

## Weekly COVID-19 Update From EKA – September 9, 2020

### Coronavirus Facts

Today is day 174 of the [statewide "Stay-at-Home" Order](#). Safer at Home orders have been in place in Los Angeles since March 19. 181 days ago, the World Health Organization declared COVID-19 a Pandemic. The worldwide outbreak of the coronavirus currently is more than 27.3 million confirmed cases across more than 180 countries. The State with the most COVID-19 cases is California: 741,593 confirmed cases and 13,765 deaths. To see a snapshot of the latest coronavirus news, graphics and information, click [here](#)

### Previous EKA COVID-19 updates

Our previous COVID-19 updates can be found [here](#). Feel free to share our updates with friends and colleagues. We hope you find the information in the EKA updates and the questions they raise to be informative. If you have any COVID-19 government or communications questions, please reach out to any member of the EKA team. If you have a specific COVID-19 question, click [here](#) and we will attempt to answer it in our update

## REOPENING/CLOSING

### Happy Hair Day! Indoor Salons

Hair salons and barbershops are allowed to reopen for limited indoor service in Los Angeles County. The County will also allow some in-person instruction to resume for students in kindergarten through 12th grade, but only for small groups of students with individualized learning plans, students requiring instruction for English as a second language and students needing other "specialized in-school services." All other students will still be limited to remote learning. County officials said indoor hair salons and barbershops could resume operating but limited to 25% of capacity. Hair salons and barbershops can reopen for indoor services at 25% occupancy provided they are in full compliance with the Health Officer's protocols. The Order encourages these businesses to continue outdoor operations when possible, and to offer indoor operations for those services that cannot be provided outdoors. This Order is in effect beginning immediately. Individual counties can impose regulations that are stricter than the state guidelines. Malls in some other counties, including Orange County, began reopening last week. Los Angeles County Supervisors Janice Hahn and Hilda Solis said that while hair salons and barbershops will have to adhere to the 25% capacity limit, officials plan to review the operations after Labor and consider possibly increasing the limit. The County has seen downward trends in coronavirus cases, deaths and hospitalizations in recent weeks, and officials appear to be taking a cautious approach to reopenings of new businesses to avoid a repeat of earlier spikes. The City of Long Beach and Los Angeles County fall in the purple tier (Widespread), which allows for salons, barber shops and malls to resume indoor operations.

### Trick-Or-Treating Prohibited Due To COVID-19 Concerns

"Since some of the traditional ways in which this holiday is celebrated does not allow you to minimize contact with non-household members, it is important to plan early and identify safer alternatives," reads the [official guidance from the County](#). Among activities prohibited this

Halloween are door to door trick or treating, trunk or treating, gatherings or parties with non-household members and carnivals, festivals, live entertainment, and haunted house attractions. The County has permitted the following activities:

- Online parties/contests (e.g. costume or pumpkin carving)
- Car parades that comply with public health guidance for vehicle based parades including:
  - Drive by events or contests where individuals dress up or decorate their vehicles and drive by "judges" that are appropriately physically distanced
  - Drive through events where individuals remain in their vehicles and drive through an area with Halloween displays
  - Drive in events where individuals can receive a treat bag (limited to commercially packaged non-perishable treats) or take away items from an organizer while the participants remain in their vehicle
- Halloween movie nights at drive in theaters (must comply with the public health drive in movie theater guidance)
- Halloween themed meals at outdoor restaurants (must comply with the restaurant protocol)
- Halloween themed art installations at an outdoor museum (must comply with the public health museum guidance)
- Dressing up homes and yards with Halloween themed decorations

### **Long Beach Health Order**

The Long Beach Health Department issued updated protocols for the City's [Safer at Home](#) Health Order that will allow hair salons and barbershops to reopen indoors if they follow guidelines designed to protect employees and patrons and control the spread of COVID-19. The change went into effect September 3. This comes after the State [unveiled](#) a new four-tier, color-coded system that will use daily coronavirus case numbers and positivity rates to guide the safe reopening of businesses. The new Order mirrors the Order of Los Angeles County and requires that hair salons and barbershops adhere to safety guidelines, including:

- Operating at a maximum of 25% capacity.
- Continuing to operate outdoors to the extent feasible.
- Ensuring physical distancing measures.
- Ensuring everyone is wearing cloth face coverings while in the salon or barbershop.
- Clients should wear face coverings with ear loops to ensure that face coverings can be worn throughout the hair service.
- Establishing an outdoor reception area where customers can check in.
- Using barriers (such as plexiglass) at reception areas or other areas where physical distancing cannot be maintained to minimize exposure between workers and customers.
- Staggering appointments to reduce reception congestion and to ensure adequate time for proper cleaning and sanitation between each customer visit.
- Walk-in appointments will not be available.
- Serving only one client at a time.

- Encouraging the use of credit cards and contactless payment systems.
- If electronic or card payment is not possible, customers should come with exact cash payment or check, if available.
- Magazines, coffee, and other amenities will not be available.
- Other personal grooming businesses, such as nail salons and spa services, including massage, facials and waxing are still prohibited.

