

Weekly COVID-19 Update From EKA December 23, 2020

Coronavirus Deaths Soar. According to Johns Hopkins University data, the U.S. has more than 18 million confirmed cases and 319,000 deaths. The global totals: More than 77.5 million cases and 1.7 million deaths. The [Safer at Home](#) order has been in place in Los Angeles since March 19.

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 EKA team members.

COVID-19 Rapid Antibody Tests

Several people who receive our updates have requested information regarding the availability of rapid antibody tests. Impress Communications has partnered with Breathing America to help increase the accessibility of these essential supplies. Breathing America has become a distributor of the Assure [COVID-19 IgG/IgM Rapid Antibody Test](#), which is the first test of its kind to receive FDA Authorization. For more information on the rapid antibody tests, click [here](#) to email Paul Marino at Impress Communications. The FDA has stated that antibody tests should not be used to diagnose an active infection. They are designed to detect antibodies the immune system has developed in response to the virus – not the virus itself. The FDA Also reminds patients that it is unknown how long antibodies persist following infection and so results from these tests should not be seen as an indication that they can stop taking steps to protect themselves and others – such as social distancing, continuously wearing masks, or avoiding gatherings with anyone outside your immediate household.

\$900 Billion Stimulus Package

Congressional leaders brokered a deal on a roughly \$900 billion relief bill Sunday night, with promises to pass the legislation as soon as possible. The bill would extend aid to millions of struggling households through stimulus checks, enhanced federal unemployment benefits, aid for small businesses, schools, and childcare, as well as for vaccine distribution. President Donald Trump has threatened to torpedo the relief package. Trump assailed the bipartisan \$900 billion package in a video he tweeted out last night and suggested he may not sign the legislation. He called on lawmakers to increase direct payments for most Americans from \$600 to \$2,000 for individuals and \$4,000 for couples. The Washington Post put together a [five-page summary](#) of the current legislation - below is a brief summary:

Stimulus checks

- The legislation includes \$600 stimulus checks per person, including adults and children. That means a family of four would receive \$2,400, up to a certain income threshold.

- The size of the payment decreases for people who earned more than \$75,000 in the 2019 tax year. The check disappears altogether for those who earned more than \$99,000.
- The size of the checks, or their existence at all, had been a point of contention over weeks of negotiations. Sens. Bernie Sanders and Josh Hawley have also urged for larger checks. Some previous proposals didn't include checks at all.

Jobless benefits

- Congress will extend unemployment benefits of up to \$300 per week for up to 11 weeks. The benefit could kick in as early as December 27 and run at least through March 14.
- An unemployment benefits program for contract and gig workers, which is also set to expire at the end of the year, would also be extended for 11 weeks.
- Some 20.6 million people are still on some form of unemployment aid, though officials say that number is inflated by [duplicate claims and issues tied to backlogs in state unemployment systems](#). Weekly jobless claims have been [back on the rise](#) in recent weeks as families head into the holiday season.
- The Cares Act provided \$600 in enhanced weekly unemployment benefits. Those benefits expired at the end of July, affecting [nearly 30 million workers](#).
- Without action from Congress, another [benefits cliff](#) would have affected about 12 million Americans, including those on Pandemic Unemployment Assistance, the supplemental insurance for gig and self-employed workers, and Pandemic Emergency Unemployment Compensation, the unemployment insurance extension available for people who have exhausted regular benefits after what is usually about six months.
- Over the summer, President Trump approved an additional \$300 in emergency jobless benefits. That money [quickly ran dry](#).

Relief for businesses

- The bill includes more than \$284 billion for first and second forgivable PPP loans, expanded PPP eligibility for nonprofits and news outlets and modifications to the program to serve small businesses, nonprofits and independent restaurants.
- Businesses that received PPP loans and had them forgiven will also be allowed to deduct the costs covered by those loans on their federal tax returns. While the issue had been a point of contention, Sen. John Thune (R-S.D.), the No. 2 ranking Republican senator said the costs would be deductible under the final agreement.
- The package also provides \$15 billion in funds for live venues, independent movie theaters and cultural institutions.
- The deal includes \$20 billion for targeted grants through the Economic Injury Disaster Loan program.
- The package also includes a tax break for corporate meal expenses urged by the White House and denounced by Democrats. Dubbed the ["three martini lunch"](#) tax deduction by opponents, the tax break was promoted by President Trump as a way to revive the restaurant industry.

- Lawmakers said they reserved some of the PPP funds for “very small” businesses as well as lending through community-based lenders and minority depository institutions.

Emergency rental assistance and eviction moratoriums

- The agreement extends by one month a moratorium on evictions that was slated to expire at the end of the year. The incoming Biden administration can extend the deadline further.
- The bill also includes \$25 billion in emergency assistance to renters, although it remains unclear how the money will be distributed.

Money for vaccine distribution

- In a Sunday night statement, House Speaker Nancy Pelosi (D-Calif.), Senate Minority Leader Charles E. Schumer (D-N.Y.) said the package includes billions of dollars to accelerate vaccine distribution and carry out a national testing and tracing strategy. Schumer and Pelosi said billions were “reserved specifically for combating the disparities facing communities of color, and to support our heroic health care workers and providers.”

School Funding

- Colleges and schools will have \$82 billion to cover HVAC repair and replacement and to reduce the risk of coronavirus infections and reopen classrooms.
- Lawmakers also struck a deal on \$10 billion for [child care assistance](#).

Other categories

- Schumer and Pelosi said the package includes legislation to end surprise billing for emergency and scheduled care; provides a tax credit to support employers offering paid sick leave; \$13 billion to increase food stamps and nutrition benefits; \$7 billion to increase access to broadband.
- In their statement, Schumer and Pelosi said the bill provided targeted funds like emergency resources for schools, \$27 billion for state highways, struggling transit agencies, Amtrak and airports; and \$22 billion for the health-related expenses of state, local, tribal and territorial governments.

