

COVID-19 Update From EKA – April 15, 2020

EKA's media, government, public relations and crisis support services teams are tracking the state, local and national government responses to the COVID-19 Pandemic. This update has been prepared for informational purposes and is compiled from publicly available sources and is not intended to be legal or tax advice. All hyperlinks below are live and will bring you to the information mentioned.

If you would like to view previous EKA COVID-19 updates, click [here](#).

COVID-19: Screening Employee Temperatures

Several readers of our daily updates have inquired about screening people entering essential businesses. The U.S. Equal Employment Opportunity Commission (EEOC) issued [guidance](#) confirming specifically that the COVID-19 Pandemic permits employers to measure employees' body temperatures before allowing them to enter the worksite. Any such screening should be implemented on a nondiscriminatory basis, and all information gleaned should be treated as confidential medical information under the Americans with Disabilities Act (ADA)—specifically, the identity of workers exhibiting a fever or other COVID-19 symptoms should only be shared with members of company management with a true need to know. Additionally, employers should understand that screening employees' temperatures is just one of the screening devices that employers may utilize and will not completely mitigate the risk of contagion, as some people with COVID-19 do not have a fever and may also otherwise be contagious without experiencing any symptoms.

The U.S. Centers for Disease Control and Prevention (CDC) also has issued [COVID-19 specific guidance](#) urging workplaces located in communities with minimal to moderate COVID-19 risk to implement regular health checks, including temperature and respiratory symptom screening. The following best practices should be considered and implemented, as appropriate, in connection with temperature testing. Employers should:

- Communicate clearly in Advance with their workforces regarding temperature checks and related implications (*e.g.*, being sent home).
- Set a temperature screening threshold over which employees will not be permitted to enter the workplace. The CDC considers a person to have a fever when he or she has a measured temperature of at least 100.4 degrees Fahrenheit; many employers have adopted screening thresholds in the 100-100.4°F range.
- Seek to facilitate testing in the least invasive way possible, including by attempting to procure devices that can register temperature without exposure to bodily fluids (*e.g.*, no-contact thermometers)
- Maintain social distancing *and* clean and disinfect medical equipment, and take other COVID-19 related precautions.

COUNTY OF LOS ANGELES

Face Covering Mandates Set for L.A. County Businesses

Beginning today, Los Angeles County businesses that are permitted to remain open during the coronavirus pandemic will be required to provide employees with cloth face coverings, and customers who patronize the businesses must also wear them. Under the [guidelines](#), "essential" businesses must also publicly post a "social distancing protocol" explaining how the business is assuring that social distancing requirements are being met, regular cleaning is being done and sanitizing equipment is being made available.

The order from the county health officer requires businesses to provide "cloth face coverings to employees and contracted workers whose duties require close contact -- within 6 feet for 10 minutes or more -- with other employees and/or the public." Businesses must also require "that members of the public who enter the facility wear a face-covering during their time in the facility." The social-distancing requirements of the updated county Order requires that -- as part of "social distancing" -- residents wear "a cloth face covering while out in public when in contact with others, not including members of a single household or living unit." The [Department of Public Health's guidance](#) on face coverings asks that people wear a covering over their nose and mouth "when you must be in public for essential activities, such as shopping at the grocery store." It also states, "Everyone is asked to wear a face-covering when they are interacting with others who are not members of their household in public and private spaces."

L.A. County Ordinance Passes Ordinance Impacting Grocery, Drug, Food Delivery Workers

The Board of Supervisors adopted an [emergency ordinance](#) that will impact retail grocery, drug store and food delivery workers. Supervisors Mark Ridley-Thomas and Janice Hahn championed the ordinance, which requires employers to sanitize and stock bathrooms with necessary supplies, clean stores and shopping carts between uses and provide security to enforce social distancing, among other standards. The measure also provides that grocery and drug stores can refuse service to any would-be customer not wearing a face mask. In addition to brick-and-mortar grocery stores that remain open, the ordinance also covers shoppers and delivery people for companies like Instacart, DoorDash and Shipt. The ordinance will take effect immediately and sunset after the coronavirus crisis has passed and emergency orders are lifted. The City of L.A. [passed a similar order](#) early last week and other cities have followed suit. This directive brings some uniformity to the patchwork of face mask rules throughout the 88 cities in L.A. County.

Aid For Renters

An urgent plan that would give Los Angeles County renters impacted by the COVID-19 Pandemic \$1,000 per month for three months was approved unanimously by the Board of Supervisors, though the size of the fund and details for distribution have yet to be worked out. As envisioned, the county's Under the Emergency Rent Assistance Program could be used for bridge funding for businesses likely to receive federal disaster assistance; low-cost working

capital loans to businesses that may not qualify for federal dollars; and cash grants to micro-entrepreneurs with less than nine employees and other highly vulnerable businesses.