#### **Public Health Revises Health Officer Order to Allow Schools K-12**

The Los Angeles County Department of Public Health (Public Health), in consultation with the Board of Supervisors, revised the Health Officer Order to allow for limited, on-campus operation for schools in L.A. County, as well as limited in-door operations of Hair Salons and Barbershops. Beginning Monday, September 14, schools K-12 may offer in-school services for small cohorts of students with Individualized Education Plans (IEP), students requiring instruction for English as a Second Language (ESL) or students needing assessments or specialized in-school services, as long as the school is able to fully implement the Health Officer's reopening protocols. Public Health will not be opening the waiver program for instruction of students in grades TK-6 as the department monitors the implementation of this effort to safely get students needing specialized in-school services back to school. All other current restrictions remain unchanged at this time.

### **LOS ANGELES COUNTY**

#### **Homeless Lawsuit Plaintiffs Call Proposed Cost of Pallet Beds 'Outrageous'**

Attorneys for a coalition of Skid Row-area business owners, formerly homeless and disabled city dwellers who are suing the city and County of Los Angeles over the homelessness crisis claim the estimated cost of pallet shelters is "outrageous," according to court papers. In a status report filed in Los Angeles federal court, the L.A. Alliance for Human Rights applauded the agreements reached by the city and County to provide an additional 6,700 beds over the next 16 months, with funding for five years thereafter. "However, such programs must be implemented in the most cost-effective manner possible, to ensure limited resources are able to do the most good," according to the document filed Monday. The L.A. Alliance lawsuit accuses the city and County of not doing enough to address the homeless problem, especially in light of the COVID-19 pandemic. The plaintiffs' latest filing says that during a "massive budget crisis, requiring public employees to take furlough days and the city otherwise cutting crucial services," it is essential that funds spent on homeless projects are done as economically as possible. The tiny, easily assembled dwellings have an average per-bed rate of \$41,932, which is "several times higher than any other municipality or agency that has utilized these same structures," according to the plaintiffs.

### **ORANGE COUNTY**

#### **Orange County Improves from 'Purple' to 'Red'**

Orange County has been upgraded from the purple to red tier in California's coronavirus monitoring system, allowing movie theaters, churches and restaurants to reopen for indoor

operations at reduced capacity. Dr. Clayton Chau, the County's chief health officer and director of the Orange County Health Care Agency, issued a new health order Tuesday that spells out the details of how businesses can reopen. Under the red tier of Gov. Gavin Newsom's four-tier Blueprint for a Safer Economy, the County will be able to reopen movie theaters and restaurants for indoor dining at 25% capacity, or 100 people, whichever is less, and churches for indoor worship at 25% capacity, or 100 people. Restaurants must close by 10 p.m. Museums, zoos and aquariums also may reopen indoor activities at 25% capacity. Shopping centers may expand from 25% capacity to half-capacity under the red tier.

## SACRAMENTO

### **Governor Newsom Signs Executive Order**

Governor Gavin Newsom signed an executive order extending consumer protections against price gouging through March 4, 2021 as California continues to respond to the COVID-19 pandemic. The protections generally prohibit sellers of any kind from increasing prices on food, consumer goods, medical or emergency supplies, and certain other items by more than 10 percent. Read the Order [here](#).

### **California Prioritizes Safety Gear and Sick Leave During Crisis**

Legislative deliberations this year were defined by quarantined lawmakers, emergency recesses and chaotic video. Legislators managed to send Gov. Gavin Newsom nearly 430 bills, roughly 40% of the number they'd send in a typical year, according to Sacramento lobbyist Chris Micheli. Among them were about two dozen COVID-related bills that addressed a range of challenges, including dire shortages of protective gear, sick leave for workers and the administration of a hoped-for COVID-19 vaccine. The measures broadly fit into three categories: dealing with the current crisis, protecting workers and consumers, and preparing for future pandemics. Newsom has until September 30 to sign the bills into law or veto them.

### **Immediate Action**

Narrowly focused bills that targeted real-time COVID-related problems — and avoided big price tags were among those easily winning approval.

- [AB-685](#), by Assemblymember Eloise Gómez Reyes (D-San Bernardino), would require employers to notify their workers of COVID-19 infections at work — and would mandate the reporting of infection data to state and local public health authorities.
- A different measure, [AB-2164](#), would require Medi-Cal, California's Medicaid program, to cover more telehealth visits in underserved areas by eliminating an existing requirement for patients and providers to establish an in-person relationship first.
- Another bill written is [AB-1710](#), which would allow pharmacists to administer a COVID vaccine once one is approved by the Food and Drug Administration.
- [AB-2644](#), which would require nursing homes to have a full-time "infection preventionist," and to report deaths from communicable diseases to the State during an emergency.
- A bill introduced by Sen. Jerry Hill would make it easier for some employees infected with COVID-19 to file a workers' compensation insurance claim until January 2023. Should Newsom sign [SB-1159](#), for instance, state law would presume that certain front-

line workers — from health care workers in hospitals to firefighters who go into people's homes — were infected on the job unless their employers prove otherwise.

- [AB-1867](#), spearheaded by Assembly member Phil Ting would close a loophole in the federal emergency paid sick leave benefit that Congress authorized this spring, which excluded health care workers and emergency responders. If Newsom signs the bill, they too would qualify for two weeks of paid sick time.
- And in what would be the biggest expansion to the State's family leave program since it began in 2004, lawmakers voted to extend job protections to more workers who wish to take time off to care for a new baby or a sick relative.