Out: Aid for state and local governments; corporate liability protections

Aid to state and local governments

- The bill lacks new money for state and local governments. Democrats had initially pushed for \$1 trillion in aid to state and local governments. Mayors and governors have been [sounding alarms](#) over budget shortfalls and the hard choices they may be forced to make without help from Washington. States that rely heavily on the [tourism](#) or energy industries have suffered some of the hardest hits and are warning of tax hikes, public-sector layoffs of spending cut to public programs.

- Still, negotiators are extending the deadline for states and cities to use unspent money approved for them by the Cares Act, giving governments under year's end before the money must be returned.

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Liability protections

- One of the most fought-over issues between Republicans and Democrats revolved around whether companies can be sued by workers over virus outbreaks. Democrats wanted protections for workers, while Republicans warned against a slate of lawsuits that could ensue.
- For weeks, lawmakers of both parties attempted to reach a compromise around the "[liability shield](#)" so that the infighting didn't hold up a broader economic relief bill.

Unemployment and stimulus reductions

- The bill ultimately left out retroactive unemployment insurance. The bill also lowered the amount in weekly jobless benefits from the \$600 unemployed Americans received over the spring and summer.
- The package also does not include hazard pay for essential workers.
- The bill does not extend stimulus checks to adult dependents.

LOS ANGELES COUNTY

Revised Los Angeles County Health Officer Order

Los Angeles County revised its Health Officer Order for Places of Worship. The revised HOO and the Protocol are available on Public Health's [website](#).

Together for L.A.

With over 4 million small businesses in California, more than any other state in the country, we can't ignore the impact of small business employers on our economy. The state estimates that 48.5 percent of our total workforce is employed by the small business sector. In Los Angeles County, small businesses are found in every industry and represent the largest concentration of women and minority owned businesses in the county. In collaboration with the County of Los Angeles, the City of Los Angeles, LAEDC, LISC LA, the Institute for Sustainable Development, Dr. Lucy Jones Center, and Wells Fargo, the Chamber participated in the first report on L.A.'s COVID-19 Small Business Response. The report found that Los Angeles County, Los Angeles City, and leading economic and civic institutions have led the single largest metropolitan response in the country – awarding over \$204 million in grants and loans to stabilize small businesses, micro-enterprises and nonprofits across the county during the pandemic. Read the report [here](#).

Coronavirus-Artist Grants

Two Los Angeles-based real estate companies announced they will provide a total of \$650,000 in grant funding to local artists who have been affected by the COVID-19 pandemic. Hudson

Pacific Properties Inc. and Macerich, which are partners in a joint venture to convert the former Westside Pavilion mall into Google's newest Los Angeles campus, will distribute the funding through the Vibrant Cities Arts Grant program. Rather than allocating the funds to commission artwork, the funds will be dispersed directly to artists or artist groups in need, in increments of \$5,000, \$10,000 or \$15,000. Special consideration will be given to female and LGBTQ+ artists and artists of color, as well those presenting work on social justice, civil rights, the physical environment and other contemporary social issues. Applications will be accepted beginning January 4 until the funds are exhausted. Grant applications will be reviewed by a three-person panel. More details and application instructions are available [here](#)

Updated Health Officer Orders and Instructions - Quarantine and Isolation

The County Health Officer has provided additional instructions for quarantine and isolation. Public Health is in the process of reviewing and revising all of the protocols and guidance documents. The revised documents are also posted on Public Health's [website](#). Click the hyperlinks below to view:

- [Quarantine Order](#) (blanket)
- [Quarantine Instructions](#)
- [Isolation Order](#):
- [Isolation Instructions](#)

Los Angeles County Health Services to Vaccinate 10,000 Frontline Health Workers

L.A. County Health Services has embarked on a mass COVID-19 vaccination effort that will result in 6,000 vaccinations by Christmas and 10,000 total vaccinations by December 31 for its frontline healthcare workers. The vaccinations are initially taking place at three of the four County hospitals: LAC+USC Medical Center, Olive View-UCLA Medical Center, and Harbor-UCLA Medical Center. Since the first vaccination allocation is limited, L.A. County Health Services is following CDC and state guidance in identifying and vaccinating those workforce members who are in the highest risk categories and working in our highest intensity areas, such as the ICU and Emergency Room. The mass vaccination effort is occurring while L.A. County Health Services manages the largest surge of COVID-19 patients seen during this pandemic. Within the Health Services department, the surge has led to limited ICU capacity, nurse redeployment, overflow triage and treatment areas, ambulance diversion and long wait times in the emergency rooms.

CITY OF LOS ANGELES

COVID-19 Neighborhood Map

A map detailing COVID-19 cases and deaths across Los Angeles' 139 neighborhoods was activated on Monday, as the city's positivity rate reached its highest point during the pandemic. The map makes it easier than ever for residents to be able to track the virus and to make testing appointments as well. Los Angeles has increased its COVID-19 testing capacity to 46,000 per day at its sites. The map can be viewed [here](#).

Coronavirus-Spending Tracker

Controller Ron Galperin today unveiled an interactive, online COVID-19 Spending Tracker, which shows expenditures by Los Angeles in response to the pandemic. From March through the end of November, Los Angeles departments reported spending a total of \$326 million, mostly on equipment, testing, staffing, rental assistance, and overtime pay. The total amount shown is what has been spent, not necessarily all the money that has been allocated by the City Council. He also said the data in the tracker will be updated every two weeks. The tracker provides a visual tally of city spending during the crisis overall and allows users to explore costs by department and filter expenditures by month. As reported in the tracker, the department with the most COVID-19 expenditures is General Services, with \$100 million overall. That department is tasked with purchasing goods and equipment for Los Angeles and its programs. The city's COVID-19 spending of \$326 million includes \$203 million in costs for testing. The highest monthly costs were in November as the city put \$57 million toward the effort to combat the virus. Most of the money allocated to the city is from the federal CARES Act. Of the \$745 million that was allocated to Los Angeles, some is from the state funding and some is from the city's general fund, most of which is eligible for reimbursement. Click [here](#) to view the COVID-19 Spending Tracker can be found at.