The board, which approved the motion without comment, did not set a target for the size of the fund but directed the county CEO and Los Angeles County Development Authority to report back to the board by April 24. The LACDA is already offering low-interest loans of up to \$20,000 to small businesses that have 25 or fewer employees and have been affected by the Pandemic. The county also established a \$500,000 fund through the Department of Workforce Development, Aging and Community Service to make \$10,000 grants available to struggling small businesses. Priority is given to businesses in unincorporated areas of the county, and about 25% of awards have been reserved for social enterprises serving vulnerable populations. Read the full motion [here](#).

L.A. County Seeks Pilot to Make Temporary Homeless Successes Permanent

As Los Angeles County workers move up to 15,000 homeless people into hotel and motel rooms to slow the spread of COVID-19, the Board of Supervisors voted today to develop a pilot program to keep seniors housed. Supervisors Mark Ridley-Thomas and Janice Hahn co-authored a motion calling for a plan to expand on the county's success in using empty hospitality rooms to house homeless seniors. Twenty-three sites with more than 1,946 beds have been procured under Project Roomkey, a collaboration between the county's Homeless Initiative, state agencies and other public and private partners. The project emphasizes finding temporary housing for seniors and those with underlying health conditions who are more susceptible to COVID-19.

Options for keeping vulnerable populations housed could include using housing vouchers, slots available under a rapid rehousing program and moving people to supportive housing units that are coming online. The board recognized the need for eliminating some red tape to combat the Pandemic and two weeks ago granted Chief Executive Officer Sachi Hamai authority to make a wide range of decisions on the board's behalf. Hamai had been set to retire that same day, but has stayed on to help manage the crisis. The board asked the CEO to develop an initial plan in 30 days and a framework for implementation within 45 days.

Property Taxes

Los Angeles County Property taxes were required to be paid by April 10. According to the Los Angeles County Assessor's office, property owners affected by the COVID-19 virus may have the late penalties canceled if they are unable to pay their property taxes by the April 10 deadline. Beginning on April 11, those unable to pay on time for reasons related to COVID-19 may submit a request for penalty cancellation online. The department has set up a special team to process these requests for those who demonstrate they were affected by the outbreak. For more information, click [here](#).

Coronavirus-Foreclosure Prevention

Property owners and landlords with 15 or fewer units can access help to avoid foreclosure through the Los Angeles County Disaster Help Center. Free one-on-one counseling and support

is available for property owners who have been adversely affected by the ongoing coronavirus emergency. Borrowers with loans owned by the government, a national or state charter bank or private institutions may be eligible for temporary relief. For more information, click [here](#).

COVID-19 Incident Update

The L.A. County Emergency Operation Center's COVID-19 disaster response released their most recent incident update that includes the number of confirmed positive cases of COVID-19. To read the report, [click here](#).

CITY OF LOS ANGELES

State Court Denies Gun Stores Request

A Superior Court Judge denied a request to issue a Temporary Restraining Order (TRO) of the Mayor's Executive Order which deems gun stores non-essential businesses. Turner's Operations has sued the City and filed for the TRO. On April 6 Federal Court Judge Andre Birotte Jr. denied a request for a similar TRO.

Judge Hears Plans for Camper Parking on Skid Row for Homeless

A federal judge whose focus on the lack of working sanitation facilities on Skid Row resulted in the quick installation of dozens of new toilets and sinks in response to the coronavirus threat turned his attention to the scarcity of safe parking for the homeless living downtown in campers. Judge David Carter had asked attorneys for the City of Los Angeles and County to come up with safe areas for recreational vehicle parking in the blighted 50-block area and present possible options. Potential parking sites include a state-owned site at 16th and Maple, which was apparently earmarked for shelters. A filing by the Orange County Catholic Worker, which joined the suit as a court-approved intervenor, stated that more than 16,500 people – about 28% of the unhoused community in the City and county live in vehicles. Late last week, attorneys for the City and county told the judge that sanitation facilities would be serviced and maintained daily on Skid Row.

Testing for People with Symptoms

Mayor Garcetti said because the City and county now have enough test kits, individuals will not be prioritized based on risks associated with the virus. People who had underlying health conditions or those who are 65 and older were selected to be tested first before yesterday. People can sign up for tests at a website open to Los Angeles City and County residents. Click [here](#) to reach the testing portal.

Relaxed Parking Laws

As the City's Safer at Home orders were recently extended by the Mayor to May 15, he said the relaxed parking laws will also be extended to that date. The Los Angeles Department of Transportation is not issuing citations to people who don't move their cars on sweeping street days, and non-metered parking limits in residential areas are also not being enforced. Commercial areas and parking near businesses deemed essential by the Safer at Home orders will still be enforced. Examples of the relaxed parking laws are available at [here](#).

