the study has the potential to shed light on the true mortality rate of the coronavirus, the efficacy of social distancing efforts and when this unprecedented clampdown on daily life could end. To read more, click [here](#).

##### **Bar Association Coronavirus COVID-19 Task Force**

The American Bar Association Task Force on Legal Needs Arising Out of the 2020 Pandemic launched a website to provide information about resources, changes in benefits and emerging

legal issues caused by the COVID-19 Pandemic. Designed to be a national source of information about the coronavirus and the delivery of legal service, the website includes resources on remote service delivery, court access and rules changes, legal needs, public benefits programs, and pro bono mobilization. To more information, click [here](#)

**When California Residents Will Receive Stimulus Checks?**

Beginning the week of April 13, the IRS is expected to make about 60 million payments to Americans through direct deposit. This will be done automatically for people who used direct deposit on their 2018 or 2019 tax returns. It also includes beneficiaries of Social Security who filed tax returns through direct deposit, according to the House Ways and Means Committee. To read more, click [here](#)

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