Vaccine Scams

City Attorney Mike Feuer warned Los Angeles residents to beware of COVID-19 vaccine scams. Feuer said although the first COVID-19 vaccines are being administered by Pfizer, they are not yet available to all. While this is terrific news, the vaccine won't be available on a widespread basis until spring or early summer. In the meantime, that means there will be a wait, and that wait is surely an opportunity for scammers to try to sell you fake vaccines that are ineffective at best and dangerous at worst. Feuer said people should beware of texts or calls or house visits from people claiming they have a vaccine or can give people early access to an inoculation. He also said people should contact their elderly loved ones with this information, as they can be the most vulnerable to being scammed. The (Food and Drug Administration's) approval of a COVID-19 vaccine is certainly a promise of light at the end of the tunnel, but it'll take some time to roll it out, so be patient and don't give away your hard-earned money or your personal information for a fake vaccine that can't help you, but could hurt you.

LONG BEACH

Long Beach Moves Forward With Requiring 'Hero Pay'

According to the Long Beach Press-Telegram, most grocery store workers in Long Beach will likely soon be entitled to an extra \$4 per hour in "hero pay" to acknowledge the hazards they face in serving the public during the coronavirus pandemic. The Long Beach City Council voted unanimously at its Tuesday, December 15, meeting to direct the city attorney to draft an urgency ordinance mandating the extra pay, which will come back to the panel for a vote at their next meeting. Grocery store companies with at least 300 employees nationwide would be required to provide the extra \$4 per hour to frontline workers in Long Beach for at least 120 days. At that point, the ordinance would come back to the City Council for a possible extension.

ORANGE COUNTY

Orange County Rolls Out Mobile Field Hospitals To Handle Surge In COVID-19 Patients

Orange County continues to set new records for coronavirus diagnoses and hospitalizations, while county officials have rolled out mobile field hospitals to handle the surge in patients. The county received its first shipment of Pfizer's coronavirus vaccine Wednesday -- expected to total about 25,000 doses, according to Orange County CEO Frank Kim.

SACRAMENTO

Cunningham Introduces Bill to Restore Legislative Authority During Emergency

Assemblyman Jordan Cunningham introduced a bill that would limit the Governor's ability under the California Emergency Services Act (CESA) to unilaterally enact or change laws or regulations 60 days after the emergency was declared. Seeking to restore balance between co-equal branches of government, AB 108 would require the Governor to obtain approval from the Legislature for any changes to laws and regulations under CESA proposed 60 days after the emergency declaration was enacted. California has been under a Governor-issued state of emergency for 287 days, and for 287 days, the Governor has been unilaterally changing laws and regulations with zero input from the Legislature. The Legislature is a co-equal branch of government. Under our Constitution, it is supposed have the principle lawmaking powers of the state. It's time to restore California to a constitutional democracy, and ensure that a governor no longer has unlimited and indefinite and unilateral power.

SAN BERNARDINO COUNTY

San Bernardino County Sues State Over Coronavirus Restrictions

As coronavirus cases rise, San Bernardino County has asked the California Supreme Court to overturn Gov. Gavin Newsom's stay-at-home order, alleging overreach under the state's emergency act. County officials are asking the state's highest court to act by December 28, when the three-week order is set to expire or be renewed. Board of Supervisors Chairman Curt Hagman said in a statement that Newsom has improperly acted as both the executive and legislative branch under the California Emergency Services Act since the pandemic hit nine months ago. If the act grants the Governor that power, then the act itself is unconstitutional, Hagman said.

SAN DIEGO

Restaurants, Strip Clubs Must Close Again After

The California Court of Appeals blocked a San Diego judge's temporary injunction allowing county restaurants to reopen on-site dining, reducing them, once again, to takeout services only. The appellate court's ruling comes just days after restaurants, which were reduced to to-go services only under Southern California's recent stay-at-home order, were apparently given the green light to serve food indoors and outdoors, and apply COVID-19 safety protocols as they saw fit. The court saga started when two San Diego strip clubs, Pacers International

Showgirls and Cheetahs Gentlemen's Club, sued county and state leaders over cease-and-desist orders forcing them to close. On Wednesday, San Diego Superior Judge Joel Wohlfeil issued an injunction exempting the two strip clubs from shutdowns, but surprised many, including the San Diego County Board of Supervisors, by extending the ruling to "All businesses that provide restaurant services." The county said it would temporarily suspend pandemic-related public health order enforcement at restaurants and live entertainment businesses while it determined its next steps.

NATIONAL

EEOC Guidance: Yes, Employers Can Require The COVID-19 Vaccine

The Equal Employment Opportunity Commission has decided that employers can require workers to get vaccinated against COVID-19 and offered guidance on exceptions. Employers have been hoping for clarity from the agency [as they mull whether to mandate vaccination](#) even as many people remain concerned about the safety of a vaccine developed so quickly and not tested on certain populations. The requirement by employers for employees to receive vaccinations raises many issues dealing with privacy, the extent of control employers have over employees, and workplace safety, among others. Attorney [Anthony Zaller](#) issued a list of five issues employers should understand about the new EEOC guidance:

1. Can employers require employees to receive a COVID-19 vaccine?

The guidance does not explicitly answer this question. However, the guidance discusses various questions related to an employer's mandated vaccination, and therefore, implicitly permits employers to require vaccinations. See [question K.2](#). ("If the employer requires an employee to receive the vaccination from the employer (or a third party with whom the employer contracts to administer a vaccine) and asks these screening questions, are these questions subject to the ADA standards for disability-related inquiries?"), [K.3](#). ("Is asking or requiring an employee to show proof of receipt of a COVID-19 vaccination a disability-related inquiry?") and [K.5](#)

2. Employers must still provide reasonable accommodations to employees who is unable to receive a COVID-19 vaccination.

The guidance explains that employers must provide reasonable accommodations to employees who refuse to be vaccinated because of a disability (see [question K.5](#).) or their sincerely held religious practice or belief (see [question K.6](#).).