Artists Grants

The Mayor announced financial relief grants will be made available to artists who are struggling through the Pandemic, and the City's Department of Cultural Affairs has compiled a list of "arts resources." The emergency relief grants are for people whose shows were canceled or if they experienced other hardship due to the Pandemic. The first round of funding is only available if people apply by May 1. Click [here](#) for more information.

LONG BEACH

Interim Long Beach City Manager Gets Job on Permanent Basis

Thomas B. Modica was appointed as Long Beach's city manager after filling the role on an interim basis since September. The City Council voted unanimously to appoint Modica to replace Patrick H. West, who resigned at age 65, intending to working in the private sector as a management consultant. Modica started working for Long Beach as a management assistant in 2002, later becoming the director of government affairs and strategic initiatives, deputy city manager and assistant city manager, according to his biographical information

SACRAMENTO

Criteria for lifting Stay-At-Home Order

Governor Newsom said [six key indicators](#) will guide his thinking for when and how to modify the stay-at-home and other orders during the COVID-19 Pandemic. The Governor noted that the progress in flattening the curve, increased preparedness of our health care delivery system and the effects of other COVID-19 interventions have yielded positive results. However, these actions have also impacted the economy, poverty and overall health care in California. Any consideration of modifying the stay-at-home order must be done using a gradual, science-based and data-driven framework.

The Governor said that until the State builds immunity, his actions will be aligned to achieve the following:

- Ensure our ability to care for the sick within our hospitals;
- Prevent infection in people who are at high risk for severe disease;
- Build the capacity to protect the health and well-being of the public; and
- Reduce social, emotional and economic disruptions

California's six indicators for modifying the stay-at-home order are:

- The ability to monitor and protect our communities through testing, contact tracing, isolating, and supporting those who are positive or exposed;
- The ability to prevent infection in people who are at risk for more severe COVID-19;
- The ability of the hospital and health systems to handle surges;
- The ability to develop therapeutics to meet the demand;

- The ability for businesses, schools, and childcare facilities to support physical distancing; and
- The ability to determine when to reinstitute certain measures, such as the stay-at-home orders, if necessary.

The Governor said there is not a precise timeline for modifying the stay-at-home order, but that these six indicators will serve as the framework for making that decision. He also noted that things will look different as California makes modifications. For example, restaurants will have fewer tables and classrooms will be reconfigured. To view the Governor's PowerPoint, click [here](#). To read the joint announcement between Oregon Governor Kate Brown, Washington Governor Jay Inslee and Governor Newsom, click [here](#).

Insurance Commissioner Requires Companies To Fairly Investigate All Business Interruption Claims Caused By COVID-19

Insurance Commissioner Ricardo Lara and the Department of Insurance issued a [Notice](#) requiring insurance companies and other Department licensees to comply with their contractual, statutory, regulatory, and other legal obligations and fairly investigate all business interruption claims caused by COVID-19.

The [Notice](#) and existing California regulations require insurance companies and other licensees to:

- Comply with their contractual, statutory, regulatory, and other legal obligations with all California insurance claims, including, but not limited to, business interruption insurance claims, event cancellation claims, and other related claims filed by California businesses.
- Acknowledge the Notice of claim immediately but in no event more than 15 calendar days after receipt of the Notice of claim.
- Provide the policyholder with the necessary forms, instructions, and reasonable assistance, including but not limited to, specifying the information the policyholder must provide in connection with the proof of claim and begin any necessary investigation of the claim.
- Accept or deny the claim, in whole or in part, immediately, but in no event more than 40 days after receipt of the proof of claim. The amount of the claim accepted or denied by the insurer must be clearly documented in the claim file unless the claim has been denied in its entirety.

The Department of Insurance strongly encourages businesses to review their policies, including policy exclusions, coverage limits, and applicable deductibles, and contact their insurance companies to determine what their policies cover as each insurance policy is different and the coverage varies. Click [here](#) to read the entire Notice.

California Sales and Use Tax

California Sales and Use Tax - California sales and use tax returns have been granted automatic extensions to file and pay. Any business with sales tax liability under \$1,000,000 has until July 31, 2020, to file the first quarter 2020 sales tax returns and pay the sales tax. In addition, small business taxpayers with less than \$5,000,000 in annual taxable sales can request a 12-month, interest-free payment plan for up to \$50,000 of sales and use tax liability. This request can be made online in the coming months. For more information, click [here](#).

California excludes health care workers, emergency responders from federal sick leave

Many California state workers in hospitals, prisons, parks and law enforcement are not eligible for the federal government's recent expansion of paid sick time and family leave, according to new guidance from the California Department of Human Resources. The federal Families First Coronavirus Response Act provides two weeks of paid sick leave and 10 weeks of family and medical leave to most public and private workers affected by the coronavirus. [The law](#), which went into effect April 1, covers parents of children whose schools or daycares have been closed. The federal law creates an exclusion for health care providers and emergency responders. [CalHR](#) published a list of [job classifications](#) the State has excluded from the federal benefits.