## LEGAL DEVELOPMENTS

### **Harvest Rock Files Appeal to Continue Indoor Church Meetings**

Harvest Rock Church has been conducting religious services despite an order by Gov. Newsom and the city of Pasadena to stop singing or chanting indoors due to fears that such activities could lead to the spread of respiratory droplets, thus increasing the risk of spreading the novel coronavirus. The church has appealed its case to the Ninth Circuit Court of Appeals and met on Sunday in defiance of a federal ruling and state and city orders. The orders allow churches to meet outdoors. Many churches are meeting online. The church claims its First Amendment rights are being violated and that Newsom has encouraged protests by thousands of people despite the Order. But in August, Judge Jesus G. Bernal ruled against an injunction that would have allowed the church to continue meeting. The judge also ruled that lawyers for Harvest Rock failed to prove that the ban on indoor services is based on the content of the speech being used in church services. "The Court concludes they are not: the Orders restrict activities based on the location and nature of the gathering, rather than the content of the speech at those gatherings."

### **Harrah's Southern California Former GM Sues Caesars Entertainment**

Caesars Entertainment, which operates Harrah's Resort Southern California, has been sued by the casino's ex-senior vice president and general manager after he claimed to have warned the company about coronavirus health risks before its reopening. The former general manager at Harrah's Resort Southern California has filed a lawsuit because of allegedly inadequate COVID-19 precautions upon reopening. The resumption of operations at the Valley Center casino starting in May led to "serious adverse health and safety consequences involving employees and customers contracting COVID-19," the lawsuit by Darrell Pilant claims. The story was reported by [inewssource](#). Attorneys for Pilant filed the court action in San Diego Superior Court. He is seeking damages and severance pay, the report said. Pilant left his top management post at the casino on May 21 after a series of disputes he had with company officials over safety-related concerns. The next day, the gaming property reopened. It was "a matter of 'right and wrong' and what Caesars was doing was wrong," Pilant's lawsuit adds. The lawsuit further claims Pilant was told that California Gov. Gavin Newsom, a Democrat, and San Diego County officials were "on board" with the reopening. He was to oversee the reopening process. But the suit claims it was "illegal and dangerous."

### **LA Eatery Can't Get COVID-19 Coverage**

Travelers Property Casualty Co. told a California federal judge during a telephone hearing Friday that it shouldn't have to cover a Los Angeles restaurant's revenue losses from the city's coronavirus shutdown, saying the insurance policy explicitly excludes coverage for losses related to any virus. Richard J. Doren of Gibson Dunn & Crutcher LLP, an attorney for Travelers, urged U.S. District Judge André Birotte Jr. to toss the insurance coverage lawsuit brought by Mark's Engine Co. No. 28, a restaurant in downtown Los Angeles, asserting that the eatery's insurance policy clearly excludes coverage for any losses resulting from a virus or microorganism that is capable of inducing illness. But the restaurant's attorney, Mark J. Geragos said it is entitled to civil authority coverage because access to its business was prohibited by L.A. Mayor Eric Garcetti's Order in March shutting down all nonessential businesses. The restaurant experienced revenue losses resulting from being physically unable to enter its property. At the beginning of the shutdown order, Geragos said the restaurant wasn't able to provide takeout services like many other eateries because it is primarily a sit-down restaurant, which meant it couldn't bring in any money at first. Judge Birotte said he would take the matter under submission and would likely have a written ruling in the next week or two.

## **NATIONAL**

### **CDC Sends 'Urgent' Request For COVID Vaccine Plans By November 1**

Dr. Robert Redfield, director of the Centers for Disease Control and Prevention, sent a letter last week to the nation's governors with an urgent request. The Trump administration wanted them to do everything in their power to eliminate hurdles for vaccine distribution sites to be fully operational by November 1. The August 27 information [obtained by the New York Times](#) asked governors to fast-track permits and licenses for new distribution sites. "The normal time required to obtain these permits presents a significant barrier to the success of this urgent public health program," Redfield wrote. "CDC urgently requests your assistance in expediting applications for these distribution facilities," he continued, "and, if necessary, asks that you consider waiving requirements that would prevent these facilities from becoming fully operational by November 1, 2020." "The requirements you may be asked to waive in order to expedite vaccine distribution will not compromise the safety or integrity of the products being distributed.

### **Pilot Programs Complete**

The CDC's vaccine working group met weekly throughout August to review potential scenarios for the initial distribution of a vaccine. They modeled allocation strategies, weighed how to prioritize who gets the vaccine first, and reviewed data from the initial clinical trial phases of the leading vaccine candidates. Weekly calls with state health officials began on August 17, and last week, the CDC completed pilot programs with five jurisdictions – California, Florida, North Dakota, Minnesota and the city of Philadelphia – that will serve as models for operations across the country. Those pilot programs "will be the foundation for every jurisdiction in the United States as they develop their plans next month for vaccine availability," Redfield told reporters in

a briefing on Friday. CDC officials have told state public health officials to expect a "state operations guide" within days that is over 100 pages long. The document will help them begin preparing their own plans and will outline a phased approach to vaccine distribution. State health officials have been waiting for more detailed federal guidance for weeks.

