

## COVID-19 Update From EKA – April 24, 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 37

Today is day 37 of the [statewide "Stay-at-Home" Order](#). 45 Days ago, the World Health Organization declared COVID-19 a pandemic.

### Facebook Small Business Grants Program

Los Angeles-area small businesses are now able to apply for the [Facebook Small Business Grant Program](#). This initiative is part of Facebook's pledge to offer \$100 million in small business grants worldwide. To be eligible to apply, a business must:

- Be a for-profit company
- Have between 2 and 50 employees
- Have been in business for over a year
- Have experienced challenges from COVID-19

Facebook is working with Ureeka, a third-party partner to select and distribute grants. Ureeka's application will ask you to share your contact information, a brief summary about your business and how you would use the cash grant. To complete the application, you'll also need at least one of the following documents:

- Federal Employer Identification Number (FEIN)
- Partnership documents
- Business license
- Proof of incorporation
- Official registration

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

### LISC Small Business Relief Grant

The organization [LISC](#) is offering grants of up to \$10,000 each to small business owners to help meet their most immediate needs. Eligible expenses include:

- Paying rent and utilities
- Meeting payroll
- Paying outstanding debt to vendors
- Upgrading technology infrastructure
- Other immediate operational cost
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Grants will be made in the amounts of \$5,000, \$7,500, and \$10,000. Before completing the application, please read the [Grant Overview and FAQ](#). Questions can be sent to [SmallBusinessGrant@lisc.org](mailto:SmallBusinessGrant@lisc.org). The application deadline is Tuesday, April 28 at 8:59 pm (PST) To start your application, click [here](#).

## LOS ANGELES COUNTY

### **Litigation against the City of Norwalk**

Los Angeles County filed a court action against the City of Norwalk today, seeking to force the City to comply with state and county efforts to house the homeless in motels during the coronavirus crisis. While many cities, and hotels and motels, have been eager to help the county implement Project Roomkey to help the homeless, Norwalk has resisted the County's efforts to secure temporary emergency housing by enacting legislation directly contrary to the Governor's declaration of an emergency and his issuance of executive orders. As detailed in previous EKA updates, [Project Roomkey](#) and similar programs intended for the isolation and quarantine of persons who have tested positive for COVID-19, exhibiting symptoms of COVID-19, or are at high risk of contracting COVID-19. To view the Motion by Supervisor Hahn on this issue, click [here](#).

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

To view the L.A. County Emergency Operation Center's COVID-19 disaster response. To view the report, click [here](#).

### **Board of Supervisors**

The Board of Supervisors Board meeting Agenda for April 28 is now public. To view the 40-page agenda, click [here](#). Below are a few items of interest.

### **Safely Reopening Los Angeles County**

A Motion by Supervisors Barger and Solis directs the Chief Executive Officer, in collaboration with the Director of the Office of Emergency Management, to instruct the Directors of Public Health, Health Services, Mental Health and any other appropriate Departments, to report back to the Board in seven days with details on measures needed for containment of COVID-19 and needed prerequisites for relaxing the Safer at Home Order. The Motion also calls for them to report back to the Board in seven days, in consultation with the Directors of Public Health, Health Services, Mental Health and any other appropriate Departments, to develop a plan to engage the business community and our labor partners in any plans to relax restrictions of the Safer at Home directive to allow for adequate input and preparations to reopen under the physical distancing and face-covering public health guidelines to reduce the spread of COVID-19. To view the Motion, click [here](#).

### **Consumer Protection, Business and Wage Regulations Amendment**

The Motion would put in place an interim urgency ordinance amending the Consumer Protection, Business, and Wage Regulations Code to constitute the Los Angeles County COVID-19 Worker Protection Ordinance. The measure would establish supplemental paid sick leave for employees at businesses that employ 500 or more employees nationwide, in response to COVID-19. The interim urgency Ordinance would take immediate effect upon approval by at least a four-fifths vote of the Board and would expire on December 31, 2020, unless the Board

takes action to extend the ordinance. NOTE: Documentation for this item was not available when the agenda was made public. We will continue to monitor this item.

