

Weekly COVID-19 Update From EKA February 10, 2021

Coronavirus deaths in the United States surpassed 450,000 and daily deaths remain at more than 3,000 a day, despite falling infections and the arrival of multiple vaccines. The US reported a 25% decrease in new cases of COVID-19 to about 825,000 last week, the biggest fall since the pandemic started, although health officials said they were worried new variants of the virus could slow or reverse this progress.

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.

VACCINATION

COVID Vaccines Directly To Pharmacies As It Ups Shipments To States

The US will increase its weekly supply of Covid-19 vaccines to states by 5%, providing at least 10.5 million doses for the next three weeks. That bump comes a week after the White House said it would increase supply to states by 16% over the next three weeks. The federal government will also turn on its first phase of a federal partnership to send doses directly to retail chains beginning tomorrow.

CVS Beginning Vaccinations

CVS in Agoura Hills will begin providing vaccinations. Doses will be limited and will follow the eligibility rules of the County and the State. Appointments can be made online at [cvs.com](https://www.cvs.com) or by calling customer service at (800) 746-7287.

LA County's Most Vulnerable Populations

Los Angeles County health officials say they plan to make targeted efforts in coming weeks to get COVID-19 vaccinations to particularly vulnerable residents — but that while the vaccine program is progressing, there are continued issues with ineligible people trying to jump the line to get a shot. Vaccinations are still limited in the County to health care workers, residents and staff of long-term or skilled nursing facilities and people over age 65. The County will be working within that 65-and-older group to target those people who may be more vulnerable to severe illness from the virus — such as those with underlying health conditions, those who work in places that could expose them to COVID, those who are homeless or those who live in particularly hard-hit communities.

State Updates Vaccine Allocation Guidelines

Governor Gavin Newsom and the California Department of Public Health (CDPH) continue to work toward allocating COVID-19 vaccines to a broader segment of the state's population, with the agency recently clarifying what education and child care providers are eligible for the vaccine. The state's weekly dose allocation from the federal government has also increased slightly with California slated to receive over 3 million vaccine doses by the third week of February. Currently eligible to receive the COVID-19 vaccine, according to the CDPH, are individuals age 65 years and older, health care workers, residents in high risk congregate care settings, education workers and child care providers, emergency service workers, and food, grocery and agriculture workers.

Education/Child Care Providers

The CDPH's guidelines define what education and child care providers are eligible for the vaccine as follows:

- Persons at risk of occupational exposure to SARS-CoV-2 through their work in any role in the following Education and Child Care settings:
- All formal and informal child care workers, including daycare providers;
- All staff in colleges, universities, junior colleges, community colleges, and other post-secondary education facilities;
- All staff in educational support services and administration;
- All staff in Pre-kindergarten, elementary, middle, and high schools;
- All staff in technical and trade schools;
- Any other workers involved in child and/or student care, including school bus drivers and monitors, crosswalk guards, etc.

How To Get Your First And Second COVID-19 Vaccine Doses In Ventura County

As of February 1., Ventura County is vaccinating only healthcare workers in the 1A tier and residents 75 and older. That's different from many other parts of Southern California, where the vaccine is now available to residents 65 and older. If you are not yet eligible, sign up at California's My Turn site to be notified when you can make an appointment to get your vaccine. Ventura County also sends email updates on weekdays about the vaccine. You can sign up for Ventura County's vaccine update newsletter [here](#).

REOPENING

Map Shows Which Counties Can, Can't Reopen Under Reopening Tiers

With the stay-at-home orders lifted, the state is returning to the four-tier reopening system. The four tiers are yellow, orange, red and purple. Yellow indicates minimal COVID-19 spread and allows for nearly all businesses to reopen indoor operations (as long as physical distancing and face-covering requirements are in place). Purple means there is widespread COVID-19 transmission in the County and nearly all businesses have to keep indoor operations closed or severely limited. How a county is categorized depends on ICU capacity, the number of new daily coronavirus cases and the testing positivity rate. Here's how it breaks down:

- Stay-at-home order (blue): Regions with remaining ICU capacity below 15%
- Widespread (purple): Counties with more than 7 daily new cases per 100,000 residents or higher than 8% positivity rate
- Substantial (red): 4 to 7 daily new cases per 100,000 residents or 5-8% positivity
- Moderate (orange): 1 to 3.9 daily new cases per 100,000 or 2-4.9% positivity
- Minimal (yellow): Less than 1 daily new case per 100,000 or less than 2% positivity

Each color code has a different set of rules regarding what businesses are and aren't allowed to reopen, whether they can open indoors or outdoors, and at what capacity they can operate. Click [here](#) to view the map.

Supreme Court Lifts California Worship Bans

A splintered US Supreme Court blocked California from enforcing coronavirus-related bans on indoor worship services, but declined to upset other state rules banning singing and chanting and limiting the number of worshipers. The [ruling](#) produced four separate statements by the justices, as well as a convoluted description of what relief various justices would have granted to churches objecting to the limits. However, a majority of the court was only willing to lift the ban California has applied on all indoor worship in Tier 1 counties — those most challenged by Covid-19. The other restrictions remain undisturbed, for now. Justice Amy Coney Barrett declined to grant the churches the most sweeping relief favored by her most conservative colleagues. The court's three liberals dissented from the decision, arguing that the court was unwise to substitute its judgment for that of state officials amid the ongoing pandemic.