### **Senate to Vote On 'Targeted' Virus Aid**

Senate Majority Leader Mitch McConnell, under pressure from GOP senators in tough reelection races, said Tuesday the Senate would vote on a trimmed-down Republican coronavirus relief package, though it has a slim chance of passage in the face of Democrats' insistence for more sweeping aid. "The Senate Republican majority is introducing a new targeted proposal, focused on some of the very most urgent healthcare, education, and economic issues," McConnell said in a statement. The GOP leader acknowledged the package he will be putting forward "does not contain every idea our party likes." And he said it was far less than what Democrats are seeking. McConnell's move Tuesday would clear the way for a Thursday test vote in which the \$500 billion scaled-back bill — roughly half the size of a measure McConnell unveiled earlier this summer — is sure to be blocked by Democrats. McConnell's bill would provide \$105 billion to help schools reopen, enact a shield against lawsuits for businesses and others that are powering ahead to reopen, create a scaled-back \$300-per-week supplemental jobless benefit, and write off \$10 billion in earlier post office debt. There's \$29 billion for a coronavirus vaccine, \$16 billion for virus testing and \$15 billion to help childcare providers reopen. There is additionally \$20 billion for farmers. The package will also include a school choice initiative sought by Texas GOP Sen. Ted Cruz and others that would provide a tax break, for two years, for people who donate to nonprofit organizations offering private school scholarships. But it won't contain another round of \$1,200 direct payments going out under Trump's name. House Speaker Nancy Pelosi continues to demand \$2.2 trillion, and while Trump's negotiators have signaled a willingness to inch further in her direction, a significant gap remains. Talks between top Democrats and the Trump administration broke off last month and remain off track, with the bipartisan unity that drove almost \$3 trillion in COVID-19 rescue legislation into law this spring replaced by toxic partisanship and a return to Washington dysfunction. Expectations in July and August that a fifth bipartisan pandemic response bill would eventually be birthed despite increased obstacles has been replaced by genuine pessimism. Recent COVID-related conversations among key players have led to nothing.

## **QUESTIONS EKA HAS RECEIVED**

### **What Does the CDC Eviction Ban Means For Tenants And Landlords?**

The Centers for Disease Control and Prevention issued an order on September 1 banning evictions of people who lost work as a result of the pandemic. To benefit, renters must sign a declaration that they don't make more than \$99,000 a year or \$198,000 for those filing a joint return and that they essentially have no options other than homelessness. The [Order](#) prohibits property owners from evicting covered tenants from any residential property because of nonpayment of rent before December 31, 2020. It does not apply to any evictions that might be brought on grounds other than nonpayment, such as nuisance or alleged criminal activity. It

requires tenants to sign and submit a declaration to the landlord certifying under penalty that they qualify for protection under the moratorium. It does not relieve tenants from the obligation to pay rent – all of it comes due on January 1, 2021 – and it allows landlords to continue to charge late fees and other penalties as permitted by law. Unlike the CARES Act moratorium, which had [no enforcement mechanism](#), the CDC eviction moratorium imposes significant criminal penalties on violators. An individual who violates the Order can be fined up to \$100,000 and/or one year in jail. If a death results from the violation, the fine increases to up to \$250,000.

## WHAT WE'RE READING

### **Oxford Vaccine Trial On Hold Because Of Safety Issue**

Clinical trials for Oxford's COVID-19 vaccine have been put on hold, drug maker AstraZeneca said Tuesday. "Our standard review process was triggered and we voluntarily paused vaccination to allow review of safety data by an independent committee," the company said in a statement. "This is a routine action which has to happen whenever there is a potentially unexplained illness in one of the trials, while it is investigated, ensuring we maintain the integrity of the trials." To read the full story, click [here](#).

### **Model Predicts 410K People Will Die Of COVID-19 By January**

The number of people in the United States dying from COVID-19 is predicted to rise to over 410,000 by January 1, 2021, according to a projection by the Institute for Health Metrics and Evaluation. That's nearly triple the latest reported deaths. Data from the Centers for Disease Control and Prevention says 185,052 residents in the United States have died from the novel coronavirus this year, the last update being Thursday afternoon. The projection model assumes that "social distancing mandates will continue to be lifted, but will be re-imposed for six weeks if daily death rates reach 8 per million." To read the full story, click [here](#).

### **PPP Loan Forgiveness Denied – An Overview Of The PPP Loan Review Decision And Appeal Process**

Nearly six months after the creation of the Paycheck Protection Program ("PPP"), many borrowers are ready to submit their PPP loan forgiveness applications or have already submitted them. Although lenders and borrowers still face uncertainty regarding PPP rules, the general process of obtaining PPP loan forgiveness is known. With each passing week, we can expect lenders to process more PPP loan forgiveness applications and more Small Business Administration ("SBA") decisions will be rendered. To read the full story, click [here](#).

### **FAQ: Paycheck Protection Program Forgiveness For Borrowers-Updated September 2020 #1**

The SBA released a new, shortened Form 3508EZ Loan Forgiveness Application and separate Instructions ("Form 3508EZ," together with Form 3508, the "Forgiveness Applications") for certain eligible borrowers. Most recently, on August 4, 2020, the SBA released separate FAQs on loan forgiveness. To read the full story, click [here](#).

### **Advising Clients On PPP Loan Forgiveness**

Back in February, who would have thought that those three little letters, PPP, would come to define the business culture for small and medium-sized businesses throughout the country? The Payment Protection Program and the alliterative phrase, "The PPP," have given millions of American business owners hope through this COVID-19 pandemic, while also causing unknown liabilities for business owners already struggling to see the future. After such immediate popularity, the time has come to see if this massive infusion of government cash worked as planned, or if the PPP loans will indeed be a burden on the backs of businesses for years to come. To read the full story, click [here](#).