### **Worker Leave**

A Motion submitted by Supervisors Hahn and Solis requests approval of an interim urgency Ordinance requiring employers with over 500 employees nationally and located within the unincorporated areas of the County to provide 80 hours of paid, supplemental sick leave for full-time employees and an amount no greater than two weeks pay for part-time employees for COVID-19-related reasons. The protections would last for the term of the emergency. The Motion directs the Chief Executive Officer, in consultation and collaboration with County Counsel, the Directors of Consumer and Business Affairs, Workforce Development, Aging and Community Services and other relevant Departments, and considering feedback from both labor and business representatives, to report back to the Board prior to the May 12, 2020 Board meeting. The Motion requests a draft ordinance providing for "[right of recall](#)" and "worker retention" provisions for workers in the hospitality and janitorial services industries laid off due to the COVID-19 pandemic for those businesses located within the unincorporated areas of the County (The item also relates to Agenda No. 36) To read the Motion, click [here](#).

### **Skilled Nursing Facilities**

A Motion was submitted by Supervisor Ridley-Thomas which would instruct the County's Legislative Advocates in Sacramento to work with the Governor office, and the California Department of Public Health (CDPH), to facilitate guidelines and requirements to support the safe and sustained operations of Skilled Nursing Facilities (SNFs) during the COVID-19 crisis. The Motion requests a report back to the Board in writing every two weeks with a status. To view the Motion, click [here](#).

### **Sheriff's Request to Lift Hiring Freeze**

A Motion by Supervisors Kuehl and Solis instructs the Auditor-Controller, in consultation with the Chief Executive Officer, to transfer \$82,700,000 (\$75,100,000 for regular operations and \$7,600,000 for COVID-19-related expenses) from the Provisional Financing Uses - Sheriff budget unit to various Sheriff's Department budget units to address its services and supplies needs. It also requests the Sheriff to develop and complete its revenue analysis for submission to the Chief Executive Officer, who will review and make recommendations to the Board to realign the Department's budgeted revenue either during the Chief Executive Officer's mid-year budget adjustment process in June, or in an upcoming budget phase. The Motion also requests the Sheriff to reduce training academy classes to the Fiscal Year 2017-18 previously approved levels from twelve to four per year. The Motion also relates to Agenda No. 33. To read the Motion, click [here](#).

### **Waiver of Adoption Fees for All Animals**

The Los Angeles County Department of Animal Care and Control (DACC) is currently waiving adoption fees at all seven animal care centers in an effort to quickly place animals in homes during the COVID-19 crisis. The fee-waived adoptions are possible thanks to an \$80,000 grant DACC was awarded from the Petco Foundation to support life-saving efforts for Los Angeles

County animals. Those in L.A. County wishing to adopt must first make an appointment to visit their local care center. Click [here](#) to make an appointment.

### **Metro to Close Entrances to Some Rail Stations**

The Los Angeles County Metropolitan Authority is temporarily closing some of the entrances to rail platforms starting Saturday, but all stations will remain open. Metro will close entrances to its B Line (Red) stations to clean public touchpoints, such as handrails and elevator buttons, to keep its system as clean as possible during the COVID-19 pandemic. To view Metro's response to COVID-19 and the list of closures, click [here](#).

## **CITY OF LOS ANGELES**

As a follow-up to our update yesterday, we noted that the L.A. City Council meeting was a marathon. During the meeting, a number of motions were introduced. Below is a short list of Council Motions introduced.

- Reopening of City Hall and Parks
- Rent Payment
- Food Delivery Service
- Commercial Rent Payment
- Budget and Finance report backs
- Restaurant Operations
- CDBG funding and COVID-19
- Food and beverage industry-related
- Medical Waste management
- Hotel Occupancy
- Domestic Violence
- Resolutions supporting various Federal and State Covid-19 related legislation
- Creation of an Ad-Hoc Committee on COVID-19 Recovery and Neighborhood Investment

To view the Motions, click [here](#).

