

COVID-19 Update From EKA – April 9, 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.

Minority Entrepreneurs & Small Business Owners Webinar

The Los Angeles Urban League has partnered with experts and industry leaders and has created a forum geared towards providing real-time updates and education regarding how to address immediate capital and business management concerns. Topics Include:

- Debrief on Financial Institution Response to COVID-19
- SBA Economic Injury Disaster Loan
- Overview of Paycheck Protection Program (PPP)
- C.A. Government and L.A. City / County Financial Aid Programs

The free webinar will be held **today, Thursday, April 9, 2020** from 5:00 p.m. – 6:00 p.m. You must register to participate. Click [here](#) to register and submit questions.

New Guidance CDC Guidance For Essential Workers

The Centers for Disease Control and Prevention has issued new interim guidance for essential workers, such as those in the health care and food supply industries. The guidance for implementing safety practices for critical infrastructure workers is focused on when those workers can return to work after having been exposed to COVID-19. To read the new guidance, click [here](#).

Mental Health

The state has released a guide to help adults and kids manage stress while at home. People struggling with addiction aren't able to meet in-person for 12-step programs and therapy sessions. Experts are encouraging a switch from the phrase "social distancing" to "physical distancing." To view resources for emotional support and well-being, click [here](#).

Face Covering Rules

Culver City, Carson, the counties of Riverside and San Bernardino have joined the City of Los Angeles' lead in requiring employees and customers to wear face coverings while inside businesses deemed essential during the coronavirus pandemic. Under the mandates that go into effect Friday, **workers and customers must wear face coverings** such as cloth masks, scarves, bandannas or other kinds of clothing over their noses and mouths.

Locations, where the face coverings must be worn, include grocery stores, water retailers, farm and produce stands, convenience stores, warehouse stores, food banks, farmers' markets and other establishments engaged in the retail sale of household consumer products. Employees must wash their face coverings frequently, at least once a day, per the Order. Single-use face coverings must be properly discarded into trash receptacles. Employers must permit their employees to wash their hands at least every 30 minutes, provide non-medical grade face

coverings for their employees at the employer's expense and ensure employees have access to clean restrooms stocked with required cleaning products. Employers must also implement social distancing measures to provide a 6-foot buffer between people, as much as they possibly can. The orders says businesses may refuse admission or service to anyone who fails to wear a face covering. Law enforcement agencies have the authority to enforce these orders, which run through April 30, as they deem necessary. To read the Culver City Order, which is similar to the others, click [here](#).

SoCalGas COVID-19 Discounts

SoCalGas has suspended service disconnections until further notice. This means no customer will have their natural gas turned off due to non-payment. The Gas Company has set up a program for customers experiencing hardships, including from COVID-19. If a person's household income has recently changed, they may now qualify for 20% off your natural gas bill with CARE. Click [here](#) to apply. For small business customers, SoCalGas is waiving late payment fees.

COUNTY OF LOS ANGELES

Interim Housing System

The Los Angeles County Homeless Initiative, the Los Angeles Homeless Services Authority (LAHSA) and a network of service providers for people experiencing homelessness are leading the rapid expansion of its interim shelter system in a massive public health effort that aims to bring as many people as possible inside to protect their health and prevent the spread of COVID-19. As part of this work, the County will use state and federal funding with the goal of securing 15,000 hotel and motel rooms that will operate as temporary shelters as a prevention measure for highly vulnerable seniors and those suffering from chronic illness. This includes people experiencing homelessness who are over 65 years old, or who have an underlying health condition, and who **do not** currently have symptoms but are at high-risk for hospitalization if they contract the virus. The first hotel site of this effort, dubbed Project Roomkey, opened on April 3 in Los Angeles. A total of 1,069 beds at 15 sites are targeted to be operational by the end of this week.

Los Angeles County, LAHSA and the City of Los Angeles have collectively allocated \$39.3 million in state emergency homeless funding for Project Roomkey. "Project Roomkey is part of Los Angeles County's multi-pronged effort to bring the most vulnerable in our community indoors. The sites are geographically dispersed throughout the County, in communities including West L.A., San Fernando Valley and Antelope Valley. The locations are not being publicly identified because they are not walk-up sites. Guests must be referred by homeless service providers based on eligibility criteria established by the state and federal government. Project Roomkey is a partnership between several agencies working together to procure housing solutions quickly and stem the spread of the COVID-19 virus:

- The Los Angeles County Homeless Initiative has partnered with the State of California to procure the hotels and motels.
- The Los Angeles Homeless Services Authority (LAHSA) is leading the efforts to staff and operate the new interim housing sites and has been designated as the lead by the Los

Angeles County Emergency Operations Center, which is the coordinating body for disaster response in the County.