### **California Begins Sending Extra \$900 To Those Unemployed Due To COVID-19**

As California's economy continues to struggle amid the COVID-19 pandemic, state officials will mark the Labor Day holiday by sending a \$900 supplemental unemployment benefit to jobless residents — but many will not get the assistance right away, and nearly 200,000 people are not expected to get it at all. The lump-sum payment covers three weeks of benefits retroactive to the week that ended August 1 at the rate of \$300 per week and is paid for by the federal government. To read the full story, click [here](#).

### **California to Potentially Expand Family and Medical Leave Entitlement**

California is likely to significantly expand its family and medical leave laws, by expanding the obligation to provide job-protected leave to small businesses with as few as five employees, allowing leave to be taken for additional reasons, and eliminating certain exceptions to employer obligations to provide leave. To read the full story, click [here](#).

### **Newsom's Third Try On COVID-19**

Will the third time be the charm for Gov. Gavin Newsom and his somewhat erratic efforts to battle the COVID-19 pandemic while preventing irreparable damage to the State's once-vibrant economy? Newsom won widespread praise for his earliest efforts at preventing spread of the sometimes-fatal coronavirus six months ago, ordering widespread shutdowns of consumer businesses such as restaurants and bars. It set California apart from other states, such as New York, that were experiencing sharp spikes in infections and deaths. To read the full story, click [here](#).

### **As COVID-19 Risk Dips, Orange County Gets OK To Reopen Indoor Restaurants, Movie Theaters**

Orange County received some much-anticipated and welcome news in its battle against the coronavirus on Tuesday as it officially moved into the second stage of California's four-tiered, color-coded reopening system. The reclassification allows for more businesses — including movie theaters, restaurants and places of worship — to ease restrictions and open in limited capacity. Four other counties also moved from Tier 1 (purple) to Tier 2 (red) on Tuesday: Santa Clara, Santa Cruz, Amador and Placer. To read the full story, click [here](#).

### **Trump Administration Announces Nationwide Eviction Moratorium Through End Of The Year**

Relying on a public health law intended to prevent the spread of an illness, the Trump administration said Tuesday it is implementing a national four-month moratorium on residential evictions. The moratorium, announced by the Centers for Disease Control and Prevention, was the latest measure by the administration to get a handle on the economic fallout from the coronavirus pandemic absent an agreement with Congress on a more far reaching package that would have the force of law. To read the full story, click [here](#).

### **What California Lawmakers Sent to Newsom For COVID-19: PPE, Unemployment And Tax Breaks**

The California Legislature at the end of its 2020 session this week sent more than a dozen bills aimed at addressing the coronavirus pandemic to Gov. Gavin Newsom, including protections for renters that are intended to minimize evictions. Newsom signed one of the biggest bills of the night, the eviction relief measure, just two hours after lawmakers sent it to him. To read the full story, click [here](#).

### **Tracking COVID-19: State Signs Multimillion-Dollar Contract For New Reporting System**

Dr. Mark Ghaly, the State's health and human services secretary, said the new system will run parallel to the California Reportable Disease Information Exchange, or CalREDIE, which feeds positive results from labs to both the state and local public health departments. The State and counties use this information to calculate positivity rates, investigate cases and initiate contact tracing. To read the full story, click [here](#).

### **Report: Coronavirus Vaccine Shouldn't Be First-Come, First-Served**

Coronavirus vaccine shouldn't be first-come, first-served when initial doses become available, and the focus should be on saving the most lives and reducing illness. The report by the National Academies of Science, Medicine and Engineering said available doses should first go to a "jump-start" group that includes front-line health care workers at the highest risk of being exposed to the virus. Paramedics, firefighters and police also would get priority. To read the full story, click [here](#).

### **California's Coronavirus Stimulus Was A Bust...What Now?**

Restarting supplemental \$600-a-week unemployment payments? Not happening. Investing in wildfire prevention and broadband infrastructure to create jobs? Nope. Offering tax vouchers to raise revenue and stave off future cuts? Maybe, if state agencies find their own path forward. ... Among the economic measures that survived were a \$5 billion transportation bond, an eviction moratorium extension, an expansion of low-income tax credits for undocumented Californians and a \$100 million small business hiring credit. There are many reasons that the most high-profile proposals fell through, or were at least left unresolved: federal inaction, Democratic infighting, the risk of digging too deep a financial hole to climb out of, plus the complicated logistics of last-minute negotiations during a pandemic. To read the full story, click [here](#).

### **Why Thousands of Unemployed California Workers Are Unlikely To Get Extra \$300 Benefit**

About 192,000 California residents now receiving unemployment benefits are unlikely to qualify for the extra \$300 a week payment that begins next week, according to a study released Tuesday by the independent California Policy Lab. The federally funded benefit, created by President Donald Trump's executive action last month, will nearly double the average state jobless benefit for an estimated 3.79 million claimants in California, the lab said. But it won't be available to people with a weekly benefit of less than \$100 under federal guidelines. They tend to be low-wage or part-time workers. To read the full story, click [here](#).

### **State: Stores Must Follow 50 Percent Occupancy Limits**

The State's top health official confirmed Tuesday that all retail establishments, and grocery stores, must comply with occupancy limits reiterated in the new tiered reopening system released this week. San Diego is one of the only metropolitan counties in the State to start out in the second tier of the new system, a designation that allows both stores to serve customers indoors but to use only 50 percent of their total capacities. That means establishments should routinely monitor comings and goings to make sure there aren't too many people walking their aisles simultaneously. To read the full story, click [here](#).