### **Tolling HCIDLA Deadlines and Revising Expiration of Emergency Orders**

The Mayor tolled and suspended until further notice all deadlines prescribed by the Los Angeles Housing and Community Investment Department (HCIDLA) related to the financing and predevelopment activities necessary to develop or rehabilitate affordable and supportive housing. The Mayor made this change to ensure the development of affordable housing will continue within the limits of the Safer At Home order, and after the emergency has ended. To read the Order, click [here](#).

## **Sacramento**

### **Executive Order Preventing Debt Collectors From Garnishing Stimulus Funds**

Governor Gavin Newsom signed a new executive order exempting financial assistance given to Californians through the CARES Act from debt collectors. He says it's also retroactive. This

exemption does not apply to people who owe child, spousal support, or payments to the victim of a crime. The Governor said that 21 of the 24 major student loan servicers have agreed to waive late payment fees or fines for the next three months. To read the Order, click [here](#).

### **DMV Offers Relief to I.D. Cardholders, Vehicle Owners and Businesses**

The California Department of Motor Vehicles is waiving late fees and penalties for vehicle registration, extending expiring identification cards, temporary operating permits and motor carrier permits. The changes were made in an Executive Order by the Governor. The Order does the following:

- Waiving late fees and penalties for vehicle registration renewals due between March 16 and May 31, 2020, and paid within 60 days of the original expiration date. The requirement to have current license plate stickers is also waived for vehicles with registration expiring between March 4 and June 30, 2020.
- Extending identification cards expiring on or after March 4, 2020, to be valid through June 22, 2020 (60 days from today).
- Temporarily suspending for 60 days the requirement to submit a transfer of ownership within ten days for vehicle transfers occurring on or after March 4, 2020, and the requirement to register a vehicle acquired or previously based outside of California within 20 days [once registration becomes due](#).
- Allowing [temporary operating permits](#) that expire on or after March 4, 2020, to be valid another 60 days from today.
- Lengthening motor carrier permits expiring in March, April, and May 2020 to June 30, 2020. A motor carrier permit is required for numerous transportation and commercial activities in California, including transporting property for compensation, hauling with a commercial vehicle weighing more than 10,000 pounds, and transporting hazardous materials.

To read the Executive Order, click [here](#).

### **A.G. Calls On Federal Government To Increase Protections For Homeowners**

Daily readers of our updates will recognize that California Attorney General Xavier Becerra is busy joining coalitions of other attorneys general. His most recent letter was sent to the U.S. Department of Housing and Urban Development and Federal Housing Finance Agency (FHFA) Director Mark Calabria requesting further action to protect homeowners during the COVID-19 public health emergency. In the letters, the coalition argues that more expansive action is necessary to mitigate the long-term economic effects of the pandemic for families across the country. In the letters, the attorneys general urge Secretary Carson and Director Calabria to take a number of actions to protect homeowners from the economic toll of the COVID-19 pandemic. A copy of the letter sent to Secretary Carson is available [here](#). A copy of the letter sent to Director Calabria is available [here](#).

**VENTURA COUNTY**

## **Ventura County Health Modifies COVID Plans**

We reported on Monday that the Ventura County Health Officer, modified and re-issued the County's Stay Well at Home Order. The [nineteen-page Order](#) was modified with new details for essential businesses, requiring them to post their social distancing protocols on a public notice outside the business to stay open, and allowing golf courses and county parks to reopen with social distancing protocols in place. The Order will remain in place at least until May 15. Ventura County's COVID-19 numbers compare well to most of its Southern California neighbors. The County continues to warn of the possibility of a second wave of infections peaking in the County in late May, but at present notes that the County is recording new cases at a much slower rate than three weeks ago.