The list includes about two dozen classifications at the California Highway Patrol along with dozens more at the departments of Corrections and Rehabilitation, State Hospitals, and Parks and Recreation. The list includes doctors, nurses, patrol and peace officers along with lifeguards, painters, mechanics, chaplains and many other classifications. CalHR first published guidance on April 1 for the H.R. officers at departments charged with administering the new benefits for state workers.

Additional Funding for Child Welfare programs

Governor Newsom announced new investments, totaling \$42.0 million over the next three months, to support foster youth and reduce child abuse during the COVID-19 crisis. The Governor's announcement can be found [here](#).

NATIONAL

Economic Injury Disaster Loan Advance

A few people have inquired about the difference between Paycheck Protection Program and the full EIDL Loan. The SBA is providing small business owners and non-profits impacted by COVID-19 with the opportunity to obtain up to a \$10,000 Advance on their [Economic Injury Disaster Loan](#) (EIDL). The Advance is available as part of the full EIDL application and will be transferred into the account you provide shortly after your application is submitted. To ensure that the greatest number of applicants can receive assistance, the amount of your Advance will be determined by the number of your pre-disaster (i.e., as of January 31, 2020) employees. The Advance will provide \$1,000 per employee up to a maximum of \$10,000. The other loan program, the [Paycheck Protection Program](#), which is available through participating lenders. Below is a comparison of the two loan programs:

Paycheck Protection Program

Full EIDL Loan

| | | |
|--------------------------|---|--|
| PURPOSE | Forgivable if used for payroll (minimum of 75% of the funds received) and the remaining for certain operating expenses (amount of any EIDL advance is not forgivable) | To meet financial obligations and operating expenses that could have been met had the disaster not occurred (amount of any EIDL advance is forgiven) |
| TERMS | Up to \$10 million 1% interest rate | Up to \$2 million 3.75% for businesses 2.75% for non-profits |
| FORGIVABLE | YES | NO – EIDL Loan YES – EIDL Advance |
| MATURITY | 2 years | 30 years |
| FIRST PAYMENT DUE | Deferred 6 months | Deferred 1 year |

To locate a Paycheck Protection Program Lender, click [here](#). Information on available resources may be found [here](#).

Stimulus Checks & IRS Online Tool

The IRS launched a new online tool that helps those who don't regularly file a tax return to get their stimulus check faster. This may include individuals who aren't required to file a federal tax return or who earn below a certain annual income threshold such as \$12,200 for individuals and \$24,400 for married couples. Click [here](#) to access the tool.

Centers for Disease Control and Prevention Updates

The CDC has published several updates on the COVID-19.

- [Visiting Parks and Recreational Facilities](#)
- [Strategies for Optimizing the Supply of N95 Respirators](#)
- [Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](#)
- [Decontamination and Reuse of Filtering Facepiece Respirators](#)
- [Coronavirus and Travel in the United States](#)
- [Guidance for Childcare Programs that Remain Open](#)

WHAT WE'RE READING

Port Of LA Outlines New Challenges

Port of Los Angeles Executive Director Gene Seroka outlined the responsibilities and challenges he and his staff are facing dealing with COVID-19. To read more, click [here](#).

Landlords Say COVID-19 Relief Not Helping Them

With trillions of dollars funneling out to small businesses, taxpayers and others to deal with ramifications of the COVID-19 Pandemic, members of one group said so far; they're not included. Commercial property owners, in many cases landlords whose own revenue streams have gone dry with businesses shuttered and rents unpaid, said they'd like to see governments think about policies that could give them some relief. A statewide association of commercial property owners has also raised the issue. To read more, click [here](#).

Understanding The Federal Reserve's Main Street Lending Program

COVID-19 has rendered companies of all sizes in need of liquidity. However, the federal relief programs previously enacted have focused on small businesses or large companies, with mid-size companies often excluded from federal relief. To help narrow this gap, the Federal Reserve, with the approval of the Treasury Secretary, announced on April 9, 2020, via a [press release](#), the details of the Main Street Lending Program (the Program). To read the full story, click [here](#).

FBI Warns of Advance Fee and BEC Schemes Related to Procurement of PPE and Other Supplies During COVID-19 Pandemic

The Federal Bureau of Investigation is providing this industry alert to warn government and health care industry buyers of rapidly emerging fraud trends related to procurement of personal protective equipment (PPE), medical equipment such as ventilators, and other supplies or equipment in short supply during the current COVID-19 Pandemic. To read the full story, click [here](#).

Looking for an alternative to Zoom?

KTLA Tech reporter lists several options for people who do not want to use Zoom. Click [here](#) to read his story.