

Weekly COVID-19 Update From EKA – September 16, 2020

Coronavirus Facts

It has been six months since Governor Gavin Newsom declared a [state of emergency](#) in California (on March 4) in response to the COVID-19 pandemic. The [Safer at Home](#) order have been in place in Los Angeles since March 19. The worldwide outbreak of the coronavirus currently is more than 29.6 million confirmed cases across more than 180 countries. At the time of this writing, the US has around 6.6 million confirmed cases of the coronavirus. More than 195,960 people in the US have died from the virus. California has the most COVID-19 cases with 768,763 confirmed cases and 14,616 deaths. [See coronavirus by the numbers.](#)

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

LA County Walks Back Halloween Ban

Less than a day after issuing new health guidelines that banned trick-or-treating and other Halloween activities, Los Angeles County public health officials walked back the decision. Citing an inability to maintain safe social distancing and the potential for gatherings beyond household members, county officials initially nixed trick-or-treating along with other Halloween traditions, including haunted houses and parades. But Public Health Director Barbara Ferrer said that the guidelines have been ["slightly revised."](#) Ferrer said the change distinguishes between activities originally prohibited under the health officer order from activities that are "not recommended." The Department of Public Health previously said that because some of the traditional ways in which Halloween is celebrated do not allow contact with non-household members to be minimized, it is important to identify safer alternatives. "Trunk-or-treat" events involving car-to-car candy dispersal, which are sometimes held by churches or schools, also are not recommended under the revised order. California will clarify statewide rules for Halloween in coming weeks.

No Reductions In Covid-19 Restrictions Until At Least End Of September

Los Angeles County won't authorize any more business reopenings until at least the end of the month so officials can determine if the recent Labor Day weekend will cause the same spike in COVID-19 cases seen after Fourth of July and Memorial Day. But while no more businesses will be allowed to immediately reopen, some schools are moving ahead with plans to offer in-person learning for small groups of students. Earlier this month, the County agreed to allow in-person instruction for some 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." As noted in "What We're Reading" section below, a group of elected officials from Bell Gardens, Commerce, Gardena and Hawaiian Gardens held a news conference calling for the reopening of outdoor activity at card rooms, with some officials saying the cities' budgets rely heavily on the income they generate. The state's coronavirus guidelines allow such operations, but Los Angeles County has not authorized them. Operators of small craft breweries have been making a similar push to reopen for outdoor service, saying they can't survive solely on to-go sales.

LOS ANGELES COUNTY

LA City, County COVID-19 Contact Tracing

The City and County are partnering with the Citizen mobile app to provide new methods for faster coronavirus contact tracing and notifications about possible exposure. The new [Citizen SafePass app](#) provides a range of COVID-19 services and information, particularly contact tracing. The app notifies users if they may have been exposed to a person who tested positive for the virus. It provides the information anonymously without releasing the identity of the person who tested positive. The app, which can be downloaded from the Apple and Google Play stores, asks users to download the results of their coronavirus tests. If they tested positive, the app will use location tracking to notify other app users who may have recently been in the physical vicinity of the person who tested positive, without sharing that person's name. Participation and location tracking is voluntary. Personal information is encrypted and not shared with other users. The cities of Long Beach and Pasadena, which maintain their own health departments, are also participating in the partnership. Other features of the app include helping you get home testing kits at no cost and providing information about coronavirus rates in your neighborhood. The County currently has 2,600 people working as contact tracers. They've conducted roughly 195,000 interviews with people who have tested positive and 53,000 interviews with their contacts. But using the app will greatly increase that ability.

Enforcement

The County has stepped up enforcement of the Health Officer Order and COVID-19-related health regulations. In a [press release](#) issued last week, the County Department of Public Health noted that it had conducted 331 inspections over the holiday weekend, and while compliance with Health Officer Order regulations was largely good, "gyms and hotels need to work on ensuring that their patrons are wearing face coverings and many restaurants need to work on physical distancing. The County also announced a new, no-cost program for business owners in the County called the COVID-19 Safety Compliance Certificate Program, which is detailed below.

COVID-19 Safety Compliance Certificate Program For Business Owners And Employees

Los Angeles County businesses are currently permitted to operate to voluntarily self-certify that they are fully implementing the required COVID-19 Protocols from the Los Angeles Department of Public Health (Public Health). This process will help business owners follow the required Protocols and maintain their operations with as much safety as possible for their staff,

customers, and visitors. The COVID-19 Safety Compliance Certificate is not required, but it is recommended. It will demonstrate to the public that your business is complying with required Protocols. Businesses that do not have a COVID-19 Safety Compliance Certificate must continue to post the required Protocols at all public entrances to the facility as required by the County Reopening Safer at Work Health Officer Order. To limit the spread of COVID-19 within the workplace and community, we need the public, all business owners, and community organizations to support the modified operations of businesses and public spaces to make them as safe as possible during this pandemic. Click [here](#) to view the document.