## **NATIONAL**

### **EEOC Issues New Guidance Regarding Testing Employees For COVID-19 Prior To Working**

Yesterday the Equal Employment Opportunity Commission (EEOC) issued new guidance to employers that permits mandatory testing of employees for the presence of the COVID-19 virus prior to entering the workplace. The EEOC issued the guidance on its FAQ, "What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws." In question A.6. the EEOC explained that the ADA requires any mandatory medical tests of employee be "job related and consistent with business necessity" and that "an individual with the virus will pose a direct threat to the health of others. Therefore, an employer may choose to administer COVID-19 testing to employees before they enter the workplace to determine if they have the virus." The EEOC's guidance came with a few caveats for employers as well:

- Employers should ensure the tests are accurate and reliable.
- Employers may consider the incidence of false-positives or false-negatives associated with a particular test.
- Employers must remember that accurate testing only reveals if the virus is currently present, and a negative test does not mean an employee will not acquire the virus later.

As we know, currently very few employers at this point can obtain COVID-19 tests for their workforce at this time. When tests become more prevalent, employers may use them in their toolkits and planning on how to reopen their businesses and planning for what steps they will take to protect their workforce. We should note that the guidance still leaves open some questions, such as:

- Can employers require employees to obtain a test on their own prior to returning to work? The question addressed by the EEOC was phrased in the context of whether an employer can administer a COVID-19 test to employees.
- If an employer can require employees to obtain a test on their own, who is responsible for paying for the tests?

The EEOC's guidance also sets forth that employers need to remember that the ADA requires all medical information about employees must be stored separately from their personnel file and limit the access to this confidential information. As with our other updates, EKA recommends

that you consult with legal counsel before implementing testing. To read the new guidelines, click [here](#). To read the FAQ, click [here](#).

### **House Passes \$484b Coronavirus Relief Package**

Yesterday, as expected, The House on voted overwhelmingly to pass legislation providing roughly \$484 billion in coronavirus relief for small businesses, hospitals and expanded medical testing. The legislation had won the necessary majority as lawmakers continued to show up in groups to vote under rules designed to keep them safe during the coronavirus pandemic. The legislation, which the Senate passed unanimously on Tuesday, will next go to the desk of President Trump, who has promised to sign it quickly into law. The massive package is the fourth coronavirus bill to move through Congress over the last seven weeks, and brings the federal response to the global pandemic up to a whopping \$2.8 trillion, by far the largest emergency relief effort in modern U.S. history.

Central to the massive relief package is \$310 billion to replenish the [Paycheck Protection Program](#) (PPP), the initiative that provides forgivable loans to small businesses devastated by the pandemic. Congress had allotted an initial \$349 billion for the PPP in the last relief bill, a \$2.2 trillion package enacted on March 27, only to see the funds run dry shortly afterwards due to the rush of businesses seeking to tap the benefits. Several weeks ago, the Treasury Secretary requested an additional \$250 billion for PPP loans, and nothing else, for the fourth round of emergency relief. Democrats rejected that strategy outright, demanding additional language to ensure that vulnerable small businesses in underserved areas. Democrats also secured an additional \$75 billion for hospitals and community health centers, and another \$25 billion to boost COVID-19 testing, divided between state and federal governments. After the House passed the legislation, the President [tweeted](#), "After I sign this Bill, we will begin discussions on the next Legislative Initiative."

### **Department Of Labor Four New Guidance**

The U.S. Department of Labor (DOL) has issued four new guidance letters providing clarity surrounding the unemployment compensation provisions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. To view the guidance letters, click [here](#).

It is important to note that in order to apply for U.I. benefits under CARES, it is the same application process as California Unemployment Insurance administered by the state [Employment Development Department \(EDD\)](#). Individuals who apply for California U.I. will [automatically have an application](#) into CARES. Claimants do not need to do anything extra to receive the extra CARES funding. EKA recommends that you consult with your labor counsel and ask them about providing employees who are laid off or their hours are reduced due to COVID-19 the EDD pamphlet called "For Your Benefit: California's Programs for the Unemployed". To view the pamphlet, click [here](#).