3. Employers must protect confidential medical information obtained from employees.

The EEOC guidance explains that while the vaccination itself is not a medical examination, pre-screening vaccination questions may illicit information about an employee's disability (see [questions K.1](#) and [K.2](#).). Therefore, if the vaccination is required by the employer, the employer must establish that the disability-related questions are "job-related and consistent with business necessity." The EEOC guidance explains, "To meet this standard, an employer would need to have a reasonable belief, based on objective evidence, that an employee who does not answer the questions and, therefore, does not receive a vaccination, will pose a direct threat to the health or safety of her or himself or others." This job-related requirement does

not have to be met if the vaccination is voluntary or if a third-party (such as a pharmacy or other healthcare provider) administers the vaccination.

The EEOC guidance also reminds employers that the ADA requires employers to keep any employee medical information obtained in the course of the vaccination program [confidential](#).

4. Can employers exclude employees who refuse to be vaccinated from work?

To the extent that a vaccination requirement “screens out or tends to screen out an individual with a disability, the employer must show that the unvaccinated employee would pose a direct threat due to a ‘significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.’” To make this determination, employers would need to assess four factors: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the imminence of the potential harm. The EEOC notes that if there is a direct threat that cannot be reduced to an acceptable level, then an employer may exclude the employee from the workplace. But it does not mean the employee may automatically be terminated, and the employer will need to examine other accommodations that could be made available to the employee, such as remote work. The direct threat standards can be difficult to analyze and implement, so employers need to approach this carefully and should seek the help of employment counsel.

5. California employers need to consider California law as well.

Before implementing any mandatory vaccination requirements, California employers will need to address the current status of California state law, as well as local laws. In addition, there are many other California specific questions regarding if employers who require their employees to be vaccinated must pay for the vaccination and time to receive the vaccination. Employers need to approach the issue with caution and continue to monitor the laws.

The complete guidance can be found [here](#).

LEGAL DEVELOPMENTS

Opponents of L.A. County Outdoor Dining Ban File Federal Suit

Opponents of the state’s outdoor dining ban aimed at slowing the spread of COVID-19 have filed a federal lawsuit, two weeks after a Superior Court judge overturned a similar order in L.A. County. The lawsuit comes after restaurant operators were not able to resume outdoor dining despite the Dec, 6 ruling because the state’s regional stay-at-home order contains an overriding ban. The complaint filed in U.S. District Court asks to block the state’s outdoor dining ban on behalf of the owners of the Pineapple Hill Saloon & Grill in Sherman Oaks and owner Angela Marsden, according to the complaint. The complaint alleges Gov. Gavin Newsom, Attorney General Xavier Becerra and Acting State Public Health Officer Erica S. Pan, M.D. “have seized the coronavirus pandemic to expand their authority by unprecedented lengths, depriving plaintiff and all other similarly situated small business owners in California of fundamental rights protected by the U.S. and California Constitutions.”

Lawsuit Filed Today Accuses Cal/OSHA of Illegal Overreach

A lawsuit was filed in San Francisco accuses California's Division of Safety and Health of ignoring legal procedures in establishing its latest COVID-19 workplace rules, and it warns of dire financial consequences for the remaining businesses left in California if they are forced to comply. NFIB is a co-plaintiff in the lawsuit, along with the National Retail Federation and three California small business owners, who are also NFIB members. NFIB argues that the emergency regulations are flawed because they require employees to be excluded from the workplace for 14 days, even if they receive a negative test result, which is in conflict with CDC guidelines that say, "quarantine can end after Day 7 if a diagnostic specimen tests negative and if no symptoms were reported during daily monitoring." Specifically, the lawsuit accuses Cal/OSHA of violating the state's Administrative Procedure Act by not giving prior public notice and not holding public hearings on its new rule. Additionally, by attempting to regulate wages, the new rule exceeds the limits placed on Cal/OSHA by the California Occupational Safety and Health Act. To view a copy of the lawsuit, click [here](#). The NFIB Small Business Legal Center has prepared [a summary of the new Cal/OSHA rule](#), which took effect November 30.

Federal appeals court rules Nevada COVID-19 cap on church gatherings is unconstitutional

The U.S. Court of Appeals for the Ninth Circuit ruled last week that Nevada's 50-person cap on religious gatherings during the COVID-19 pandemic is unconstitutional because it places harsher attendance limits on religious gatherings than on casinos and other secular businesses. The ruling relates to [Directive 021](#), one of the many COVID-19 directives issued by Nevada Governor Steve Sisolak this year. The Directive encourages Nevada residents to stay home and places limits on the size of indoor and outdoor gatherings. Plaintiff Calvary Chapel Dayton Valley, a Nevada church, challenged the Directive, arguing that the Directive treats casinos, restaurants and bars, amusement parks, gyms and fitness centers, movie theaters, and mass protests better than religious services and thus violates the Free Exercise Clause of the First Amendment. The Directive imposed a cap of 50 percent of their fire-code capacity on these 6 categories of secular gatherings while it expressly imposed a 50-person cap on "indoor in-person services" at "houses of worship." It thus discriminated against houses of worships, claimed Calvary Chapel, and required that the state demonstrate a narrowly tailored compelling interest to overcome the discriminatory defect. Relying on a recent U.S. Supreme Court decision, the court held that "the Directive treat[ed] numerous secular activities and entities significantly better the religious worship services" and explained that the state could have tied the attendance cap for religious services to the size of the church, as it did for casinos, without compromising its interests in slowing the spread of the COVID-19 virus. The court also noted that the ruling applies to all subsequent directives issued by the Governor, especially [Directive 035](#), which replaced Directive 21 and imposed a cap of "the lesser of 25% of the listed fire code capacity or 50 persons" for religious services, while imposing only a 25 percent cap on commercial entities like casinos and museums. The ruling effectively reverses the ruling of a lower court, which had denied Calvary's Chapel request for a preliminary injunction.