LOS ANGELES COUNTY

New County Paid Sick Leave Ordinance

At the LA County Board of Supervisors meeting on January 26, 2021, the Board approved a [motion](#) by Board Chair Supervisor Hilda Solis to extend Supplemental Paid Sick Leave protections in unincorporated areas of the County. The ordinance extends the Board's previous Paid Sick Leave law, which had covered only employers with more

than 500 employees, and expired on December 21, 2020. The new ordinance covers all employees in the unincorporated areas of the County, regardless of the number of employees. The ordinance requires employers to provide supplemental paid sick leave to employees as follows:

1. For employees who work at least 40 hours per week or are classified as full-time: no more than 80 hours of Supplemental Paid Sick Leave under either the Families First Act or the ordinance. Supplemental Paid Sick Leave shall be calculated based on an Employee's highest average two-week pay over the period of January 1, 2020, through January 1, 2021.
2. For employees who work less than 40 hours per week and are not classified as full-time: an amount of Supplemental Paid Sick Leave no greater than the employee's average two-week pay over the period of January 1, 2020, through January 1, 2021, reduced by the supplemental paid sick leave paid under the Families First Act.

Employees are entitled to a maximum of \$511 per day and \$5,110 in total. Under the ordinance, an employer may not require an employee to use any other paid or unpaid leave, paid time off, or vacation time provided by the employer before the employee uses Supplemental Paid Sick Leave, or in lieu of Supplemental Paid Sick Leave. The ordinance is retroactive to January 1, 2021, and remains in effect until two weeks after the expiration of the County's COVID-19 local emergency.

LA County's First Priority Will Be Second-Dose COVID Vaccinations

At the county-operated large-scale vaccination sites, only a limited number of first doses will be administered; the rest of the week's mega-site appointments will be reserved solely for people in need of their second dose of the medication.

CITY OF LOS ANGELES

Councilman Plans Motion To Explore Legal Options To Reopen Schools

Councilman Joe Buscaino introduced a motion asking the city attorney to explore legal options for forcing the LA Unified School District to reopen its campuses for in-person learning, despite the continuing COVID-19 pandemic. Last week, the Southern California Chapter 2 of the American Academy of Pediatrics, which represents 1,500 pediatricians, released a statement calling for schools to reopen. Public school campuses have remained largely shuttered because Los Angeles County is still in the most restrictive "purple" tier of the state's COVID-19 economic-reopening roadmap. Under those restrictions, schools are permitted to offer in-person instruction only for limited numbers of high-needs students. Schools and school districts can also seek waivers from

the County to provide in-person instruction for students in pre-kindergarten. The LAUSD, however, has not sought any of those waivers. The district cut off all other in-person activities late last year amid surging COVID cases. LAUSD Superintendent Austin Beutner and the teachers' union have insisted that all educators and staff must be vaccinated against COVID-19 before schools reopen. United Teachers Los Angeles union has called for vaccines and extensive other safety measures to ensure the safety of educators before campuses reopen.

SACRAMENTO

California Publishes User Guide And Templates For Pay Data Reporting

[Jackson Lewis](#) issued a very useful reminder regarding pay data reporting. California [SB 973 requires](#) employers that (1) file EEO-1 reports and (2) employ more than 100 employees to submit data to the California Department of Fair Employment and Housing (DFEH) annually that shows pay by race and gender for their California employees. It was signed into law on September 30, 2020, and DFEH has been busy [providing guidance](#) to employers and preparing the pay data reporting portal. Additional — perhaps final — guidance was released on February 1. DFEH posted [FAQs](#) addressing Professional Employer Organizations and Acquisitions, Mergers, and Spinoffs. It also released a 68-page [User Guide](#) that discuss the mechanics of data submission and provided templates (both [in Excel](#) and [CSV](#) format) to assist employers in submitting their required pay data. Key takeaways from the new guidance include:

- The pay data report will be finalized as a line-by-line report using the provided templates (either in [Excel](#) or CSV) or manual entry, depending on the employer's preference.
- Each employer will upload only one file.
- Section One of the file will include overall company information, such as the snapshot period's begin and end dates, total US and California employees, total US and California establishments.
- Section Two will include information about each establishment and the employee detail within each establishment.
- For each establishment, the employer will enter a separate line indicating the number of employees falling into each of the possible 2,520 combinations of job category, pay band, and race/ethnicity/sex.
- DFEH reiterated that employers' pay data reporting information will not be made public.

The Data Submission Portal will open on February 15, 2021, and submission is required by March 31.