### **Order of Benefits**



Several people have inquired about the Order of benefits. The [DOL Guidance Letter published on April 2, 2020](#) explains the Order that individuals should apply for unemployment insurance (U.I.) benefits listed in the table above. Specifically, individuals who may be eligible for U.I. programs:

- Must first apply for and receive state U.I. benefits. The amount and duration is dependent upon state law. Individuals awarded regular benefits may receive an additional \$600 per week under FPUC benefits.
- If the individual exhausts regular U.I. benefits, they may receive additional U.I. benefits through PEUC for up to an additional 13 weeks.

### **Clarification of \$600 Weekly Benefit**

The [DOL Guidance Letter published on April 4, 2020](#) provides clarification surrounding FPUC, the additional \$600 federal weekly U.I. benefit. FPUC benefits are available to individuals collecting any amount of state-funded U.I. Individuals who are "eligible to receive at least one dollar (\$1) of underlying [state] benefits for the claimed week will receive the full \$600 FPUC." However, if an individual is not entitled to receive state-funded U.I. benefits in any given week (i.e., the individual has performed part-time work where they earn more than their weekly benefit amount), the individual will not be eligible for regular U.I. benefits or FPUC benefits. Employers who may have to reduce employees' schedules might want to look into California's Workshare program because employees may potentially still receive partial regular wages and partial U.I. benefits, which could in turn make those employees eligible for the additional \$600 per week under CARES. Information on California's Workshare program can be found [here](#).

### **More Guidance Forthcoming**

The [DOL Guidance Letter published on April 10, 2020](#) provides states with operating, financial, and reporting instructions for the PEUC program. California is still working to implement the CARES Act provisions. If you require additional information, EKA encourages you to check their main [COVID-19 resources page](#) and [Pandemic Unemployment Assistance](#) pages.

### **Centers for Disease Control and Prevention**

The CDC posted new updates. To view the updates, click the hyperlinks below.

- [COVID-19 in Racial and Ethnic Minority Groups](#)
- [Contact Tracing : Part of a Multipronged Approach to Fight the COVID-19 Pandemic](#)
- [Talking with children about Coronavirus Disease 2019](#)

### **Two Cats Test Positive for COVID-19**

The CDC confirmed cases of COVID-19 in two pet cats in the United States. The cats live in two separate areas of New York state. Both had mild respiratory illness and are expected to make a full recovery. Infections have been reported in very few animals worldwide, mostly in those that had close contact with a person with COVID-19. To read the media statement from the CDC, click [here](#). The CDC also posted an update called "Interim Infection Prevention and Control Guidance for Veterinary Clinics During the COVID-19 Response. To review the document, click [here](#).



## WHAT WE'RE READING

### **US Issues New Guidance For Small Business Loans, Pressures Public Companies To Return Funds**

The Small Business Administration issued new guidance on Thursday that makes it "unlikely" that big publicly traded companies can access the next round of funding for the U.S. government's small business relief program. Companies applying for coronavirus relief funds must certify that the loans are necessary and that they cannot tap other sources of funding, the SBA said. By definition, public companies have access to the capital markets. For instance, Shake Shack returned the \$10 million it got through the PPP after it sold \$150 million in new shares. To read the full article, click [here](#).

### **California to borrow federal money to cover soaring jobless claims**

California has been approved to borrow what is expected to be billions of dollars from the federal government to pay unemployment benefits to those left jobless by the coronavirus pandemic, raising concerns about the cost of repaying the debt. The state made the request as its reserves for paying unemployment benefits are being quickly depleted, requiring California to begin borrowing in just a few weeks. To read the full article, click [here](#).