EMPLOYER REMINDERS

According to the law firm Ogletree, Deakins, Nash, Smoak & Stewart, the COVID-19 Executive Order changes the Cal/OSHA Emergency Standard. Less than one month after the California Occupational Safety and Health Standards Board voted and approved an [emergency COVID-19 regulation](#), Governor Newsom made changes to the regulation adding clarity and suspending the prescribed quarantine period of 14 days to the extent that the 14 days is longer than the quarantine period recommended by the California Department of Public Health. The emergency temporary standard took effect on November 30, 2020. Almost immediately thereafter, while California employers were attempting to implement the workplace exclusion requirements, the California Department of Public Health published an [updated COVID-19 quarantine guidance](#) that set forth different directives. Specifically, asymptomatic close contacts (defined as individuals who came within six feet of an individual infected with COVID-19 for a cumulative total of 15 minutes or more over a 24-hour period) may discontinue quarantine after day 10 from the date of last exposure with or without testing. This is a reduction from the regulations' 14-day quarantine requirement and consistent with the [guidelines that the U.S. Centers for Disease Control and Prevention \(CDC\) recently issued](#).

WHAT WE'RE READING

Nearly 1 Million Californians May Have To Pay Back Some Of Their Unemployment Benefits

Right before the holidays, thousands of self-employed and gig workers just found out they may have to pay back unemployment benefits they have already received. It is a crisis, just before the holidays, many have already spent the money on living expenses. Now nearly one million workers were just notified they might have to pay a lot of it back to the government. To read the full story, click [here](#).

What the federal stimulus package means for California

The stimulus deal does not include aid for state and local governments that Gov. Newsom spent months lobbying for. But he said the cash that will flow to Californians is significant. The federal stimulus [package](#) that lawmakers in Washington have agreed to is "very encouraging news" for California, Gov. Gavin Newsom said Monday as he outlined how much of the \$900 billion federal package is likely to flow to the Golden State. To read the full story, click [here](#).

FDA Approves Second Covid-19 Vaccine

The Food and Drug Administration approved Moderna's vaccine for Covid-19 Friday evening, making it the second vaccine authorized for use in the United States, a nation which continues to reel from the respiratory virus that has now killed over 310,000. In conjunction with the White House's Operation Warp Speed program, the Centers for Disease Control and Prevention and the FDA are now poised to begin the coordination of vaccine distribution efforts as soon as next week. General Gustavo Perna, the lead on Operation Warp Speed's vaccine distribution arm, said earlier this week that shipment might include six million doses. To read the full story, click [here](#).

L.A. County appeals court's order barring renewal of outdoor dining ban

Los Angeles County on Thursday appealed a judge's decision that barred an extension of its temporary ban on outdoor dining, calling the ruling "plainly erroneous and directly contrary to governing law."

L.A. County Superior Court Judge James Chalfant ruled last week that the county should not be allowed to continue the ban indefinitely and would need to provide a risk-benefit analysis to justify the restriction if it wanted to extend the ban beyond its initial three weeks, which ended Wednesday. To read the full story, click [here](#).

San Diego County Suspends COVID-19 Enforcement On Restaurants

San Diego County has suspended enforcement of COVID-19 restrictions on restaurants and live entertainment establishments after a judge extended his order protecting two strip clubs from a state shutdown order and indicated the ruling applied more broadly. County officials said in a statement Wednesday evening that they and state officials were analyzing the scope of the ruling and discussing next steps, including seeking clarity from the court. To read the full story, click [here](#).

Unions For Teachers, Nurses, Grocery And Hotel Workers Call For L.A. County Shutdown In January

In a move that reflects the desperation of teachers, nurses, healthcare, grocery and hotel employees, their influential unions are calling for a strict month-long Los Angeles County shutdown in January to control the [raging](#) COVID-19 pandemic, save lives and ultimately allow for a quicker reopening of schools and the economy. Evidence of mounting frustration and anxiety has also emerged in newly released [surveys of teachers](#) and parents as most campuses across L.A. County [remain closed](#) to in-person classes. To read the full story, click [here](#).

California Judge Extends Strip-Club Exemption From Lockdown

Two San Diego strip clubs can remain open and make their own determinations about providing a safe environment for dancers and patrons during the pandemic, a judge ruled Wednesday, dealing a setback to Gov. Gavin Newsom's [health](#) order that calls for such establishments to be shuttered. The scope of San Diego Superior Court Judge Joel Wohlfeil's preliminary injunction appeared to extend far beyond the two clubs that sued the state to potentially all of the thousands of restaurants in San Diego County, the state's second-largest county after Los Angeles. To read the full story, click [here](#).

Outdoor Dining OK On Film Sets But Not At Restaurants: Venice Neighborhood Council Outraged, Demands Change

In an Only In Los Angeles moment, Venice Neighborhood Council members Wednesday demanded restaurants be allowed to resume outdoor dining as film sets already do for their casts and crews. They decided to ask the Los Angeles City Council to demand the county's Department of Public Health allow outdoor in-person dining to resume at restaurants. To read the full story, click [here](#).

As Vaccines Arrive, Here's How California Will Determine Who's At The Front Of The Line

California is set to receive over 300,000 COVID-19 vaccines in December, signaling what appears to be the beginning of the end of the COVID-19 pandemic. That good news also raises a dilemma — figuring out who's at the front of the line to receive the vaccine. The state appointed a [Community Vaccine Advisory Committee](#) to determine which industries and communities should be prioritized. The committee is made of representatives from dozens of organizations, including the American Civil Liberties Union, California Teachers Association and Disability Rights California. Meetings are held virtually and open to the public. To read the full story, click [here](#).

Restaurant Class Action Lawsuit Filed Against LA County, State

Walter Schild is behind on his bills by hundreds of thousands of dollars. "It's really been 10 months now of being hit over the head by a two-by-four over and over again," said the CEO of Culinary Lab Restaurant Group. To read the full story, click [here](#).