Westfield Urges LA County to Reopen Indoor Malls

A group of business owners filed a federal lawsuit against Los Angeles County, challenging its COVID-19-related closure of Del Amo Fashion Center, the largest operator of indoor malls in the region pressed for the reopening of its shopping centers for the sake of store owners, employees and tax revenue. According to [Fox 11](#), in a letter to the Los Angeles County Board of Supervisors, Unibail-Rodamco-Westfield writes that the County's treatment of indoor malls "appears to be arbitrary and based on the misconception that these facilities are less safe than functionally equivalent big-box retailers that have been allowed to operate throughout the pandemic." The letter comes a day after the County was hit with a proposed class-action suit filed late Thursday in federal court challenging its COVID-19-related closure of Del Amo Fashion Center in Torrance and other indoor malls. The decision not to allow indoor malls to open in Los Angeles County appears unfair since the malls are open and operating safely elsewhere in the state, the complaint contends. However, indoor shopping centers and their interior retailers in the county "uniquely remain closed, and many of their employees ... remain out of work — without any explanation or any scientific support," the complaint alleges. The retailers allege that their due process rights are being violated because they have been allowed no way to challenge what they say is the "lack of any rational basis for the county order."

LA County' Legal Aid Program for Tenants

The Los Angeles County Board of Supervisors launched Stay Housed LA County, a countywide initiative to provide legal assistance and support for tenants facing eviction amid the COVID-19 pandemic. The launch included the release of [StayHousedLA.org](#), a website connecting tenants with useful information about their rights, workshops for residents who need legal assistance, and other support. Stay Housed LA County is a partnership between the County of Los Angeles, legal aid groups and community-based organizations to provide emergency support to tenants in need. Stay Housed LA County serves as an important resource for tenants who are facing housing uncertainty — including bilingual residents and those with undocumented status — about their rights and who need legal support navigating their interactions with their landlord and the legal system.

Coronavirus Vaccine

The Board of Supervisors voted to begin preparing to distribute a COVID-19 vaccine as soon as it becomes available. Supervisor Janice Hahn authored a motion highlighting a request from The Centers for Disease Control and Prevention are asking some jurisdictions, including California, to start putting plans in place. Three potential vaccines have been funded for Phase 3

clinical trials under the federal government's Operation Warp Speed. Federal health officials have said that limited doses may become available as early as this fall, and President Donald Trump said Tuesday a vaccine would be available "in a matter of weeks."

LONG BEACH

Long Beach's 'Open Streets' Program Extended

Street closures and outdoor expansions for Long Beach businesses are here to stay — at least through the end of the year. The City Council voted unanimously to request the City Manager to extend parklet and parking lot permits for those businesses through the end of the year. The panel also asked the City Manager to look into making some of them permanent, including a permanent closure of Pine Avenue from Broadway to Fifth Street. More than 200 parklet or parking lot permits have been approved across the City through the program.

Long Beach Hospital Part Of Clinical Trials

MemorialCare Long Beach Medical Center announced that it is part of separate multinational clinical trials for possible coronavirus treatments. The trials are intended to determine the effectiveness and safety of the two antiviral treatments. The goal is to see whether the treatments can lessen coronavirus symptoms, as well as reduce the spread among both hospitalized patients and those recuperating at home. Pulmonary and critical care medicine specialist Dr. Jimmy Johannes will lead MemorialCare's research team, the hospital said in its announcement. The team will study a combination of two monoclonal antibodies developed by [Regeneron Pharmaceuticals](#). Monoclonal antibodies are those that were cloned from a single immune cell. Monoclonal antibodies, MemorialCare said, has been effective in treating Ebola. The antibodies are designed to target and block the part of the novel coronavirus — officially named SARS-CoV2 — that attaches to and infects healthy human cells, MemorialCare said.

RIVERSIDE, SAN BERNARDINO

Despite falling below the state-mandated coronavirus positivity rate that allows for more business activity, officials from both Riverside and San Bernardino counties say they don't expect to move into the next phase of reopening this week because they haven't yet shown the ability to maintain those low rates over a longer period. While both Inland Empire counties reported positivity rates under 8% for the most recent week of state-reviewed data, neither fell below the benchmark for case rates. To move tiers, they must meet these metrics for two weeks in a row. This means that even if the state releases data Tuesday that shows either County is meeting both benchmarks, they would still need to maintain those rates or lower for a total of two weeks for additional businesses to reopen by the end of the month.

SACRAMENTO

Bills To Support Small Businesses

Governor Newsom signed bills into law to support small businesses grappling with the impact of the COVID-19 pandemic and another to jumpstart state construction projects.

- AB 1577 by Assemblymember Autumn Burke conforms state law to federal law by excluding from gross income Paycheck Protection Program loans that were forgiven through the federal CARES Act and subsequent amendments in the Paycheck Protection Program and Health Care Enhancement Act of 2020.
- SB 1447 by Senator Steven Bradford (D-Gardena), Senator Anna M. Caballero (D-Salinas) and Assemblymember Sabrina Cervantez (D-Corona) authorizes a \$100 million hiring tax credit program for qualified small businesses. The hiring credit will be equal to \$1,000 for each net increase in qualified employees, up to \$100,000 for each qualified small business employer.
- SB 115, a budget trailer bill, by the Committee on Budget and Fiscal Review appropriates \$561 million in fiscal year 2020-21. This includes \$411.5 million to advance economic stimulus with \$230.5 million to help jumpstart construction projects.