CalChamber Urges Pull Back of Emergency COVID-19 Emergency Regulations

The California Chamber of Commerce urged the California Legislature yesterday to correct a series of costly COVID-19 workplace mandates imposed through an emergency regulation order. The regulation, issued by the California Division of Occupational Safety and Health (Cal/OSHA) late in 2020, requires employers to take a number of extraordinary steps that include providing costly unlimited paid time off for workers. It further creates an overly broad testing scheme that ignores the realities of current testing availability. [In the letter](#) sent to legislators yesterday, the CalChamber argues that while safety practices in the workplace have had to change as a result of the COVID-19 pandemic, many of the new safety restrictions are not feasible for employers—especially small businesses struggling in the midst of a pandemic that has threatened to bankrupt them. During the emergency rulemaking process, Cal/OSHA failed to adequately consider the feasibility of many of the provisions of the emergency mandate and, as such, created policies that are not only expensive, but unworkable, the CalChamber pointed out in the letter. Specifically, the CalChamber is asking that the following provisions of the emergency regulation be addressed:

1. Limit the uncapped time off provision such that employers are not forced to provide potentially months of pay to excluded employees who are not sick while simultaneously paying a second workforce to take their places or completely shut down; and
2. Correct testing requirements that are overly complicated and punish well-intentioned employers who are at the mercy of medical logistics over which they have no control.

Unlimited Time off

The emergency regulations require employers to exclude anyone who was a “close contact” of a COVID-19 case from the workplace for 10-14 days, during which time the employer must “maintain” their earnings. This means that an entire working group or unit may need to be excluded for a 10-14 day period with paid time off if they work in a relatively proximate workspace. And such exposures may occur more than once, the CalChamber explains. By way of example: if social spread creates one COVID case in a workplace per month – even with *no actual spread* in the workplace—the employer will be forced to remove all workers who were close contacts of the positive case from the workplace for 10-14 days. In that time period, the employer must:

- Provide paid time off to the excluded employees; and

- Hire (and potentially train) temporary help to fill those roles and pay their wages, pay current employees overtime wages to make up that labor shortage, or shut down their business.

Moreover, under these regulations, a COVID-19 case in the workplace is not limited to employees. Accordingly, an employer could literally be paying multiple groups of employees to stay off work for being “exposed” simply because an asymptomatic customer came to their location. Unlike other leaves of absence, there is absolutely no limit in the emergency regulation on how many hours an employer must pay an employee due to exposure. Because the regulations may be in effect until early 2022, this means California employers—including the smallest rural family businesses—may end up paying for months of paid time off to employees who never catch COVID-19—all while simultaneously paying their replacements. And this paid leave will exist entirely outside of California’s existing framework of paid and unpaid sick leave.

Testing Requirements

The emergency regulations also require employers to provide (or ensure employees have access to) testing to employees at no cost and on paid time in a variety of circumstances. If an employee is a close contact of a COVID-19 case, then they must be excluded (as discussed above) and receive testing at no cost. Alternatively, if three cases occur in an exposed workplace area over a 14-day period then it is considered an “outbreak,” and all employees in that area must be tested on a weekly basis. The outbreak provisions are triggered regardless of whether the cases are among employees or customers, and are triggered regardless of whether the cases were a result of social spread (such as three employees living together and all catching it socially) or workplace spread. The regulation contains a similar “Major Outbreak” provision which requires twice weekly testing for all employees in the “exposed workplace” area. These requirements ignore the realities of testing availability, the CalChamber explains. First, tests may not be publicly available in certain rural areas and may be a serious expense for smaller employers. Second, even if tests are available, employers cannot compel medical facilities to prioritize testing of cases showing no symptoms. For example: if an employee is instructed to get tested because they were potentially exposed, and calls their doctor/local medical provider, the provider will commonly tell them: (a) that no testing is available in the timeline required by the regulation, and (b) that the medical provider does not recommend testing given no symptoms and the need to prioritize tests to higher risk individuals. To read the CalChamber letter in full, click [here](#).

Legal Developments

Lawsuit Against Cal/OSHA

[Ogletree Deakins](#) issued a very informative overview of the legal action regarding the implementation of the California Division of Occupational Safety and Health's (Cal/OSHA) [COVID-19 Emergency Temporary Standards](#) (ETS). Late last year several employers and trade associations filed a lawsuit in San Francisco Superior Court for declaratory and injunctive relief against Cal/OSHA. The lawsuit, *National Retail Federation, et al. v. California Department of Industrial Relations, et al.* (Case No. CGC20588367), was the first filed seeking to prevent the agency from enforcing the ETS. Shortly thereafter, the Western Growers Association filed a related case in Los Angeles Superior Court. However, in an effort to avoid "duplicative and inconsistent rulings," the Western Growers Association lawsuit was transferred to San Francisco and the cases are being heard together.

The lawsuits alleged that the ETS were improper for several reasons, including that Cal/OSHA "exceeded the scope of its authority to promote occupational safety and health by attempting to regulate wages and paid leave" and "arbitrarily and capriciously deprive[d] Plaintiffs of property without just compensation or due process, particularly with respect to the COVID-19 testing and mandatory periods of paid exclusion from work." On January 28, 2021, Judge Ethan P. Schulman heard oral argument on the motions for a preliminary injunction in both cases. Both sides articulated a number of arguments. Judge Schulman ordered the parties to file additional briefs by February 5, 2021, on relief, severability, and other issues deemed to be critical. Further, the court would consider the motion to be "under submission" on February 11, 2021, and would issue a final decision shortly thereafter.