- The Los Angeles County Fire Department is assisting with logistics to quickly stand up the interim housing effort.
- Staffing at the sites will include case management services by homeless service providers and County employees deployed as disaster service workers.
- Clients will have access to health care and behavioral health services from the County.
- The entire effort is supported by FEMA and the State of California, which have allocated funding for the leasing of temporary shelters for people experiencing homelessness throughout the state.

This program is distinct from the County's current effort to provide medical sheltering sites, which designates quarantine and isolation rooms for people who have tested positive for COVID-19, are symptomatic and waiting for test results, or have been exposed to the virus. Project Roomkey is one of three main areas of focus in Los Angeles County's comprehensive response to COVID-19 in relation to people experiencing homelessness. For more information about the rapid expansion of the shelter system, the intensive outreach operation, and how we are securing resources and staffing and enacting policies, see [LAHSA's Fact Sheet on COVID-19 and homelessness](#). For more information, on Project Roomkey in Los Angeles, see the [FAQ](#). For more information and resources from LAHSA, visit [LAHSA.org](#).

CITY OF LOS ANGELES

Mayor Changes Requirements For Paid Leave

Mayor Garcetti **DID NOT** sign the Council's proposed version of the paid sick leave proposal. Instead, the Mayor exempted a range of businesses from recently passed rules mandating more paid leave for workers amid the COVID-19 Pandemic. The Mayor signed an emergency paid sick leave [Order](#) into law that took effect immediately. The final Order is significantly different than the version of the ordinance passed by the City Council on March 27, 2020, particularly in that the final Order contains several exemptions. Note that the L.A. Office of Wage Standards is tasked with publishing rules and regulations concerning the new COVID-19 paid sick leave requirements. Those are not yet available. Below are some of the important details from the [six-page Order](#):

Covered Employers

- The COVID-19 paid sick leave 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.

Covered Employees

- 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.

Covered Reasons for the use of Supplemental COVID-19 Paid Sick Leave

- Covered employers are required to provide paid sick leave for any of the following reasons:
- The Employee takes time off due to COVID-19 infection or because a public health official or healthcare provider requires or recommends the Employee isolate or self-quarantine to prevent the spread of COVID-19;
- The Employee takes time off work because the Employee 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;
- The Employee takes time off work because the Employee needs to care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolation or self-quarantine;
- The Employee takes time off work because the Employee needs to provide care for a family member whose senior care provider or whose school or childcare provider caring for a child under the age of 18 temporarily ceases operations in response to a public health or other public officials recommendation. This provision is only applicable to an employee who is unable to secure a reasonable alternative caregiver.

Amount of Paid Sick Leave

- A full-time employee (those who work 40 hours per week or are classified as full-time by the employer) must be provided with 80 hours of COVID-19 paid sick leave. The pay is calculated based on the Employee's average two-week pay over the period February 3, 2020 to March 4, 2020. An employer need not pay an employee more than \$511 per day or \$5,110 in the aggregate, however.
- A part-time employee must be provided with COVID-19 paid sick leave in an amount no greater than the Employee's average two-week pay over the period of February 3, 2020 to March 4, 2020, again subject to a cap of \$511 per day and \$5,110 in the aggregate.

Processing COVID-19 Paid Sick Leave Requests

- An employee can make an oral or written request to use COVID-19 paid sick leave. An employer may not require a doctor's note or other documentation to support the use of leave.

Offset

- An employer's obligation to provide supplemental COVID-19 paid sick leave under the Order is reduced for every hour of paid leave the employer provided to an employee, not including the Employee's previously accrued hours, for COVID-19 reasons after March 4, 2020. In other words, the offset appears only to apply to ADDITIONAL paid time off provided by an employer to employees for COVID-19 reasons, over and above any paid sick leave or vacation accruals under pre-existing employer policies, after March 4, 2020.

Exemptions

The Order exempts the following:

- **Emergency and Health Services Personnel.** Emergency Personnel refers to individuals specified in the April 1, 2020 City of Los Angeles Safer at Home emergency order Paragraph 5(vi), including all first responders, gang and crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law

enforcement personnel, and related contractors and others working for emergency services providers. A health care worker encompasses individuals described in California Government Code Section 12945.2(c)(6) or individuals, including contract workers, working at a health facility licensed under California Health & Safety Code Section 1250.