New Law Eliminates Coverage Gaps

Governor Newsom signed AB 1867, legislation that immediately extends critical paid sick days protections to California's workforce. Building on historic early action to expand paid sick days to employees in the food sector at the beginning of this crisis, this legislation means that every California employee that has been exposed to or tests positive for COVID-19 will have access to paid sick days for the rest of the 2020 calendar year. AB 1867, a budget trailer bill, closes the gaps in paid sick days provided in federal law and the Governor's Executive Order by including employers with over 500 employees and public and private employers of first responders and health care employees who opted not to cover their employees under federal law. The bill also allows California's Labor Commissioner to cite workplaces for lack of paid sick days, a critical enforcement tool that will promote safety for employees and customers alike. Governor Newsom has taken several actions, including [paid sick days](#) for food sector employees; [workers' compensation benefits](#) for employees who contract COVID-19 during the stay-at-home-order; critical [child support services](#) for essential employees and vulnerable populations; [additional weekly unemployment benefits](#); and support for employees to [isolate and quarantine](#) outside their home.

LEGAL DEVELOPMENTS

Court Rules Orders Church To Close

Los Angeles Superior Court Judge Mitchell L. Beckloff ruled against Grace Community Pastor John MacArthur; ordering the church to close after Los Angeles County had lost four tries for a temporary restraining order. "I recognize the importance of the decision," said Judge Beckloff in an interview with CBS. Judge Beckloff refused to allow Gov. Gavin Newsom file a friend-of-the-court brief in support of the County's stand. LA County sued Grace Community Church on

August 14 after it began holding indoor services on Sundays. Meanwhile, the church filed a suit against the County in response and the case is awaiting trial in Burbank Superior Court.

Christian School Ordered to Cease On-Campus Learning During Pandemic

Courthouse News reports that a private school with more than 600 students near Fresno has been ordered by a judge to stop flouting state restrictions and guidelines on in-person instruction during the Covid-19 pandemic. Fresno County Superior Court Judge Tyler Tharpe echoed US Supreme Court Chief Justice John Roberts' finding that state officials' "latitude must be especially broad" when making decisions regarding the health and safety of their residents during the coronavirus pandemic. That deference, Tharpe wrote in an [8-page order](#) issued shortly after a hearing, must extend to Fresno County. The County [sought to bar](#) Immanuel Schools, a private K-12 school in rural Reedley from violating state and local public health orders by resuming in-person instruction last month. Fresno County has been on the state's monitoring list since June 8 due to increasing rates of Covid-19 infections, hospitalizations and deaths. According to the County's complaint, Fresno is historically underserved and lacks adequate medical infrastructure.

California Supreme Court Rejects OC Education Board, Private School Reopening Lawsuits

The California Supreme Court rejected lawsuits by the Orange County Board of Education and a coalition of private schools to overturn Governor Gavin Newsom's emergency order to limit in-school learning. The ruling ended nearly a two-month battle between schools and the state. The OC Board of Education [had first filed in late July](#) in response to Governor Newsom making school reopenings directly tied to where the County was in the process of reopening. As county reopenings were based on different COVID-19 factors, the state essentially made the decisions for all school districts across the state. Despite teachers largely approving of the new reopening rules, as well as other new standards such as mandatory face masks, Orange County's legal action gained traction, with many parents supportive of the Board's decision.

California Fitness Centers Sue State Over Virus Closures

The [AP reported](#) that California fitness centers have filed a lawsuit alleging Governor Gavin Newsom's measures aimed at curbing the spread of the coronavirus unfairly target the industry and are demanding they be allowed to reopen. The California Fitness Alliance, which represents nearly 300 businesses, filed the suit in Los Angeles County Superior Court, Scott Street. The suit accuses state and Los Angeles County officials of requiring gyms to close without providing evidence that they contribute to virus outbreaks and at a time when staying healthy is critical to California's residents. The prolonged closure is depriving millions of people the ability to exercise as temperatures soar and smoky air from wildfires blankets much of the state, said Francesca Schuler, a founding partner of the alliance. As detailed in previous updates, the suit is one of many filed by California sectors impacted by closures due to the pandemic.

NATIONAL

Updated EEOC COVID-19 Guidance To Address Additional ADA Considerations

On September 8, 2020, the EEOC updated its Technical Assistance Q&A [webpage](#) to address 18 new questions regarding the application of the Americans With Disabilities Act ("ADA"), the Rehabilitation Act, and other EEO laws to employers continuing to face the struggles of the COVID-19 pandemic. The latest guidance addresses issues such as COVID-19 testing and screening, confidentiality, and reasonable accommodations. The latest guidance is a critical "must read" for all employers with employees in the workplace or providing alternative work arrangements. The EEOC's latest guidance provides some additional clarification as to the intersection of the ADA and the CDC's guidance on COVID-19 screening. Specifically, the ADA requires that any mandatory testing of employees be "job related and consistent with business necessity." In light of the COVID-19 pandemic, the EEOC has clarified that an employer may administer COVID-19 testing to employees before permitting them to enter the workplace to determine if they pose a direct threat to others in the workplace. Consistent with the EEOC's previous guidance in the pandemic, the Commission has reiterated that the ADA does not interfere with employers following recommendations by the CDC or other public health authorities regarding whether, when, and for whom testing or other screening is appropriate, and that testing administered by employers consistent with current CDC guidance will meet the ADA's "business necessity" standard.