NATIONAL

Pentagon deploys troops to fuel COVID-19 vaccine drive

The Pentagon will deploy more than 1,100 troops to five vaccination centers in what will be the first wave of increased military support for the White House campaign to get more Americans inoculated against COVID-19. President Joe Biden has called for setting up 100 mass vaccination centers around the country within a month. One of the five new military teams will go to a vaccination center opening in California. Other centers are expected to be announced soon. The Federal Emergency Management Agency has asked the Pentagon to supply as many as 10,000 service members to staff 100 centers. Defense Secretary Lloyd Austin approved the initial five teams, but the others will be approved in separate tranches as FEMA identifies the other site locations.

EMPLOYER ISSUES

Businesses Face Risk Related to Mandatory Employee Masking Policies

In a class action lawsuit pending in the United States District Court for the Northern District of California, a consumer-plaintiff alleged that Nike Inc.'s policy requiring employees to wear opaque, Nike-branded facemasks is discriminatory. The plaintiff alleged that Nike's policy discriminates against individuals who are deaf or hearing-impaired in violation of Title III of the Americans with Disabilities Act (ADA) as well as similar state laws. Last week, the plaintiff filed an unopposed motion seeking approval of a settlement wherein Nike has agreed to (1) provide guidance to its employees in California regarding how to accommodate hearing-impaired or deaf consumers; (2) post notices in its California store entrances informing customers that accommodations are available in these situations; and (3) provide its California stores with transparent face masks and writing materials in case customers request accommodations related to hearing impairment.

This case demonstrates that retail businesses and employers must make sure they consider the implications of policies related to COVID-19 safety procedures including employee masking requirements.

The Upshot

- Many businesses have required both employees and consumers to wear masks in accordance with federal, state, and local safety guidance, but masking policies must be implemented in a manner consistent with laws requiring accommodations for disabilities.
- Nike has recently agreed to settle a case where a hearing-impaired consumer alleged that Nike's policy requiring its employees to wear opaque, Nike-branded masks was discriminatory. The plaintiff alleged that although masking requirements serve an important public health purpose, Nike's policy was implemented in a manner that discriminated against the deaf and hard of hearing who rely on speech-reading (lip-reading) to communicate.
- Nike has agreed to a settlement where it will provide guidance to its employees on this issue; post notices in its California stores related to accommodations available; and provide its California employees with clear facemasks and writing utensils to accommodate customers who are deaf or hearing-impaired.
- Retail businesses should anticipate these situations when enacting masking policies and ensure their employees are trained to appropriately respond when a customer seeks an accommodation. Additionally, employers will need to consider similar accommodations requested by employees with disabilities.

The Bottom Line

Retail businesses should be prepared to consider and respond to requests for accommodations as a result of mandatory masking policies. Additionally, all employers should be aware that employees may also seek accommodations for disabilities as a result of masking requirements.

Full Alert

Nike has agreed to settle a class-action lawsuit brought by a customer who visited a California retail location and alleged Nike discriminated against individuals with disabilities by requiring its employees to wear opaque, Nike-branded facemasks. The customer, Cali Bunn (Bunn), is an individual who suffers from severe hearing loss. She alleged that she visited a Nike location in San Diego, California, in July of 2020. While at the retail location, she alleges that she was unable to communicate with the salesperson who was wearing an opaque, Nike-branded mask and that due to the inability to communicate, she and other deaf or hearing-impaired individuals are excluded from shopping at Nike.

Bunn filed the class-action lawsuit in California State Court in San Francisco County. Nike removed the action to the United States District Court for the Northern District of California, San Francisco Division. Approximately three months after the lawsuit was removed to the Federal Court, Bunn filed an unopposed motion for approval of the class action settlement. The motion explains that Nike has agreed to settle the lawsuit by taking the following actions:

- providing guidance to its employees in California regarding how to accommodate hearing-impaired or deaf consumers;
- posting notices in its California store entrances informing customers that accommodations are available in these situations;
- providing its California stores with transparent face masks and writing materials in case customers request accommodations related to hearing impairment;
- paying plaintiff's counsel's fees in the amount of \$85,000; and
- paying Bunn \$5,000 as the named plaintiff in the action.

The lawsuit brings to light a risk category that many retail establishments may not have been considering—that compliance with COVID-19 safety guidance and orders may create obligations to accommodate individuals in accordance with the Americans with Disabilities Act and similar state and local laws. The lawsuit may also have broader implications. For instance, businesses that may not be consumer facing may need to consider accommodations for deaf or hearing-impaired employees in the workplace.

Ballard Spahr's [Accessibility team](#) is prepared to answer questions regarding compliance with the Americans with the ADA and other state and local laws designed to protect the rights of people with disabilities. We help clients nationwide to assess their rights and responsibilities under the law, design programs to keep them in compliance, and defend them against claims of discrimination. Please contact us if we can assist you in understanding your company's legal requirements and the measures your business must take to remain in compliance with the laws of the jurisdiction in which you operate.