California Sued Over New Coronavirus Workplace Rules

A group of small California businesses and national business groups sued California state agencies Wednesday, seeking to rollback broad workplace protections against the coronavirus implemented last month. To read the full story, click [here](#).

California Virus Surge Brings Body Bags, Makeshift Morgues

California is distributing 5,000 body bags mostly to the hard-hit Los Angeles and San Diego areas and has 60 refrigerated trailers standing by as makeshift morgues in anticipation of a surge of coronavirus deaths from hospitalizations that now are double the summertime peak and threaten to overwhelm the hospital system, Gov. Gavin Newsom said Tuesday. To read the full story, click [here](#).

More Social Restaurants Are Openly Defying The Outdoor Dining Ban

A Burbank saloon. A pho restaurant in Laguna Niguel. A brewery in Anaheim. What do they have in common? They're among the growing number of restaurants openly defying California's ban on outdoor dining, even as the number of coronavirus cases continues to rise and the ICU capacity at SoCal hospitals [has dropped to 1.7%](#). Per anecdotal reports and social media, we've only heard of a few eateries in Southern California defying the in-service dining ban, like [Tinhorn Flats in Burbank](#). Owner Baret Lepejian [reopened the sports bar last Thursday](#) and said he would serve customers outside from noon to 9 p.m., Tuesdays through Sundays. To read the full story, click here.

California Stay-At-Home Update: 11 State Senators Ask Governor Gavin Newsom To Allow Restaurants To Open For Dining Despite Health Lockdown

A group of 11 state senators from both sides of the aisle, including several Southland lawmakers, are asking Gov. Gavin Newsom to move restaurants into the "essential" category and permit them to reopen statewide, despite the current public health lockdown. "We ask that you immediately reclassify the restaurant industry as critical infrastructure before more damage is done," the letter says. "As it is becoming obvious to Californians, these essential businesses do more than simply provide a place to eat. Restaurants are active participants in

local neighborhoods, providing meals to senior citizens and working with food banks to feed families struggling to put food on their tables." To read the full story, click [here](#).

San Bernardino County Goes To California Supreme Court Over Newsom's Regional Stay-At-Home Order

San Bernardino County has gone to the California Supreme Court over Gov. Gavin Newsom's stay-at-home orders. The Inland Empire county wants an exemption from the state's regional guidelines that lump it together with Los Angeles, Santa Barbara and San Diego counties, in order to take local control. According to its filing, the county wants to reclaim its constitutional authority "to tailor regulations and orders which are specific to its residents based on facts which are unique to their locations rather than subject its residents to overbroad multi-county, Governor-implemented, regionalized lockdowns." To read the full story, click [here](#).

Former California EDD worker faked being Dianne Feinstein in scamming jobless benefits

Federal authorities have filed charges in two newly uncovered conspiracies to cheat California's pandemic unemployment benefits system, including one by a former Employment Development Department employee who was able to scam more than \$200,000, including one claim that used the name of U.S. Sen. Dianne Feinstein. Authorities Thursday said that former EDD employee Andrea M. Gervais allegedly participated in a mail fraud conspiracy in which she filed more than 100 false pandemic unemployment assistance claims using stolen personal information, including a successful effort paid in the name of Feinstein for \$21,000. To read the full story, click [here](#).

L.A. Mayor In Self-Quarantine After Daughter's Positive COVID-19 Test

Los Angeles Mayor Eric Garcetti announced Thursday that he and his wife were in quarantine at home after their daughter, Maya, tested positive for COVID-19, [CBS Los Angeles reported](#). "My daughter Maya turned 9 this weekend, wasn't feeling very well," he said. "And after she came down with a fever, we had her tested for COVID-19 and her results came back positive." To read the full story, click [here](#).

California's Pandemic Mandates Cost 500,000 Jobs But Saved 6,600 Lives, Chapman Study Says

A Chapman University study says California would have had roughly one-third fewer job losses this year if its pandemic restrictions had been more accommodating to the business community. The same study also says the state's strict business limitation saved 6,600 lives. To read the full story, click [here](#).

CDC Warns Of A 'Substantial Increase' In Fatal Drug Overdoses Coinciding With The Covid-19 Pandemic

The U.S. has seen a substantial increase in fatal drug overdoses and set a record for deaths from overdoses in the year that ended in May, the Centers for Disease Control and Prevention reported Thursday. The worst of the deaths coincide with closures and other measures taken to control the pandemic, the CDC said in a health alert. Data from the CDC's National Center for

Health Statistics (NCHS) indicates that approximately 81,230 drug overdose deaths occurred in the U.S. in that period. To read the full story, click [here](#).

California's COVID-19 Sick Pay Requirements

"With increasing recent frequency in the construction industry, particularly with the holiday season upon us, some larger companies (those with 500+ employees throughout the country) are being caught unprepared in response to a flurry requests from their California employees for an additional 80 hours of supplemental paid COVID-19-related leave before the end of the year, and some of those requests are proving to be of dubious legitimacy." To read the full story, click [here](#).

Port Workers Hope to Be Prioritized for COVID-19 Vaccine

Every week, Al Galuppo fills his SUV to the brim with meals, donating them to front-line workers including doctors, nurses, and firefighters. The longtime Port of Long Beach foreman along with fellow members in the International Longshore and Warehouse Union Local 94 have donated more than \$15,000 in meals since the pandemic started. To read the full story, click [here](#).

California's Next COVID Vaccine Shipment Will Be Far Smaller Than Expected, Gov. Newsom Says

California's next shipment of Pfizer's COVID-19 vaccine will be about 40% smaller than expected, Gov. Gavin Newsom's office said Thursday. Newsom had said Tuesday that California expected to receive 393,000 vaccine doses in the a shipment early next week. But the federal government has since told California to expect just 233,000 doses, Newsom spokeswoman Erin Mellon said. "The numbers we provided for future shipments were projected estimates based on what the federal government had communicated to us," Mellon wrote in an email to The Sacramento Bee. "The federal government delayed the number of Pfizer vaccines that California will receive in the next shipment – many states received new estimated shipment amounts." Officials in other states, including Washington State, Florida, Missouri and Kansas, also confirmed they have been told by the federal government to expect fewer vaccine doses next week than they anticipated. Those public health officials said they did not receive an explanation. To read the full story, click [here](#).