- The updated guidance states that employers may screen or test a particular employee only if the employer has a reasonable belief based on objective evidence that the individual may have COVID-19. Further, the guidance reminds employers that they cannot ask employees whether they have family members with COVID-19 or who are suffering symptoms of COVID-19, as such questions are prohibited by the Genetic Information Nondiscrimination Act ("GINA"). The Commission's newest guidance also addresses questions regarding the confidentiality obligations of employers under the ADA while addressing COVID issues in the workplace. Notably, the guidance provides that while the ADA requires that an employer keep all medical information about employees confidential, including whether an employee has symptoms of, or a diagnosis of, COVID-19, managers are not prevented from reporting to appropriate employer officials so that they can take actions consistent with guidance from the CDC. However, the EEOC's guidance emphasizes that employers should take as many steps as possible to limit the disclosure of the name of the employee who has been diagnosed or who has symptoms of COVID
- The EEOC's guidance further addresses issues related to reasonable accommodations, particularly whether an employer providing work from home arrangements to some employees due to state or local shutdown orders must provide similar accommodations for those employees that the employer provides to those still in the workplace. The updated guidance provides that if such a request is made, the employer and employee should discuss the accommodation and whether a different accommodation could be warranted in the home environment. Further, the guidance states that the undue hardship considerations might be different relative to a home environment as opposed to the workplace, as a reasonable accommodation that does not pose an undue hardship in the workplace could pose one when considering circumstances such as

teleworking. Please check with your legal counsel to determine how the EEOC rules may impact your business.

Coronavirus Deaths Nearly Doubled This Summer

Vice President Mike Pence [once predicted](#) that by Memorial Day weekend, the United States would "largely have this coronavirus epidemic behind us." Yet Labor Day taught us that the threat is far from over: The country's death toll has nearly doubled — [and the cases have almost quadrupled](#) — in the three months since the last holiday weekend sparked warnings from public health officials that prematurely relaxing or ignoring social distancing measures could prolong the pandemic. The death toll has well exceeded President Trump's own forecasts. The Institute for Health Metrics and Evaluation at the University of Washington, which predicts "the global death toll from the COVID-19 could triple by year's end, with an additional 1.9 million deaths, while a fall wave of infections could drive fatalities in the United States to 410,000.

COVID-19 Food & Beverage Regulatory Updates - September 2020

The US Food and Drug Administration (FDA) has continued to publish food safety updates relating to the coronavirus (COVID-19) pandemic throughout the pandemic. Foley's Food and Beverage team have continued to monitor and review such guidance. Most recently, in mid-August 2020, FDA in consultation with the Occupational Safety and Health Administration (OSHA) released the "[Employee Health and Food Safety Checklist for Human and Animal Food Operations During the COVID-19 Pandemic](#)." This checklist is meant to be a quick reference guide to help food manufacturers comply with the various guidance released by the FDA, OSHA, and Centers for Disease Control (CDC) during the COVID-19 pandemic. The checklist is broken down into two distinct parts. The FDA notes that this checklist is not an exhaustive list of all measures that facilities may take to protect employee health and food safety during the COVID-19 pandemic, and that not all items on the checklist are relevant to all food manufacturers. Therefore, in addition to this checklist and other federal guidance, facilities should continue to communicate with and listen to guidance from their state and local governments.

Federal Government Adjusts COVID-19 Entry Strategy for International Air Passengers

Beginning September 14, 2020, the United States Government will remove requirements for directing all flights carrying airline passengers arriving from, or recently had a presence in, certain countries to land at one of 15 designated airports and halt enhanced entry health screening for these passengers. To read the CDC statement, click [here](#).

CDC COVID Data Tracker

The CDC has created maps, charts and data, including cases, deaths and testing data have been consolidated into one COVID Data Tracker page. To view the information, click [here](#).

What to Do if Your Pet Tests Positive for the Virus that Causes COVID-19

The CID has put out information if your pet tests positive for the virus that causes COVID-19, isolate the pet from everyone else, including other pets. Do not wipe or bathe your pet with chemical disinfectants, alcohol, hydrogen peroxide, or other products, such as hand sanitizer,

counter-cleaning wipes, or other industrial or surface cleaners. To view the entire document, click [here](#).

QUESTIONS EKA HAS RECEIVED

We Are Aware That Governor Newsom Signed Assembly Bill 1867, Which Requires Private Employers With 500 Or More Employees Nationwide To Provide COVID-19-Related Supplemental Paid Sick Leave To Their California Employees. Can You Provide Any Additional Information About The Law?

On September 9, 2020, California Governor Gavin Newsom [signed AB 1867](#) into law. His office [touted this bill](#) as "eliminating coverage gaps to ensure every employee has access to paid sick days if they are exposed or test positive to COVID-19 for 2020" and delivering on his "commitment to work with the Legislature to expand paid sick days." As a budget trailer bill, the provisions are **effective immediately**, and require private businesses with 500 or more employees nationwide (as well as certain health care providers and emergency responders) to provide their California employees with COVID-19 related supplemental paid sick leave *no later than* September 19, 2020. The new law implicates all private employers with over 500 employees, as well as public and private employers of first responders and health care employees who opted not to provide leave under the federal law.

Under this new California law, employees who must leave their home to perform work are entitled to COVID-19 supplemental paid sick leave if they are unable to work when they are:

1. Subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. Advised by a health care provider to self-quarantine or self-isolate due to concerns related to COVID-19; or
3. Prohibited from working by the employer due to health concerns related to the potential transmission of COVID-19.