Cal/OSHA Posting Requirement February 1!

The [California Employers Association](#) is an incredible organization. They assist companies with compliance, training, and recruiting issues. They issued a bulletin that reminds employers that every year from **February 1 thru April 30**, most employers* are required to post [Cal/OSHA Form 300A](#) in a conspicuous place where you normally post employee posters. It's that time again, and after April 30, the Form 300A may be taken down but must be kept on file for five (5) years.

Information on Form 300A

Employers must prepare a summary of the prior year's (i.e., 2020) illnesses and injuries for each establishment. Employers should create this summary based on [Form 300](#), which is the employer's log of every recordable injury and illness. "Recordable" injuries and illnesses include those that are work-related *and* involve one of the following:

- Medical Treatment Beyond First Aid;
- Restricted Work Activity or Job Transfer;
- Days Away From Work;
- Loss of Consciousness; or
- Death

*Note: Employers with fewer than 10 employees or whose organization is classified in a specific, low hazard category are exempt from the recording requirements.

Certification of Form 300A

Before you post your Form 300A, the annual summary must be certified by:

- An owner;
- A corporate officer;
- The highest-ranking person at the establishment; or
- The immediate supervisor of the highest-ranking person at the establishment.

COVID-19 and Form 300A

COVID-19 illnesses are considered a recordable event if all of the following apply:

- The case is a confirmed COVID-19 case;
- The case is work-related (meaning the work environment contributed to the COVID-19 transmission); **and**
- The case involves one or more of the general recording criteria listed above (i.e., medical treatment beyond first aid, restricted work activity, days away from work, etc.).

WHAT WE'RE READING

Cities Would Be Prohibited From Collecting Any Regulatory License Fee Imposed Upon An 'Eligible Business'

As amended February 1, Senate Bill 49 by Senator Tom Umberg (D-Santa Ana) would provide an exemption from license fees imposed on businesses. It would add Sections 16000.9 and 16100.9 to the Business and Professions Code, add Section 8627.9 to the Government Code, and add and repeal Sections 17053.70 and 23670 of the Revenue and Taxation Code. Section One of the bill would add Section 16000.9 to the Business and Professions Code. It would define "COVID-19 state of emergency" and "COVID-19 stay-at-home order." It would also define an "eligible business" as any business subject to licensure that is a restaurant, bar, or entity licensed by the Board of Barbering and Cosmetology, as well as a business that has temporarily ceased operations in response to a COVID-19 stay-at-home order. To read the full story, click [here](#).

Understanding Cal/OSHA's COVID-19 Exclusion-Pay Mandate

Some interesting and fast-moving developments regarding COVID-19 paid-leave laws will significantly affect California employers. The state's supplemental paid-sick-leave mandate for large employers and the federal Families First Coronavirus Response Act for smaller employers have both expired, but California employers must now reckon with new pay rules under the COVID-19 Emergency Temporary Standards (ETS). To read the full story, click [here](#).

Employers Ask EEOC For COVID-19 Vaccine Incentive Guidance

Citing the uncertainty surrounding the state of the law when it comes to offering incentives to employees who receive the COVID-19 vaccination, a collection of over 40 business groups and associations just submitted a letter to the Equal Employment Opportunity Commission seeking guidance on what's allowed and what might violate federal law. The February 1 letter is the product of significant concern regarding the legality of a vaccination incentive program as summarized in a recent FP Legal Alert and highlighted in a just-released FP Flash Survey which revealed 43% of employers are

unsure about how to proceed. What do employers need to know about this development? To read the full story, click [here](#).

Closed Nearly A Year, Empty Museums In Los Angeles Struggle

Fulton Leroy Washington (known as Mr. Wash), who began to paint while serving time for a nonviolent drug offense, was looking forward to being part of the Hammer Museum's biennial — his first museum show — before the pandemic forced the doors closed a few months before the exhibition was to open. "I started having excitement build up," Washington said. "Then disappointment set in." The show, "Made in LA 2020," was installed in June, and is still in place. But the public has not been allowed inside to see it. To read the full story, click [here](#).

Recent Lifting Of Travel Restrictions On Californians Allow Getaways — But Are You Ready To Take A Vacation?

Dreaming of a beach-side vacation or want to get cozy in a cabin tucked in the snow-covered mountains? How about a camping trip, a way to get away out in nature? The recent lifting of the state's stay-at-home orders last week means travel restrictions have eased — much like the struggling restaurant industry, there were hotels and vacation rental operators that adhered strictly to regulations during the stay-at-home orders and others not so closely — but uncertainty and questions remain about whether people are ready to pack their bags, how vacationers want to travel and if the travel industry can rebound after a turbulent year. To read the full story, click [here](#).

Six Factors Businesses Should Consider Before Applying For A PPP Loan

In the earlier months of the pandemic, Paycheck Protection Program loans were a lifeline for many companies. These loans provided funds to help businesses continue to fund payroll and other costs. As the third round of PPP loans comes online in the first quarter of 2021, many leaders may be looking at taking advantage of the program. However, it's wise to first review what experts know—and don't yet know—about the guidelines and potential consequences surrounding PPP loans before making a final decision. Below, six financial experts from Forbes Finance Council share key considerations for businesses that intend to or have already taken a PPP loan. To read the full story, click [here](#).