### **L.A. Car Dealers Get Green Light**

Confusion about the intent of Mayor Eric Garcetti's revised Safer at Home order prompted some 70 auto dealers with Los Angeles addresses to cease all sales for weeks while other retailers pivoted to eCommerce. The March 19 order to curb the spread of Covid-19 in the city classified "auto repair shops that operate adjacent to or otherwise in connection with a used or retail auto dealership" as essential businesses. An April 1 revision included an additional stipulation that "no auto dealership may operate, with the exception of its auto service and part stores." Los Angeles County issued similar guidance, also designating auto repair shops as essential businesses but did not tack on the sentence that calls out auto dealership operations. To read the full article, click [here](#).

### **Shake Shack Loan Shakes Things Up**

This week, burger chain Shake Shack engaged in an interesting bit of crisis communications, one that's well worth taking a close look at. The company made the right move in rejecting some quick bucks, and did a decent job communicating the situation. To read the full article, click [here](#).

### **Coronavirus And Concerts: Suit Claims Ticketmaster Reneged On Promised Refunds When Shows Were Postponed**

A Bay Area rock fan who plunked down nearly \$600 in February for tickets to see Rage Against the Machine in Oakland this week is suing Ticketmaster for a policy shift that withholds refunds to him and others whose entertainment plans have been put on hold by the coronavirus. In a proposed class-action suit filed Friday in San Francisco federal court, lawyers for Derek Hansen said Ticketmaster, and its parent company Live Nation, the largest concert promoter in

the U.S., had retroactively withdrawn refunds they had promised to many thousands of ticket buyers, violating their contracts and defrauding them. To read the full article, click [here](#).

### **These Eerie Photos Show LAX As A Ghost Town. Passenger Air Travel Is Down More Than 90%**

The number of Americans getting on airplanes has sunk to a level not seen in more than 60 years as people shelter in their homes to avoid catching or spreading the coronavirus. The Transportation Security Administration screened 94,931 people on Wednesday, a drop of 96% from a year ago and the second straight day under 100,000. Historical daily numbers only go back so far, but the nation last averaged fewer than 100,000 passengers a day in 1954, according to figures from trade group Airlines for America. To read the full article, click [here](#).

### **Netflix To Release 'Coronavirus, Explained' Documentary On April 26**

2020 is the year everything changed. City- and country-wide lockdowns, [home quarantine](#), [state of emergency](#), [social distancing](#) and working from home all became the new normal. Life as we know it is gone. And the scary part is, we don't know if we will be able to get back to where we were. It's all because of the Covid-19 coronavirus. And we hope to get some insights to help us make sense of the pandemic through this new Netflix documentary – '[Coronavirus, Explained](#)'. To read the full article, click [here](#).

### **How COVID-19 Will Change Finance: Ford, The Fed, And The Bond Market**

Seen and understood to be what it truly is, a "computer," of a sort, the financial market is amazing. It swallows up data from millions of sources, rapidly and continuously, capturing nuances and complexities of fact and sentiment that may lie very deep, and feeds the information back to us embedded in the prices of financial instruments. But interpreting these price signals is not always easy. Sometimes the truth comes in layers. To read the full article, click [here](#).

### **CHP: Less People On The Road Does Not Mean Speed, 87% Increase In Citations Over 100 Mph**

The California Highway Patrol says citations for drivers speeding more than 100 mph jumped by 87% since the stay-at-home Order. Caltrans announced on Wednesday, April 22, in a joint effort with the CHP and the California Office of Traffic Safety to urge drivers in the state to slow down given a recent 87% increase in citations for speeding in excess of 100 mph that coincides with decreased traffic volumes during the COVID-19 pandemic, the CHP released. To read the full article, click [here](#).

### **Connecticut Police Testing Drones to Detect COVID-19 and Identify Social Distancing**

A Connecticut police department said it plans to begin testing a "pandemic drone" that could detect whether a person 190 feet away has a fever or is coughing. But an expert on viruses and a privacy advocate question whether such technology can work and, if it does, whether it would help in controlling the spread of the coronavirus. 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 below are live and will bring you to the information mentioned.*