Employees are entitled to COVID-19 supplemental sick pay based on their regular schedules as follows:

1. For employees who work "full time" and were scheduled to work or did work on average at least 40 hours per week in the two weeks preceding the date of taking this leave, 80 hours (with exceptions for certain firefighters);
2. For employees with a normal weekly schedule, the total number of hours the employee is normally scheduled to work over two weeks;
3. For employees who work a variable number of hours, 14 times the average number of hours the employee worked each day in the six months preceding the date the employee took COVID-19 supplemental paid sick leave; or

4. For employees who work a variable number of hours and have worked for a period of 14 or fewer days, the total number of hours the employee has worked for that employer.

The law authorizes the employee to determine how many hours of COVID-19 supplemental paid sick leave to use, and requires the employer to make COVID-19 supplemental paid sick leave available for immediate use upon the employee's oral or written request. The COVID-19 supplemental sick pay must be paid at an hourly rate of the highest of: (1) the employee's regular rate of pay for the last pay period (including amounts subject to any applicable collective bargaining agreement); (2) state minimum wage; or (3) local minimum wage. However, like the federal law, employers are not required to pay any more than \$511 per day and \$5,110 total to an employee for COVID-19 supplemental sick pay.

WHAT WE'RE READING

Virus America, Six Months In: Disarray, Dismay, Disconnect

On Friday, March 13, 2020, [a COVID curtain descended upon the United States](#), and a new season — a season of pandemic — was born. Now we are half a year into it — accustomed in some ways, resistant in others, grieving at what is gone, wondering with great trepidation what will be. To read the full story, click [here](#).

Cities Losing Big From Closed Cardrooms; Mayors Ask County To Reopen Outdoors

Mayors of five Los Angeles-area cities with cardroom casinos all came together Monday, September 14, to urge Los Angeles County officials to allow cardrooms to reopen outdoors. LA County still has not given the green light to reopen cardrooms outdoors even though they have been granted approval by the state, with certain restrictions, since September 9. Cardrooms represent big revenue, sometimes more than half of the general fund for cities whose mayors spoke out on Monday. To read the full story, click [here](#).

LA County Could Be Saying Goodbye to Craft Beer Breweries

Los Angeles County's Wuhan coronavirus guidelines are stricter than the state's. As a result, roughly 70 craft beer breweries throughout the County are struggling to stay in business. With the new guidelines in place, breweries are being classified as "bars," not as restaurants like they originally were. Because of this distinction, breweries must remain closed. To read the full story, click [here](#).

What Does A Pandemic Mean To The Smallest City In Los Angeles County? - Cerritos Community News

The City of Hawaiian Gardens is known as the little City with a big heart, and our motto is "our youth, our future." We are a majority-minority community with over 75% of the population being Latino. We prioritize services for youth and aging adults and public safety. We are also youthful. About 50% of us are between the ages of 5 to 34. And over 56% renters. To read the full story, click [here](#).

Bowing To Pressure, Big Ten Plans To Begin Eight-Game Football Season October 24

Bowing to pressure from players, coaches and politicians, the Big Ten's presidents decided Wednesday morning to move forward with an eight-game football season beginning on the weekend of October 24, reversing their August decision to postpone the fall schedule and ending weeks of drama that spread from campuses all the way to the White House. To read the full story, click [here](#).

LA Police Chief Michael Moore Says Pandemic Driving Up Violence

Los Angeles Police Chief Michel Moore says the COVID-19 pandemic has helped drive gun violence and increase killings in the City this year, including by spurring economic despair and interpersonal dramas while undercutting efforts to interrupt cycles of retaliation. "What we're sensing is a lot of stress, a lot of communities that are on edge, a certain amount of depression," To read the full story, click [here](#).

California Employers Catch New COVID-19 Reporting Obligations

As soon as Governor Newsom signs the bill, California employers must abide by SB 1159 which creates for some employees an expanded presumption that COVID-19 caused illness or death qualifies for workers' compensation benefits, and sunsets that presumption for other employees. The bill was enrolled on September 4, 2020 and codifies Governor Newsom's Executive Order N-62-20 with significant additions. It terminates the presumption for non-frontline workers, but it adds a new classification of workers who will qualify by virtue of an outbreak in their workplace. Additionally, the bill creates a new reporting obligation for employers and imposes a civil penalty of up to \$10,000 on an employer who submits false or misleading information about COVID-19 infections to the employer's workers' compensation carrier. To read the full story, click [here](#).

Benefit Reductions, Price Hikes Coming For Calpers Long-Term Care Insurance Plans

CalPERS hasn't publicly estimated how much it might raise premiums on its long-term care insurance policies next year, but the anticipated rate hikes are prompting the system to consider a wide range of changes including benefit reductions. The California Public Employee Retirement System's Board reviewed information in meetings this week that show the depths of the financial challenges faced by its \$4.7 billion long-term care insurance fund. To read the full story, click [here](#).

COVID-19 Testing Lags As California Announces New Initiatives With Apple And Google

After the wheels fell off California's COVID-19 testing system in August, the state announced on Friday that it would begin testing whether a system designed by Apple and Google would provide a more accurate public health tool to track exposure to the coronavirus. To read the full story, click [here](#).