- **Critical Parcel Delivery Employers.** The Order states that employers of employees that provide global parcel delivery services are exempt.
- **Employers That Already Have Generous Leave Policies.** If an employer has a paid leave or paid time off policy that provides a minimum of 160 hours of paid leave annually, the employer is exempt from any obligation to provide supplemental leave pursuant to the Order for the Employee that received the more generous paid leave.
- **New Business Exemption.** The Order exempts new businesses that started in the City or businesses that relocated from outside the City on or after September 4, 2019 through March 4, 2020. To qualify, an employer could not have been in business in the City in the 2018 tax year. However, the following businesses do not qualify for the new business exemption: construction businesses as defined in Section 21.30 b.1 of the Los Angeles Municipal Code or film producers as defined in Section 21.109 of the Los Angeles Municipal Code.
- **Government.** The Order does not apply to employees of government agencies working within the course and scope of their public service employment.
- **Closed Businesses and Organizations.** Any business or organization that was closed or not operating for a period of 14 or more days due to a city official's emergency order because of the COVID-19 Pandemic or provided at least 14 days of leave are exempt from the requirements of the Order.
- **Collective Bargaining Agreements:** Employees covered by CBAs that include Covid-19 sick leave provisions are not covered by the Order. If a CBA does not provide Covid-19 sick leave provisions, employers must comply with the Order unless and until the CBA is amended to expressly waive the provisions of the Order.

Enforcement

- The Order of course, prohibits retaliation against an employee for exercising rights under the Order. An employee whose rights are violated may bring a civil action seeking, as applicable, reinstatement, back pay and paid sick leave unlawfully withheld, and attorneys' fees and costs.

No Waiver of Rights

- An employee may not waive his/her rights under the Order.

Expiration

- The Order is in effect until two calendar weeks after the expiration of the local Covid-19 public health emergency.

SACRAMENTO

Executive Order to Help State Procure Necessary Medical Supplies

Governor Newsom signed an executive order to help the state procure necessary medical supplies to fight COVID-19. Read the full Order [here](#).

Executive Order to Expand Support for Vulnerable Populations

Governor Newsom signed an executive order that provides additional support for older adults and vulnerable young children. The Order will allow for a 60-day waiver for In-Home Supportive Services (IHSS) program caseworkers to continue their work and be able to care for older adults, as well as individuals with disabilities. Read the full Order [here](#).

NATIONAL

DHS Flexibility In Requirements Related To Form I-9 Compliance

Due to precautions being implemented by employers and employees related to physical proximity associated with COVID-19, the Department of Homeland Security (DHS) announced that it will exercise discretion to defer the physical presence requirements associated with Employment Eligibility Verification (Form I-9) under Section 274A of the Immigration and Nationality Act (INA). Employers with employees taking physical proximity precautions due to COVID-19 will not be required to review the Employee's identity and employment authorization documents in the Employee's physical presence. To obtain more details, click [here](#).

Differences Between the Loans?

	PPP	EIDL	EEIG
Maximum Loan	\$10 Million	\$2 Million	\$10,000
Terms	1% and 2 years maturity as of 4/2/2020	Up to 3.75% Up to 30 years	None
Basis of Loan Amount	Monthly Payroll Costs	Demonstrated Need	Request (subset of EIDL)
Funded By	Local Bank	SBA	SBA
Time to Funding	1-2 weeks (expected but uncertain)	3-4 weeks (estimated)	3 days
Forgiveness	Yes (Partial to Full)	No	Yes
Personal Guarantee	No	Yes	No
Collateral Required	No	Yes	No
Application Requirement	Simple	Complex	Simple
Compliance Requirement	Complex	Simple	NA
Appropriate For	Capital to cover the cost of retaining employees, paying rent and utilities, interest on mortgage debt	Payroll and other operating expenses that could have been met had the disaster not occurred	An emergency infusion of cash to cover you right now, an advance against EIDL.

ARTS & CULTURE RESOURCES

National Endowment for the Arts

The [National Endowment for the Arts](#) will distribute funding to nonprofit arts organizations from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to preserve jobs and help support organizations forced to close operations due to the spread of COVID-19. \$75 million has been appropriated to the National Endowment for the Arts through the CARES Act. Funds will be awarded in multiple categories. The deadline to apply is April 22, 2020, with the earliest announcement of grant award or rejection by June 30. Please see the Arts Endowment's website for [program description](#) and [eligibility requirements](#).