### **Can Your School Open While Avoiding A COVID-19 Outbreak? These 2 Factors Matter Most**

School reopenings around the world and in certain U.S. states have shown that opening up classrooms means opening up an opportunity for COVID-19 transmission among teachers and students and therefore to the wider community. Still, epidemiologists agree that the social-emotional learning that kids get from school is too important to forgo altogether, even if COVID-19 presents risks to reopening. "The socialization part of schools is huge," says George Rutherford, a pediatrician, epidemiologist, and professor of public health at the University of California, San Francisco. "Any is better than none." To read the full story, click [here](#).

### **San Francisco Stands Nearly Alone As Bay Area Salons Reopen Indoors**

As most Bay Area counties confirmed this week that they would take advantage of new permissions to reopen businesses in a variety of sectors under a state system unveiled Friday, city officials confirmed that they would stand fast on most restrictions and watch the course of the coronavirus pandemic closely before lifting limits on a variety of businesses they view as risky. To read the full story, click [here](#).

### **School Districts Worry That Legislators Failed To Protect Them From Covid-19 Lawsuits**

The Legislature adjourned Monday without having resolved what school districts say is a huge barrier to returning to in-school instruction: legal protection from Covid-19-related lawsuits. Without that safeguard, school officials warn, some districts will be skittish about opening up schools and instead continue in distance learning until they get it. To read the full story, click [here](#).

### **Steroids Can Be Lifesaving for Covid-19 Patients, Scientists Report**

International clinical trials published on Wednesday confirm the hope that cheap, widely available steroid drugs can help seriously ill patients survive Covid-19, the illness caused by the coronavirus. Based on the new evidence, the World Health Organization issued new treatment

guidance, strongly recommending steroids to treat severely and critically ill patients, but not to those with mild disease. To read the full story, click [here](#).

### **White House To Target Hospitals For Uneven Covid-19 Data Reporting**

In a move expected as early as next week, the administration is planning to publicize the names of hospitals with data missing from the federal pandemic reporting system, according to people familiar with the discussions. To read the full story, click [here](#).

### **EDD Payment Fraud Suspected In California**

California's Employment Development Department officials say they are following up on reports of people receiving EDD mail, addressed to people not living in their homes. For one man in Murrietta, it was a LOT of mail, dozens and dozens of envelopes. Many of them felt, from the outside, like they were holding EDD payment cards. He did the right thing and turned them over to his Senator, Melissa Melendez. To read the full story, click [here](#).

### **Next Up: Californians Brace for The 'Twindemic'**

Doctors and public health officials across the State are echoing this message. A combination of COVID-19 and influenza could put serious pressure on a health care system that is only starting to stabilize after a summer of peaks in hospitalizations and admissions to intensive care units. "Things can get very bad," said Dr. George Rutherford, an epidemiologist at the University of California, San Francisco. "The concern is if there is a bad flu season, emergency rooms will get full and saturate capacity much more quickly." To read the full story, click [here](#).

### **California's Coronavirus Stimulus Was A Bust...What Now?**

So much for California saving itself from the economic wreckage of the coronavirus. As state lawmakers ended the year with a profanity-laced, partially remote late-night voting session this week, several pillars of a sweeping \$100 billion economic stimulus proposal became political casualties of a chaotic summer at the Capitol. To read the full story, click [here](#).

### **Can I Get the Coronavirus Twice?**

It seems possible, though how often it happens isn't known. Researchers in Hong Kong recently reported evidence of a person who got the coronavirus a second time, months after an initial infection. The finding has not yet been published in a journal. But scientists said the 33-year-old man had mild symptoms the first time and none the second time, suggesting his immune system may have provided some protection against serious illness even if it could not prevent a reinfection. His more recent infection was detected through screening and testing at the Hong Kong airport, and researchers said genetic tests revealed different strains of the virus. To read the full story, click [here](#).

### **Budget Deficit To Hit Record \$3.3T Due To Virus, Recession**

The federal budget deficit is projected to hit a record \$3.3 trillion as huge government expenditures to fight the coronavirus and to prop up the economy have added more than \$2 trillion to the federal ledger, the Congressional Budget Office said Wednesday. The spike in the deficit means that federal debt will exceed annual gross domestic product next year — a

milestone that would put the U.S. where it was in the aftermath of World War II, when accumulated debt exceeded the size of the economy. To read the full story, click [here](#).

### **Newsom Offers Clarification On COVID Eviction Protection, Unveils Website For Tenants, Landlords**

California renters and landlords facing hardships because of the coronavirus pandemic are the focus of a new effort by the State to clarify the State's evictions laws and direct them to resources available. The new outreach also includes a website, HousingIsKey.com, maintained by the California Department of Real Estate and designed to provide in order to help Californians stay in their homes or understand housing options during COVID-19 and beyond. To read the full story, click [here](#).

### **PPP Loan Forgiveness – Is The 8-Week Or 24-Week Period Right For You?**

When the Paycheck Protection Program Flexibility Act (PPPFA) was signed into law, many borrowers were excited to learn they had 24 weeks to spend their loan on forgivable expenses. However, it is critical for borrowers to also evaluate the eight-week covered period option if they are eligible to use it – especially if they plan to make changes in the additional 16-week period. To read the full story, click [here](#).