AB 1867: Supplemental Paid Sick Leave for All

On September 9, 2020, Governor Newsom signed Assembly Bill 1867, which requires private employers with 500 or more employees nationwide to provide COVID-19-related supplemental

paid sick leave to their California employees. Impacted employers must begin providing this leave no later than September 19, 2020. To read the full story, click [here](#).

Coronavirus May Have Been in LA Before China Announced Its Outbreak

New research suggests that Covid-19 may have been circulating in the Los Angeles area as early as last December — months before a spike in officially confirmed US cases began to signal the beginning of a pandemic. Health officials from China and the World Health Organization began to warn of a mysterious strain of pneumonia afflicting dozens in Wuhan, China, in December 2019, reports that would later be identified as the beginning of the novel coronavirus SARS-CoV-2 — which causes the Covid-19 disease — but the official timeline for the virus in the United States would take longer to develop. To read the full story, click [here](#).

Senate Democrats Block GOP Relief Bill

Senate Democrats blocked a GOP coronavirus bill on Thursday amid a deep stalemate over the next relief package. Senators voted 52-47 on the roughly \$500 billion Republican bill, which marked the first coronavirus-related legislation the chamber has voted on since it passed a \$484 billion package in April. To read the full story, click [here](#).

Do Your Work-From-Home Policies Comply With California Law?

When Gov. Gavin Newsom ordered Californians in mid-March to shelter in place to slow the spread of the coronavirus, businesses quickly transitioned to remote work. Six months later, most nonessential workplaces remain shuttered, and some companies say their workers will telecommute through the summer of 2021—and perhaps for far longer. California businesses and HR departments that neglected to craft appropriate policies and procedures for expense reimbursements and workplace safety should prioritize that task. To read the full story, click [here](#).

Newsom Weighs Aid For Undocumented Californians Weathering Pandemic With No Safety Net

Lawmakers passed two safety net measures aimed at helping undocumented residents, many who work in essential jobs, access groceries and tax credits. Will Gov. Gavin Newsom sign the bills? To read the full story, click [here](#).

California's Rate Of Virus Infections Keeps Falling

Significantly fewer people are testing positive and being hospitalized for the coronavirus in California. But Gov. Gavin Newsom and his top health official said Tuesday they won't speed up the deliberate process they established last month for reopening the state. ... Statewide, California's infection rate has dropped steadily for weeks and now sits at 3.8% for the last seven days. Hospitalizations total about 3,100, the lowest since mid-June and down 24% in two weeks. To read the full story, click [here](#).

In Legislative Shuffle, California Prioritizes Safety Gear And Sick Leave During Crisis

Legislative deliberations this year were defined by quarantined lawmakers, emergency recesses and chaotic video voting — plus a late-night partisan dustup that led to the death of dozens of

bills by the time lawmakers gaveled out early Tuesday morning. Nonetheless, 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. To read the full story, click [here](#).

More California Counties Can Loosen COVID-19 Rules As Statewide Numbers Improve

The Newsom administration on Tuesday announced that COVID-19 conditions have improved enough in Orange, Santa Clara, Santa Cruz, Placer and Amador counties to move them to the second tier of California's four-tier reopening plan. The change would allow many businesses and services to partially reopen, including restaurants to serve customers indoors, places of worship to hold in-person services and movie theaters to operate — but only at 25% capacity. To read the full story, click [here](#).

US Coronavirus Cases Rise Slightly After Labor Day Weekend

New coronavirus cases in the US rose by more than 26,000, a slight increase from a day earlier, though it was well below the daily tallies of recent months. American states had mixed success in their efforts to keep large gatherings to a minimum over Labor Day weekend. To read the full story, click [here](#).

Providing Meals for School Children as COVID-19 Persists

The US Department of Agriculture recently announced that it would continue to waive certain restrictions on school meals for the rest of 2020. This extends a key support for many California children, regardless of whether they are in school or learning remotely. To read the full story, click [here](#).

Hospitals, Nursing Homes Fail to Separate COVID Patients, Putting Others at Risk

The Centers for Disease Control and Prevention had advised hospitals to isolate COVID patients to limit staff exposure and help conserve high-level personal protective equipment that's been in short supply. Yet COVID patients continued to be scattered through the Oakland hospital, according to complaints to California's Division of Occupational Safety and Health. The concerns included the sixth-floor medical unit where veteran nurse Janine Paiste-Ponder worked. To read the full story, click [here](#).

Palm Springs Fines La Bonita's Restaurant \$5,000 After Its 'Peaceful Protest' Invites Customers To Eat Indoors

A Palm Springs restaurant allowed customers to dine inside Wednesday as part of a "peaceful protest" against state orders aimed at reducing the spread of COVID-19. But the establishment ended the protest after the City fined it \$5,000. To read the full story, click [here](#).

COVID-19 Cases Present at California Casino Early in Pandemic, Lawsuit Shows

COVID-19 was spreading among employees and patrons of the Jamul Casino, San Diego County, in early March. A fact that was not reported to the public according to a lawsuit filed by the Jamul Indian Village Development Corp. against its insurance company, Lexington Insurance, according to The LA Times.

To read the full story, click [here](#).

Governor Gavin Newsom signed 3 bills into law aimed at assisting small businesses and construction in California.