The Do's And Don'ts Of Getting, Using A Paycheck Protection Program Loan

The devil is in the details for small-business owners seeking funding from the Paycheck Protection Program. A missing signature can derail your PPP loan application for days or even weeks, delaying desperately needed financial help. And disorganized record-keeping can lead to headaches when you apply for forgiveness and you have to show how each and every dollar of your PPP loan was spent. Applying the following best

practices can help small-business owners get their loan funded and forgiven with relative ease. To read the full story, click [here](#).

Over 80 People Arrested In China For Smuggling Fake COVID-19 Vaccines

China has arrested over 80 people for smuggling and supplying counterfeit COVID-19 vaccines, amid reports that some of the jabs have already made their way to Africa, the official media has reported. Apart from the arrests, 3,000 doses of the fake vaccines were confiscated from the accused in a special drive that China has carried out to curb vaccine-related crimes, the Global Times reported on Tuesday. The raids were carried out in a joint action by police in Beijing and East China's Jiangsu and Shandong provinces, among other regions. The criminal activity was scattered across multiple cities, the report said. To read the full story, click [here](#).

California Faces' Real' Chance Of Another Surge As Coronavirus Variants Spread

The variant, known as B.1.1.7, has been identified in other parts of the state, mostly in Southern California — with 127 cases found across California so far, according to the Centers for Disease Control and Prevention. No other Bay Area counties have announced cases so far, but officials believe the variant is far more prevalent than official figures suggest, since only a tiny fraction of coronavirus infections get genetically sequenced. ... California health secretary Dr. Mark Ghaly said Tuesday that the state is also seeing the rapid spread of two homegrown variants. There are 767 confirmed cases of the mutant known as B.1.429, and 290 infections linked to the B.1.427 variant, state tracking shows. What their properties are — in other words, whether they are more infectious and how they interact with vaccines — is unclear. The state warned residents to keep their guard up as the Lunar New Year and the Super Bowl — both traditional gathering times for friends and family — approach. To read the full story, click [here](#).

Political Storms Swirl Around California's Newsom Amid Virus

Newsom's slide from the early days of the pandemic points to the pain facing leaders, particularly Democrats who avoided early political backlash, as virus fatigue takes hold, vaccines remain elusive and voters stop blaming the Trump administration for their trouble. A poll released Tuesday by the Public Policy Institute of California found just over half of Californians — 54% — approve of how Newsom is handling the job, suggesting the recall effort still has an uphill climb. But that's down from 65% in May, at the height of his approval. Among Democrats, he's dropped from 86% support in May to 71% now. About half of independents support him and just 16% of Republicans approve. The poll didn't ask about the recall. To read the full story, click [here](#).

Oakland Approves Hazard Pay For Supermarket Workers

Oakland's City Council on Tuesday unanimously voted to implement an emergency ordinance to add \$5 an hour onto the pay of workers at large grocery stores. The San Jose City Council on Tuesday weighed a similar measure. Other Bay Area cities including Berkeley, Concord and Antioch are considering following suit, according to union representatives. The Santa Clara County Board of Supervisors last week voted to craft an ordinance to give \$5-an-hour hazard pay to essential workers in grocery stores, pharmacies and fast food outlets. The supervisors plan to vote on it February 9. The Los Angeles City Council on Tuesday unanimously voted to ask city attorneys to draft an ordinance for a \$5-an-hour "hero pay" boost for workers at large grocers and drugstores for 120 days. The council still must vote to pass that ordinance. Meanwhile, Long Beach and Seattle have already implemented similar measures. To read the full story, click [here](#).

Judge Doubles Down On Order Ensuring Foster Farms Poultry Workers Protected From COVID

A Merced County Superior Court judge has reinforced an order requiring Foster Farms in Livingston to protect its poultry workers from becoming infected with COVID-19. Judge Brian L. McCabe on Friday granted a request by the United Farm Workers for a preliminary injunction against Foster Farms. The court had earlier approved a temporary restraining order on December 23 setting the stage for the court to enforce worker safety protections. Attorney Monique Alonso, of Messing Adam & Jasmine, said the injunction gives the judge much-needed oversight over whether Foster Farms is complying with COVID-19 protections for workers in meatpacking plants. To read the full story, click [here](#).

How The Coronavirus Pandemic Sped Up Innovation At Casinos

Before stepping foot in a casino in 2021, there are cameras ready to take temperatures and, in some cases, identify guests. It's the kind of technology that even in 2019 would have seemed foreign to casino visitors but has now become the new normal because of the novel coronavirus pandemic. Tech companies and experts alike say the pandemic helped make some already-in-the-works technology that much more important to bring to market in addition to fostering innovation. And when the pandemic finally draws to a close, some of those technologies will be around for the long haul. To read the full story, click [here](#).