### **Force Majeure Clauses in the Face of COVID-19: Commercial Leasing Guidance (CA)**

This practice note explains what a force majeure clause is and how and under what circumstances a force majeure clause in a commercial lease may be invoked due to the novel coronavirus (COVID-19) and California's Safer at Home Order. It addresses the likelihood a force majeure clause will be enforced in California, other related impossibility defenses, and considerations for commercial lessors and lessees going forward. Have no doubt about it—if you are a lessor or a lessee (or their counsel), you will be forced to understand the concept of force majeure in the months or even years ahead. To read the full story, click [here](#).

### **COVID-19 Doesn't Slow PAGA Lawsuits**

If crisis-weary Californians were looking for profiles in courage, they didn't find many in the State's "chaotic" final day of the legislative session. Most disappointing is the legislature's inability to provide basic relief for business owners under attack from frivolous lawsuits. To read the full story, click [here](#).

### **The Economic Solutions for This Coronavirus Crisis Are Available**

Extreme politics is literally killing Americans and our economy. More than 187,000 people are dead, over 31 million workers are unemployed, almost 30 million citizens do not have enough to eat last week, and 27 percent of adults missed their rent or mortgage payment this summer. Yet posturing by both parties has gone from shouting to not even negotiating while our families and friends struggle. The charitable nonprofits in the country are doing all we can to serve our communities, but we simply cannot sustain with mounting needs while we also fight to survive in this crisis. To read the full story, click [here](#).

### **Fraud Concerns Over California's Unemployment Benefits**

Concerns are growing about possible widespread fraud in California's unemployment system following numerous reports of people receiving unsolicited letters, some with debit cards, from the State's jobless agency, and a suspicious number of claims involving independent contractors. The California Employment Development Department has paid a staggering \$76.9 billion in unemployment benefits since the start of the pandemic, processing more than 11.9 million claims, most the result of Gov. Gavin Newsom's decision to shut down much of the economy to slow the spread of the disease. To read the full story, click [here](#).

### **This Is the Safest Restaurant Chain Right Now, New Survey Finds**

A new national survey conducted by global research firm Ipsos has determined that Panda Express is currently the safest restaurant chain for consumers. The survey was aimed at evaluating COVID-19 health and safety measures taken by various retailers and restaurants. Ipsos gathered the data from thousands of in-store visits by Mystery Shoppers, that were taking stock of in-store changes various brands have implemented to make their customers feel safe on their premises. To read the full story, click [here](#).

### **COVID Vaccine: Complex Distribution Supply Chain Will Follow Approval**

We don't know when a COVID-19 vaccine will arrive, but we're starting to know how it will be distributed. Interviews with logistics experts, immunization professionals and pharmaceutical distribution specialists, together with U.S. Centers for Disease Control and Prevention planning documents, give a clearer picture of how coronavirus vaccines will get from manufacturers into the arms of millions of Americans. To read the full story, click [here](#).

### **COVID-19: Small gatherings quietly a significant source of infections**

Images of packed beaches, lakes and bars have made the rounds on traditional and social media for much of the summer, drawing scorn from those concerned about the coronavirus spreading among those crowds. Less prominent but also troubling are the growing instances of case clusters arising from smaller gatherings. To read the full story, click [here](#).

### **Cop killer: COVID-19 could eclipse 9/11 in causing police officer deaths**

Sheila Byron-Lagattuta, chief of police in Glen Ridge, New Jersey, wasn't shocked to learn of the bold new killer stalking law enforcement officers across the nation. Scores of law enforcement officials, from beat officers and detectives to border patrol agents and prison guards, have died of COVID-19. The Officer Down Memorial Page, a nonprofit organization dedicated to honoring fallen officers, lists more than 100 who lost their lives to the virus. Spokeswoman Jessica Rushing said her organization has about 150 more such fatalities awaiting formal verification. To read the full story, click [here](#).

### **Coronavirus, Zoom, Work from Home: How Does The Future Of Work Look?**

As the impact of the COVID-19 pandemic drags on, there have been many questions about what (or even where) the workplace will be in the future, particularly for people who work at companies based in traditional offices. Of course, some of it is obvious. Just look around. Video-based conference calls on platforms like Zoom, Skype, Microsoft Teams, Google Meet, Cisco Webex, etc. are – like it or not – with us to stay. It's an approach that literally overnight

went from something unusual to completely mainstream, and the remote workplace has created habits that we're not going to be able to simply walk away from. To read the full story, click [here](#).

### **Best And Worst Face Masks For Coronavirus Protection: Chart**

The ideal face mask for coronavirus protection blocks large droplets along with smaller airborne particles. In general, masks should have more than one layer and be made of tightly woven fabrics. Based on several studies evaluating masks' protection levels, we've ranked the most common types from best (an N95 mask) to worst (masks with a built-in valve or vent). To read the full story, click [here](#).

### **The Ultimate Scapegoat: COVID Inspired Lawsuits In California**

Participants on either side of recent employment litigation in California can often point to the same scapegoat: "COVID made me do it." Most recent pandemic-related claims fall into one of two categories: (1) Employees were forced to resign, forced to take a leave, or terminated for voicing concerns about the lack of health and safety protocols; and (2) employees were laid off ostensibly because of COVID-necessitated business changes, but actually because of something more nefarious. To read the full story, click [here](#).

### **Salon Owner Thanks Supporters For Raising \$300,000 In Just Five Days**

A San Francisco salon owner has thanked supporters for raising \$300,000 in just five days after Nancy Pelosi broke Covid-19 rules for a blowout at her business. Erica Kious, the owner of eSalon SF, said she was forced to shutter her business after she received death threats in the wake of exposing the House Speaker's trip to her business last Monday. After footage of the Democrat's trip went viral a day later Kious told Tucker Carlson Wednesday that her business was 'done'. To read the full story, click [here](#).