On Wednesday, Governor Gavin Newsom signed 3 bills into law aimed at assisting small businesses and construction in California. To read the full story, click [here](#).

Cal/Osha Drops The Hammer On Employers And Issues Covid-19 Safety Citations

Last month we forecasted that Cal/OSHA was primed to issue COVID-19 safety citations in the near future. Low and behold those predictions have come to fruition, and just in time for the Labor Day holiday. In a public press release issued last Friday, Cal/OSHA has cited eleven employers for failing to protect workers from COVID-19, because they "did not take steps to update their workplace safety plans to properly address hazards related to the virus." Civil penalties assessed ranged from \$2,025 to \$51,190. To read the full story, click [here](#).

COVID-19: Proposed Safe to Work Act Would Provide Businesses Broad COVID-19 Liability Protections

As Congress continues to discuss the next coronavirus (COVID-19) stimulus package, one bill in particular has become a flash point in the negotiations: the SAFE TO WORK Act, which would provide far-reaching liability protection to businesses for injuries related to COVID-19. The proposed version of the SAFE TO WORK Act bill¹ would provide a significant liability shield to a number of businesses for anticipated COVID-19-related lawsuits. Generally, the Bill would provide an exclusive, limited remedy for those who allege a COVID-19-related To read the full story, click [here](#).

Reminder Of Various Paid Sick Leave Laws Applicable To Southern California Employers

As employees are just beginning to return to work, or employers are making plans to reopen pursuant to California's "Blueprint for a Safer Economy," it is a good time to review the various paid sick leave laws that were implemented during the COVID-19 epidemic, as well as the paid sick leave laws that were already in place prior to COVID-19 under California and local laws. Here is a review of five paid sick leave laws that could apply to employers in the Los Angeles and Southern California area. To read the full story, click [here](#).

California Small Businesses Will Get COVID-19 Relief With Quickly Drafted Tax Cuts

Gov. Gavin Newsom signed a trio of laws on Wednesday intended to bolster struggling small businesses in California and encourage their owners to hire more workers, each of which received bipartisan support but only light scrutiny by the Legislature before its adjournment last week. To read the full story, click [here](#).

Could COVID-19 Counterfeit Concerns Get Congress to Move Towards Passage of the Counterfeit Goods Seizure Act?

In late July, water bottle maker Hydro Flask and parent company Helen of Troy Limited filed a complaint with the US International Trade Commission (ITC) asking the agency to institute a Section 337 investigation against a series of 25 respondents, most of which are located in

China, over their alleged infringement of Hydro Flask's trademarks and design patents. The legal action highlights the difficulties being faced by many American brand owners during the COVID-19 pandemic and how Congressional action could help to ensure that these small businesses are able to effectively enforce their IP to prevent counterfeit imports. To read the full story, click [here](#).

US coronavirus map: Tracking the outbreak

The number of patients diagnosed with COVID-19 grows every day throughout the US and across the world. The numbers on this page are based on the latest statistics available, which are likely far lower than the actual number of cases due to limited testing across the country. More than six million people have been diagnosed with COVID-19, and more than 150,000 have died in the US To read the full story, click [here](#).

California Death Toll Tops 14,000, But New Coronavirus Cases Continue To Decline

California officials on Thursday reported that more than 14,000 residents have died of COVID-19, but that new coronavirus cases continued to ebb statewide. The cumulative death toll rose to 14,021, up by 31 from Wednesday, but overall the state has seen deaths flatten out and new reported cases trend downward. The seven-day average of new cases on Wednesday stood at 3,742, according to data compiled by The Times — the first time new cases dropped below 4,000 since June 21. New cases have declined substantially since July 27, when the state recorded nearly 11,000 of them. To read the full story, click [here](#).

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CSU Chancellor Announces 23 Campuses To Remain Virtual For Spring Term

Most California State University classes will continue to be held online for the spring term that begins in January 2021, with fewer students living on campus than normal, Chancellor Timothy P. White said Thursday, in a letter to the 23-campus community. To read the full story, click [here](#).

State Issues Largest COVID-19 Safety Fine To Overhill Farms In Vernon

Cal/OSHA announced proposed penalties of \$222,075 for Overhill Farms and \$214,080 for Jobsource North America, which the companies can appeal. In a statement Wednesday, the agency said that both companies had failed to install barriers, ensure that workers practiced physical distancing and train employees on the dangers of the virus. To read the full story, click [here](#).

Restaurant Dining Linked To Covid-19 Risk In CDC Study

Adults who tested positive for Covid-19 were approximately twice as likely to have reported dining at a restaurant in the 14 days before becoming ill than those who tested negative, according to a new study from the US Centers for Disease Control and Prevention. To read the full story, click [here](#).

COVID-19's Toll on Mental Health

The ongoing pandemic poses a number of mental health challenges, with more Californians reporting anxiety, worry, and other symptoms in recent months. To read the full story, click [here](#).

Fauci says US won't get back to normal until late 2021

Even as movie theaters, gyms and salons are opening and some states are allowing limited indoor dining, daily life in the US won't get back to normal until late 2021 when a vaccine for COVID-19 could be widely distributed, the nation's leading infectious disease expert, Dr. Anthony Fauci. In an interview on MSNBC's "Andrea Mitchell Reports," Fauci, who is the director of the National Institute for Allergy and Infectious Diseases, said he remains confident there will be a vaccine available by the end of this year or early 2021. To read the full story, click [here](#).