California's Capitol Struggling With COVID-19 Cases Less Than 2 Weeks Into Session

In a memo sent Wednesday, officials notified staff that two more Capitol employees — one in the Assembly and another with the Department of General Services — tested positive for the virus. ... Lawmakers are scheduled to reconvene January 4. Atkins' office says that date has not changed in light of recent COVID-19 cases. ... Employees who tested positive include Department of General Services workers, an employee of the Assembly, a Senate district office staffer and a California Highway Patrol officer. CapRadio requested the total number of positive cases among Capitol employees, but the Assembly and Senate Rules committees could not immediately provide a specific number. The request is being processed as a Legislative Open Records Act request. To read the full story, click [here](#).

San Francisco Mandates 10-Day Quarantine For Travelers From Outside Bay Area

San Francisco's Health Director Dr. Grant Colfax announced Thursday a new travel order requiring a mandatory quarantine of 10 days for anyone traveling, moving or returning to the city from anywhere outside the Bay Area. The order goes into effect on Friday and applies to both visitors and residents. Colfax didn't give details on how the city will enforce the order but said anyone failing to comply could be hit with a misdemeanor. To read the full story, click [here](#).

Judge clarifies ruling on COVID-19 restrictions applies to restaurants in county; state plans appeal

The ruling came in a lawsuit filed by two San Diego strip clubs — but not by any restaurants, which caused confusion among county officials and some restaurant owners after the ruling was issued. On Thursday county lawyers asked Wohlfeil to clarify the ruling and in a brief hearing the judge made it clear: The injunction covers any restaurant. “The court’s intention is all businesses which provide restaurant services in the county of San Diego are encompassed in the court’s order,” he said. Shortly after that, Gov. Gavin Newsom’s office said the state had filed notice it would appeal the ruling. It is unclear if the state will seek a delay — known as a stay — of Wohlfeil’s ruling while the appeal is taken up. To read the full story, click [here](#).

Three women, including ex-EDD worker, charged in unemployment fraud schemes

Federal prosecutors have charged three women — a former state labor agency worker, a prison inmate, and a parolee — in a scheme to defraud California’s scandal-scarred unemployment insurance system, investigators announced Thursday. A Roseville woman who is a former employee of the state Employment Development Department, a female inmate at a state women’s prison, and a woman who is a parolee have been charged with multiple fraud schemes linked to unemployment benefits in California, government attorneys said. To read the full story, click [here](#).

California: More than 1,000 virus deaths in last 5 days

The coronavirus toll in California reached another frightening milestone Thursday with health officials announcing a one-day record of 379 deaths and a two-day total of nearly 106,000 newly confirmed cases. The nation’s most populous state has recorded more than 1,000 deaths in the last five days. Its overall case total now tops 1.7 million, a figure nearly equal to Spain’s and only surpassed by eight countries. The state’s overall death toll has reached 21,860. Many of California’s hospitals are running out of capacity to treat the severest cases, and the situation is complicating care for non-COVID patients. To read the full story, click [here](#).

Sacramento Supervisors Try To Calm Nerves Over ‘Diversion’ Of Covid-19 Health Funds

Staring down a deadline to spend federal coronavirus relief funds, the Sacramento County Board of Supervisors unanimously agreed this week to route \$49.6 million intended for public health through other departments to avert losing the money at the end of the year. County officials said the transfer was only an accounting maneuver that would allow them to spend the one-time funding well past the December 30 deadline. Still, the decision to temporarily direct funds to law enforcement prompted a verbal assault from activists and residents at the board’s

Wednesday meeting, echoing a number of tense meetings on the subject earlier this year. To read the full story, click [here](#).

School districts balk at California's new Covid worker safety regulations

School officials are complaining that the new rules, which went into effect November 30 after adoption by Cal/OSHA earlier in the month, are creating confusion and could significantly raise school districts' costs. This applies particularly to Covid testing expenses, which districts and county offices of education are responsible for. And they view the imposition of the regulations, with Cal/OSHA's exacting demands for detailed reporting and documentation, as one more burden in an already taxing year. To read the full story, click [here](#).

Covid-Aid Talks Go Down to the Wire

Lawmakers rushed Friday to hammer out the final round of disputes on a sprawling coronavirus relief and year-end spending package ahead of a midnight deadline, aiming to close differences on the Federal Reserve's emergency lending powers among other final snags. The government's current funding is set to expire at 12:01 a.m. Saturday, giving lawmakers just hours to complete their work on a coronavirus aid package and a full-year spending bill. In a bid to keep the pressure on, lawmakers may not pass a short-term spending patch, according to lawmakers and aides, opening up the possibility that the government could experience a brief, partial shutdown Saturday before legislation is passed and signed into law. To read the full story, click [here](#).

Congress to receive first batch of Covid-19 vaccines, but uncertainty lingers

Top congressional leaders will receive the coronavirus vaccine in the coming days with dozens of lawmakers planning to quickly follow suit — an effort designed to maintain a continuity of government while also instilling public confidence in the shot. The limited batch of doses, which is expected to soon arrive in the House and Senate and was first reported by POLITICO, marks a major development for lawmakers and frontline workers in a Capitol complex that has battled dozens of cases this year. But the sudden announcement of vaccines stunned many lawmakers who had been kept in the dark about whether they would get doses at all. Now, members are preparing for their first doses in what's expected to be the final week in session of the 116th Congress. To read the full story, click [here](#).

California Legislature Delays Start Of 2021 Session Due To Uncontrolled COVID-19 Numbers

The California Legislature has pushed its return date to Sacramento for the start of the 2021 session back by a week to January 11 due to staggering COVID-19 numbers, according to a joint statement from Democratic leadership. "With the number of COVID-19 cases reaching all-time highs and in an effort to keep members, Legislative staff, and all staff in the Capitol as safe as possible, both the Assembly and Senate have decided to move the date of our return to session to January 11, 2021," Senate President Pro Tem Toni Atkins, D-San Diego, and Assembly Speaker Anthony Rendon, D-Lakewood, said in a Friday statement. To read the full story, click [here](#).