### **Ultraviolet Light Sterilizing Technology Introduced At Phoenix Airport To Kill Coronavirus**

Phoenix Sky Harbor International Airport added seven UV-C light sterilizers to some pre-security escalators to maximize the safety of travelers amid the coronavirus pandemic. UV-C, or ultraviolet light, is known to kill up to 99.9% of bacteria and viruses and many other microorganisms, according to Sky Harbor officials. The light was installed underneath the escalator handrail and is not visible to travelers, said Gabriel Nevarez, deputy aviation director for Facilities and Services. To read the full story, click [here](#).

### **Coronavirus Shutdowns Are Hitting Bay Area Vietnamese-Owned Nail Salons Hard**

About 70 percent of California's nail salon workers are Vietnamese-American, according to a 2019 report, and the pandemic is taking a heavy toll on a small business niche that's been shut for five months now. The report was released by the UCLA Labor Center and the nonprofit California Healthy Nail Salon Collaborative, which advocates for nail salons. Over a third of salon owners said months ago that they couldn't pay rent any longer and an additional 29 percent said they'd be out of money in a month, according to a survey of more than 700 salon workers and owners released in June by the center and the collaborative. To read the full story, click [here](#).

## **Coronavirus: Most Californians Want More Restrictions, 1 In 5 Know Victims Of COVID-19, Poll Says**

One in five Californians know someone who has died from COVID-19, according to a new survey, but there are stark divides along racial and economic lines. The number is nearly twice that — almost one in three — among Black and Latino residents, who have been disproportionately impacted by the virus, while one in four low-income Californians said they knew a victim of the virus, according to the poll, which was released by the California Health Care Foundation with the national survey firm Ipsos. To read the full story, click [here](#).

## **COVID-19 Now Flashpoint for White House Run**

A COVID-19 vaccine became the main arguing point between President Donald Trump and his Democratic opponents Joe Biden and Sen. Kamala Harris this long weekend. Trump had already said one could be available before the election. Biden said Trump has said "so many things that aren't true, I'm worried if we do have a really good vaccine, people are going to be reluctant to take it. So he's undermining public confidence." Harris also said she would defer to public health experts and scientists, "but not Donald Trump." To read the full story, click [here](#).

## **Hospitalizations Keep Decreasing In California; Deaths Increase Slightly**

California reported 151 COVID-19 deaths on Friday, ticking up the State's rolling average of fatalities, but hospitalizations and the numbers of patients in intensive care unit beds continued several weeks of steady declines. The 151 fatalities brought the State's total during the pandemic to 13,643 and increased the State's seven-day average of daily fatalities to 116, from a recent low of 109. There were also 5,227 cases reported Friday, according to data compiled by this news organization, for a total of 731,378 cases. An ensemble of COVID-19 models forecasts the State will cross 15,000 COVID-19 deaths around September 19 and 15,704 deaths by September 26. To read the full story, click [here](#).

## **How One Southern California Desert Town Has Reopened Its Classrooms To Hundreds Of Elementary School Students**

Inside classrooms, sneeze guards are set up at each desk and many students wear masks. On the playground at recess, students must stick to their designated play area in groups of up to 12. In the cafeteria, tables that could normally seat 16 students are now limited to four. At Lucerne Valley Elementary in Southern California's high desert, hundreds of students have returned to in-person learning and a dramatically different school day. The school was one of the first public schools in the State to receive a waiver to reopen for in-person instruction under regulations issued by Gov. Gavin Newsom in July. To read the full story, click [here](#).

## **Chico State Becomes First California University To Close Dorms After Students Move In**

President Gayle Hutchinson announced just a week into the semester that the effort to house students and welcome even a few of them on campus had failed, at least for now. "We gave it our best shot," Hutchinson said, making Chico State the first public university in California to close its dorms this fall after students had moved in. On Wednesday, just three days after Chico State's announcement, San Diego State University became the second campus in California to

announce it too would cancel in-person classes, at least for four weeks. Starting September 3, all in-person classes will resume virtually and be reassessed for restarting face-to-face by October 5. To read the full story, click [here](#).

### **Sturgis Motorcycle Rally May Have Caused 250K Cases**

Counties with the highest numbers of rally attendees had roughly a 7-12% increase in cases when compared to counties without rally goers, according to a recent report. The study found that the rally had many of the factors to make a super-spreading event: It was prolonged, individuals were packed closely together, it involved a large out-of-town population and there was a low compliance rate with recommended mitigation measures. To read the full story, click [here](#).

### **Colleges Defy Health Advice, Dismiss Students**

Some colleges and universities inundated with spikes in coronavirus infections are sending students home despite high-ranking White House public health officials' warnings that doing so could ignite a national resurgence of COVID-19. "When you send them home, particularly when you're dealing with a university where people come from multiple different locations, you could be seeding the different places with infection," Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases, said last week. To read the full story, click [here](#).

**Note:** While EKA monitors governmental announcements, guidelines and recommendations, our updates are prepared for informational purposes and are compiled from publicly available sources. Our updates should not be considered health, medical, legal, or tax advice. Always consult a qualified professional regarding any specific questions you may have. All hyperlinks are live and will bring you to the information mentioned. If you are not interested in receiving future emails from us, then please reply with a "Remove" in the subject line and mention the email addresses to be removed.