College Students Admitted To Police They Had COVID-19. They Threw A House Party Anyway.

More than 1,100 students at Miami University in Ohio have tested positive for coronavirus since mid-August. But even after testing positive, a group of students was caught on camera hosting a large house party over Labor Day weekend, breaking quarantine rules. To read the full story, click [here](#).

CDC: Asymptomatic Kids Can Spread Virus

The CDC has documented incidents in which children who contracted COVID-19 from child care facilities have spread the virus, despite having mild to no symptoms. The study looked at three COVID-19 outbreaks in child care facilities in a Utah county from April to July. Children at the facilities were not required to wear masks. Mitigation strategies could have limited the spread in the facilities, the study suggests, but it also notes that some children who are too young to wear masks can still spread the virus. [Read more](#).

COVID Cases Spur Bill Requiring Employers Disclose Workplace Outbreaks

A bill on the governor's desk would require employers to notify workers and county public health officials about coronavirus outbreaks. A joint investigation by CalMatters and The Salinas Californian uncovered reports of guest worker outbreaks where neither workers nor counties were notified. To read the full story, click [here](#).

Many Southern California Nursing Homes Hit Hard By Coronavirus Had Prior Issues

Many factors can contribute to how severely the virus strikes a home, including its location and size. But having enough staff is vital, especially during a pandemic, experts say. New research backs that up. To read the full story, click [here](#).

Trump, Devos Raise School Choice In Appeal To Vexed Parents

Millions of children are starting the school year online because of the pandemic. The Trump administration is hoping to convert their parents' frustration and anger into newfound support for school choice policies that Education Secretary Betsy DeVos has long championed but struggled to advance nationally. To read the full story, click [here](#).

Wearing Masks May Generate Immunity Against Covid-19 Virus, According To Leading Macroeconomic Influencers

Research has indicated that wearing masks can help in limiting the exposure of the Covid virus and in turn generate an immune response in the body. Masks can help in increasing asymptomatic cases and slow the spread of the disease. Macroeconomic influencers share their views on the Covid -19 impact. To read the full story, click [here](#).

Six Months Of Carnage And Counting: Travel Industry Struggles To Rebound From COVID-19

Six months since the coronavirus pandemic was declared, the travel industry continues to struggle mightily. How long will it take to return to normal? To read the full story, click [here](#).

NFL Threatens Disciplinary Action For Coaches Not Wearing Masks On Sidelines

The NFL on Monday reminded team personnel on the sidelines about the COVID-19 requirements for wearing face coverings, saying such carelessness or disregard could put the season "at risk." There were several games Sunday in which team members other than players did not use face coverings. To read the full story, click [here](#).

Poll: Americans Don't Trust Big Pharma, FDA

As the race for a coronavirus vaccine continues, only 6% of Americans say they have a "great deal" of trust in pharmaceutical companies, a new Axios/Ipsos poll reveals. Thirty-five percent say they have a "fair amount" of trust in the companies. Fifty-seven percent say they do not have very much trust or none at all. To read the full story, click [here](#).

Amazon Raised Prices on Essentials Amid Pandemic, Watchdog Says

Amazon.com Inc. charged inflated prices for hand sanitizer, disposable gloves and other essentials months after the start of the Covid-19 pandemic, a consumer watchdog said in a report accusing the world's largest online retailer of price gouging. The report, released Thursday by Public Citizen, examines roughly two dozen products on Amazon's site. Relying on its own observations and data from price-tracking sites, the nonprofit public interest group documented price increases of as much as 1,000% when compared with pre-pandemic levels or prices at other large retailers. To read the full story, click [here](#).

JPMorgan Traders Catch COVID-19 as Office Reopens

Several JPMorgan Chase traders have been sent home after employees tested positive for COVID-19, less than a week into the bank's push to start bringing its workers back into the office. New York-based JPMorgan has been insisting its traders and senior management return

to their physical offices, setting a required start date of September 2. To read the full story, click [here](#).

In Age of COVID, International Image of US Is Badly Eroded

A Pew Research Center survey of people in 13 countries found that views of the United States and its president are among the lowest in the past 20 years. Adults in Canada, Belgium, Denmark, France, Germany, Italy, the Netherlands, Spain, Sweden, the United Kingdom, Australia, Japan, and South Korea were asked whether they viewed the US, President Donald Trump, and other world leaders favorably or unfavorably. They were also asked specifically whether they believed countries and leaders had responded well to the Covid-19 pandemic. To read the full story, click [here](#).

COVID Deaths Higher for Minority Kids and Young Adults, Study Finds

More than three-quarters of all coronavirus deaths in children and adults under 21 were among minorities, according to a study released Tuesday by the Centers for Disease Control and Prevention. The [study](#) used federal statistics indicating 391,814 cases of coronavirus cases in people under 21 years old from February to July. At least 121 of them have died from Covid-19, the respiratory illness caused by the novel coronavirus, the statistics show. Of those, 45% were Hispanic and 29% were black. American Indians accounted for 4%, the study noted. Those groups only account for 41% of the US population, despite making up a combined 78% of coronavirus deaths among those under 21. By comparison, white children and young adults accounted for 14% of the 121 deaths even though whites make up about 70% of the population. To read the full story, click [here](#).

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