California Has Few Specifics On New State Vaccination System

In response to the slow rollout, officials made the major announcement last week that the state was creating a new, centralized vaccine distribution system led by Blue Shield, the insurance giant. But a letter of intent signed by the state and the company released Monday shows the specifics of the program are still being developed even as state

officials had said they hoped to transition to the new system in mid-February. Dr. Ghaly declined to answer most questions about it Tuesday, saying that Yolanda Richardson, the government official in charge of the program, would brief reporters next week. To read the full story, click [here](#).

Democrats Speed Ahead on Economic Aid Package

Democrats are taking steps to push through President Biden's \$1.9 trillion economic rescue plan, using a budgetary maneuver that could eventually allow the measure to become law without Republican support. The move advanced the two-track strategy that Mr. Biden and Democratic leaders are employing to speed the aid package through Congress: show Republicans that they have the votes to pass an ambitious spending bill with only Democratic backing, but offer to negotiate some details in hopes of gaining Republican support. To read the full story, click [here](#).

Schools Can Safely Begin To Reopen Even If Teachers Are Not All Vaccinated, Newsom Says

Gov. Gavin Newsom said he believes schools can begin to reopen even if all teachers are not yet vaccinated against COVID-19, provided that proper safety measures and supports are in place — although some teachers unions, including United Teachers Los Angeles, have said vaccinations should be a prerequisite to resuming in-person instruction. "We can safely reopen schools as we process a prioritization to our teachers of vaccinations," Newsom said Wednesday. To read the full story, click [here](#).

CDC Director Says Schools Can Safely Reopen Without Vaccinating Teachers

Teachers do not need to get vaccinated against Covid-19 before schools can safely reopen, the head of the Centers for Disease Control and Prevention said. School systems across the US have been under pressure to reopen after shifting to remote learning last year due to the pandemic. Teachers and other faculty have expressed concerns about returning to school, potentially putting their health at risk. To read the full story, click [here](#).

COVID Advisory Panel Rejects Higher Vaccine Priority For Disabled Californians And Those With Chronic Conditions

An influential group of California health experts is holding fast for now to Gov. Gavin Newsom's decision to make age the primary criteria for getting the COVID-19 vaccine. The decision announced today dismayed advocates who hoped the group would recommend moving disabled people and those with chronic medical conditions to the front of the line alongside those age 65 and older. To read the full story, click [here](#).

Millions of Counterfeit Masks Flooded US Customs Facilities Last Year

US Customs agents seized nearly 13 million counterfeit face masks in the 12 months that ended September 30, according to a report set for release Thursday, as the Covid-19 pandemic spurred demand for protective equipment. Agents also confiscated 177,000 test kits prohibited by the Food and Drug Administration and 38,000 chloroquine and hydroxychloroquine tablets that were barred by the FDA, the report said. To read the full story, click [here](#).

Purple Is The New Red: How Alert Maps Show When We Are Royally ... Hued

COVID-19 across California is really, really bad. How bad? Purple-tier bad. California, along with Ohio and Colorado, employs a color-coded system to warn about the prevalence of the Coronavirus. The basic idea's not unfamiliar for many of us: green is fine, yellow indicates the spread is minimal, orange is moderate, and red means substantial. But *purple*? The purple tier lets people know the virus is widespread, with more than eight percent of test results coming back positive over a seven day period. The purple tier is the most restrictive short of stay-at-home orders, and means restaurants can only serve outdoors, amusement parks are closed, office workers must telecommute and various other restrictions. To read the full story, click [here](#).

In Race To Vaccinate, Could California See Another Surge?

During some of the darkest days in the pandemic, Gov. Gavin Newsom offered some optimism: the winter surge of COVID-19 would be it. Liquid gold — the first batch of vaccines — were just days away. "This is the final surge," Newsom said on December 3, urging people to stay home and save lives. Health experts continue to hope that steep spikes in infections and hospitalizations are a thing of the past. But a bumpy vaccine rollout, new, more contagious forms of the virus, and an expected increase in social activity following California's exit from the stay-at-home order all beg the question: Will the state see another wave of COVID-19? To read the full story, click [here](#).

A Recipe For Trouble? Reversal Of California Outdoor Dining Ban Has Heads Spinning

Outdoor dining is resuming in California under state and local orders issued last week — but with COVID-19 cases, hospitalizations and deaths still far higher than they were when the bans took effect, restaurant owners and workers are wary of reopening their patios and parking lots. Los Angeles County's outdoor dining ban began November 25, and a statewide ban, part of a broader stay-at-home order, took effect December 5. No clear data from contact tracing could justify outdoor dining bans, public health officials acknowledged. To read the full story, click [here](#).

ICU Nurses In San Diego Say Relaxed Staffing Levels Are Affecting Patient Care

Since it started allowing hospitals to bend nurse-to-patient ratios last March, California has made it clear that this was supposed to be a temporary measure, a way of handling

the staffing crisis caused by the COVID-19 pandemic. Instructions posted in June told hospitals they must “resume mandatory staffing levels as soon as feasible,” even if doing so required bringing in “other staffing options” such as brigades of temporary “registry” workers to help bolster the front lines. To read the full story, click [here](#).