L.A. County

The Los Angeles County Department of Arts and Culture has created an overview of the resources for the arts relating to COVID-19. To view the website, click [here](#).

California Arts Commission

The California Arts Council has created a COVID-19 resource page, including emergency funding opportunities, emergency preparedness best practices, and webinars featuring arts leaders and artists from the national arts community. The COVID-19 emergency has highlighted the power of collaboration within the arts community at every level, and they have created an exhaustive list of opportunities. To view the entire list, click [here](#). Below is a partial list of resources.

City of Los Angeles' DCA COVID-19 Arts Emergency Relief Fund

This program provides emergency relief grants to City of Los Angeles-based dance, music, and theatre artists, as well as small ensembles who have had their public performances, shows, or concerts canceled. Solo artists are eligible for up to \$400 and ensembles up to \$1,200 to cover losses in time and/or materials that were committed toward events, which were to have taken place at a venue within the City of Los Angeles and were to be open to the general public. Eligible events should have been publicly advertised and scheduled to take between March 16, 2020 and May 16, 2020, AND must have been canceled (or postponed to after August 30, 2020). Click [here](#) for more information.

Foundation for Contemporary Arts Emergency Grants for Visual and Performing Artists

Urgent funding is available for visual and performing artists who incur unexpected or unbudgeted expenses for projects close to completion with committed exhibition or performance dates. Artists who experience personal hardship or who are impacted by a large-scale disaster, or who need funding for a last-minute opportunity can find critical resources in NYFA's Emergency Resources Directory. Originally housed on the NYFA Source database, these resources are now included on NYFA's website to ensure ease of access. Coupled with the [NYFA Source Hotline](#), this portal works as a centralized repository and a lifeline for artists experiencing both unexpected and long-term, chronic challenges. Click [here](#) for more information.

CERF+ - CERF+ Emergency Assistance

The emergency fund focused on craft artists who require intensive medical care. Supporting intensive care, focused on those infected with the COVID-19 that require intensive medical care. CERF+ emergency assistance includes grants and/or brokered assistance, such as booth fee waivers and discounts or donations on supplies and equipment. Click [here](#) for more information.

The Actors Fund

The Actors Fund has partnered with other entertainment industry organizations to provide emergency financial assistance to those in immediate financial need. Funds are available to union and non-union workers in entertainment and the performing arts. Remember, you may be eligible for more than one fund. Free and confidential assistance nationally to everyone who works in performing arts and entertainment. Click [here](#) for more information.

MusiCares

The Recording Academy and its affiliated charitable foundation MusiCares have established the COVID-19 Relief Fund to help our peers in the music community affected by the Coronavirus pandemic. Short-term financial assistance for musicians' personal needs that have arisen due to unforeseen circumstances. Click [here](#) for more information.

Artist Relief

To support artists during the COVID-19 crisis, a coalition of national arts grant makers have come together to create an emergency initiative to offer financial and informational resources to artists across the United States. Artist Relief will distribute \$5,000 grants to artists facing dire financial emergencies due to COVID-19; serve as an ongoing informational resource; and co-launch the *COVID-19 Impact Survey for Artists and Creative Workers*, designed by [Americans for the Arts](#), to better identify and address the needs of artists. Click [here](#) for more information.

J. Paul Getty Trust

A \$10-million [COVID-19 relief fund](#) for small and midsize visual arts organizations was established in Los Angeles County. Amount: \$25,000-\$200,000. Apply: Details coming on the websites of the [California Community Foundation](#) and the [Getty](#).

Women's Center for Creative Work

The COVID-19 Emergency Health Grant for Artists is designated for low-income professional artists of all disciplines who live in Los Angeles, San Bernardino, Riverside or Orange counties and those who identify as female, transgender, nonbinary or a person of color. Grants of \$1,000 are available. Click [here](#) for more information.

ARTICLES OF INTEREST

California to spend nearly \$1B for 200 million masks per month

The state plans to spend \$990 million in state funds on protective gear, according to a letter Newsom's Department of Finance sent to lawmakers late Tuesday. California must make a down payment of half that amount — \$495 million — within the next 48 hours. Read the full story [here](#).