Faces Of Some Of The More Than 300,000 Lives Lost In U.S. To Coronavirus

The novel coronavirus pandemic has left an indelible mark on Americans of all ages and from all walks of life. Those we've lost come from all backgrounds and include the very people -- first responders and medical staff -- who have been working so diligently and selflessly to stem the tide of the infection and care for the sick. To read the full story, click [here](#).

Grocery Stores In L.A. County See Unprecedented Rates Of Coronavirus Infections

Supermarkets have been hit hard by the unprecedented explosion of the coronavirus in Los Angeles County, further straining an essential service that needs to remain open despite the new stay-at-home order. Outbreaks are increasing at an alarming rate across industries, officials say — an unavoidable consequence of so many people falling sick in the region. But those at grocery stores and other essential retailers pose a unique challenge for officials attempting to reduce coronavirus transmission, as well as for county residents trying to pare down their activities to only what is necessary. To read the full story, click [here](#).

Vitamin D And Coronavirus: Study Show More Than 80% Of Patients Were Deficient

COVID-19 patients at a hospital in Spain were overwhelmingly found to be deficient in vitamin D, according to a new study. Researchers discovered 80% of 216 COVID-19 patients at the Hospital Universitario Marqués de Valdecilla had a vitamin D deficiency. Men had lower levels of vitamin D than women and COVID-19 patients with lower levels of vitamin D had increased serum levels of inflammatory markers such as ferritin, a blood protein containing iron, and D-dimer, a protein fragment made when a blood clot dissolves in the body. The latter is usually elevated in COVID-19 patients, according to a July study published in the "Journal of Intensive Care." To read the full story, click [here](#).

California's First COVID Lockdown Was More Effective. Here's Why

It has been two weeks since California's new stay-at-home order was issued, but the state has not seen the flattening of cases experienced in the spring lockdown. In part, that may be because restrictions are looser this time and because people are fatigued by public health orders. But experts say the most pertinent factor is that the virus has spread too much to easily contain. "Once the rates get really high," says one official, "it is not like you can fine-tune it with levers." To read the full story, click [here](#).

Riverside County Sheriff Chad Bianco's refusal to enforce coronavirus orders gets national attention

The unfiltered thoughts of Riverside County's sheriff are a mouse click away. And when it comes to the [coronavirus pandemic](#), Chad Bianco is clear. The virus is real and people should be responsible, he said, but COVID-19 is not a lethal threat to the healthy, and don't expect his deputies to crack down on the maskless or business owners. He also doesn't plan to get vaccinated against the virus. To read the full story, click [here](#).

COVID-19 Racial and Ethnic Health Disparities Web Resources

Explore CDC's new web resources on COVID-19 Racial and Ethnic Health Disparities. Learn how conditions in the places where people live, learn, work, play, and worship affect who's more

likely to get COVID-19. Use interactive data and peer-reviewed literature to explore how COVID-19 shows up among racial and ethnic minority groups. To read the full story, click [here](#).

Europe's Coronavirus Crisis Is Resurging. For Months, 3 Nordic Nations Kept It Under Control — Without Lockdowns

Covid-19 vaccines are coming, but in most of Europe, winter is coming faster. In several countries, cases are surging again — after many countries seemed to be turning the tide. Politicians are desperate to find a balance of restrictions that flatten the curve without flattening the economy or upsetting residents who are eager to reunite for the holidays. To read the full story, click [here](#).

Businesses, Lacking Legal Immunity, Fear COVID-19 Lawsuits

Plans for a lawsuit against a Maine venue that hosted what became a “superspreader” wedding reception underscore the liability risks to small businesses amid the [coronavirus](#) pandemic and an uphill push by Republicans in Congress to give such outfits legal immunity. Behemoths like Walmart and Tyson Foods, which have been the target of COVID-19-related lawsuits, can largely absorb any losses. But hundreds of negligence lawsuits have been filed across the country, with mom-and-pops most fearing the prospect of litigation that could put them under. To read the full story, click [here](#).

Stimulus Payments, Paycheck Protection Program Expense Deductibility Headline Tax Changes In Latest Covid Relief Package

When Congress initially responded to the Covid-19 pandemic by passing the CARES Act on March 27, 2020 — handing down individual stimulus payments, Paycheck Protection Program loans, supplemental unemployment benefits and a bevy of additional tax breaks to struggling businesses — many anticipated that if the virus continued to spread unabated, additional relief would quickly follow. Nearly nine months have passed, however, and while daily deaths have skyrocketed and closures designed to contain the virus have caused untold economic damage, another round of relief has thus far remained elusive. To read the full story, click [here](#).

Coronavirus Stay-Home Orders Likely To Be Extended In Southern California

Though nothing is definite yet, Gov. Gavin Newsom acknowledged Monday that the stay-at-home orders issued for Southern California and the San Joaquin Valley will probably need to be extended. The two regions — which combined cover 23 of California’s 58 counties — are technically eligible to emerge from the state order beginning next week. However, as Newsom noted, it’s doubtful either will do so, as both have seen a steady erosion in their stocks of intensive care unit beds that are available to treat COVID-19 patients. To read the full story, click [here](#).

California Unemployment Claims Backlog Rises, EDD Reveals

As of December 16, an estimated 683,200 California workers were trapped in a bureaucratic limbo created by the state Employment Development Department, which has battled with uneven success to whittle away a mammoth backlog of unpaid jobless claims. The most recently reported backlog is an increase of 12,500 compared with December 9, when an

estimated 670,700 California workers were stuck in the EDD's logjam. The overall backlog is made up of a combination of unpaid initial unemployment claims and unpaid continuing claims, according to statistics posted by the EDD. 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 note the email addresses to be removed.