Her COVID-19 Treatment Cost More Than \$1 Million. Who’s Going To Pay For It?

It was bad enough that Patricia Mason’s husband rushed her to the emergency room on his birthday and didn’t see her again for nearly a month. That she was transferred in the middle of the night to a different hospital, one that could better care for her deteriorating condition, and that her husband had no idea where she was or even how to find her. That her doctor called him two days later to break the news. His wife, the physician said, had less than a 30% chance of surviving COVID-19. Then the medical bills began to arrive. The grand total to save the 51-year-old woman’s life: \$1,339,181.94. To read the full story, click [here](#).

Two US Cruise Lines Announce COVID Vaccination Mandate for Guests, Crew

Two US cruise line companies announced all passengers and crew must get the COVID-19 vaccine in order to sail. American Queen Steamboat Company and Victory Cruise Lines both issued “SafeCruise” guidance that states a vaccination is required for all sailings beginning July 1, 2021. The cruise lines, both part of the Hornblower Group, said the mandate “will further ensure the wellbeing of the individuals who overnight on our vessels.” To read the full story, click [here](#).

Coronavirus cases are falling in US, but experts say it’s not from the COVID-19 vaccine yet

New coronavirus cases are on the decline in the United States after staggering post-holiday peaks last month, but experts say it’s too early for new COVID-19 vaccines to be having an influence. The positive trend also is not assured to continue, because new and more transmissible variants threaten to reverse it, according to Centers for Disease Control and Prevention Director Dr. Rochelle Walensky. To read the full story, click [here](#).

Covid-19: Here’s Who’s Expected To Qualify For Third IRS Stimulus Check

Relief may be coming for millions of Americans after the Senate and House of Representatives took a major step forward by approving a \$1.9 trillion COVID-19 package that includes a third round of stimulus checks. President Joe Biden has proposed sending \$1,400 to every person who received stimulus checks during the first two rounds of payments, though it could be weeks until money starts showing up in bank accounts. To read the full story, click [here](#).

Library Book Late? Overdue Fees Are Going Away At Many Libraries Amid COVID-19 Pandemic Economic Crisis

The COVID-19 pandemic is accelerating many changes in daily life – including the age-old practice of charging fines for overdue library books. Since March, dozens of libraries have abolished the fees, citing the economic barrier they create for low-income patrons. To read the full story, click [here](#).

Slow Covid-19 Vaccine Rollout, New Variants Shift Some Business Plans

The slow start of the Covid-19 vaccine rollout, along with the arrival of new virus variants, has dashed some business leaders' hopes for getting back to normal in 2021. Consumers are unlikely to resume travel, dining out and shopping in stores at a pre-pandemic cadence until later this year, chiefs of some large companies told Wall Street analysts and investors in recent weeks. Some CEOs said consumer activity could pick up as soon as spring. Others pointed to a recovery later in the year—or even 2022. “Let me underscore that progress on economic growth is contingent on an effective vaccine rollout program globally,” said Goldman Sachs Group Inc. CEO David Solomon. “In its absence, economic recovery will be unnecessarily delayed.” To read the full story, click [here](#).

AstraZeneca's Vaccine Does Not Work Well Against Virus Variant in South Africa

South Africa halted use of the AstraZeneca-Oxford coronavirus vaccine on Sunday after evidence emerged that the vaccine did not protect clinical trial volunteers from mild or moderate illness caused by the more contagious virus variant that was first seen there. The findings were a devastating blow to the country's efforts to combat the pandemic. Scientists in South Africa said on Sunday that a similar problem held for people who had been infected by earlier versions of the coronavirus: The immunity they acquired naturally did not appear to protect them from mild or moderate cases when they were reinfected by the variant, known as B.1.351. To read the full story, click [here](#).

LA County Confirms 9 New Cases Of MIS-C In Children

Los Angeles County reported 4,860 new cases of COVID-19 and 193 additional deaths on Saturday, January 6, and confirmed nine new cases of multisystem inflammatory syndrome in children. The number of coronavirus patients in county hospitals was 4,421, according to the state dashboard, with 28.8% of those people in intensive care units. The latest cases of MIS-C bring the total number of children infected in the County to 75, including one death. MIS-C is an inflammatory condition associated with COVID-19 and symptoms include fever that does not go away and inflamed body parts, including the heart, lungs, kidneys, brain, skin, eyes, or gastrointestinal organs. To read the full story, click [here](#).

WHO Investigation Into COVID-19 Says Lab Origin' Extremely Unlikely'

An expert group of investigators convened by the World Health Organization and China to examine the murky, complex origins of the coronavirus pandemic have revealed initial conclusions from a fact-finding mission that began just under two weeks ago. Liang Wannian, one of the scientists with China's National Health Commission, told reporters in a press conference Tuesday that the team hasn't found clear evidence of an animal-to-human spillover. "We came here with two goals," said Peter Ben Embarek, a WHO expert in food safety and zoonosis (disease that's transmitted from animals to humans), "One was to try and get a better understanding of what happened at the beginning of the event in December 2019. In parallel, we also embarked on trying to understand ... how did the virus emerge." To read the full story, click [here](#).

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