

COVID-19 Update From EKA – June 15, 2020

Stay At Home Order Day 88

Today is day 88 of the [statewide "Stay-at-Home" Order](#). 96 days ago, the World Health Organization declared COVID-19 a Pandemic. Safer at Home orders have 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 member of the EKA team. If you have a specific COVID-19 question, click [here](#) and we will attempt to answer it in our update.

LOS ANGELES COUNTY

Reopening Businesses

Los Angeles County entered [Phase 3 of reopening](#) businesses and recreation facilities. As detailed in our last update, Health Orders were relaxed in Los Angeles County, allowing businesses such as museums, gyms, galleries, RV parks and zoos to reopen, provided they impose restrictions such as ensuring social distancing and requiring face coverings for employees and visitors. County health officials noted that the rate of spread of COVID-19 was inching higher, potentially threatening the availability of intensive-care unit hospital beds within two to four weeks. The concerns, however, didn't stop the county from moving forward with its new health order, which allowed the opening of numerous businesses. For businesses and attractions that do reopen, restrictions will have to be enforced, including face coverings and social distancing and rigorous cleaning and sanitation regimens. Just because the county has cleared the businesses to reopen does not mean all of them automatically will. For example, the Los Angeles Zoo issued a statement saying it does not anticipate reopening until July, with officials still making preparations to resume operating. The directives are contained in sector-specific protocols that guide reopening and are available [here](#).

LONG BEACH

Long Beach Issues Amended Health Order

The Department of Health and Human Services issued amendments to the "Safer at Home" Order that will allow more businesses to reopen, with restrictions. The amended Safer at Home Order is available [here](#). The Order permits many businesses to open, with restrictions. The following are links to some of the new Physical Distancing and Sanitation Protocols that were released :

- [Gym and fitness facilities](#)
- [Day camp](#)
- [Museum, gallery, and aquarium](#)

- [Hotels, lodging, and short-term rentals](#)
- [Music, film, and television production](#)
- [Professional sports leagues and facilities](#)

Local Initiatives Support Corporation Grant

The Small Business Relief Grants, which are part of LISC's Rapid Relief & Recovery Fund programs to help businesses with immediate financial support, is now open for another round of applications. Grants will be made in the amounts of \$5,000, \$7,500, and \$10,000, and \$20,000. Applications must be submitted by Wednesday, June 17 at 8:59 p.m. (PT). Before completing the application, review the Grant Information Overview and FAQ, [which can be found here](#). Priority will be given especially to entrepreneurs of color, women-and veteran-owned businesses, and other enterprises in historically under-served places who don't have access to flexible, affordable capital. To apply, click on the following link: [Grant Application](#).

Long Beach Drive-In Dining Guidelines

The City of Long Beach is now allowing restaurants to begin offering drive-in dining. While most restaurants can begin offering this service without additional City approvals, some will have to obtain a Special Event Occasional Permit. Restaurants are prohibited from serving alcohol to customers dining in their vehicles. Gatherings outside of the vehicle are also not permitted at this time. With the exception of live performances, music and on-site entertainment are allowed if individuals remain in their vehicles and are physically distanced.

Aquarium Of The Pacific Reopened

New safety guidelines have been implemented to ensure the safety of visitors, which include requiring face masks, practicing social distancing and limiting party sizes to six people. Visitors will also have their temperatures checked upon arrival. A reimagined Tropical Pacific Gallery features new exhibits that explore coral reefs and the important role they play in the ecosystem.

CULVER CITY

Additional Sectors Reopening

Culver City issued [a new Public Order](#) allowing additional business types and recreational facilities to reopen beginning June 12. The Order mirrors the [Health Officer Order](#) issued by the Los Angeles County Department of Public Health (Public Health) on June 11, 2020. Businesses are required to follow [Public Health's sector specific protocols](#), including infection control and distancing requirements. Links to Public Health's protocol's for the specific sectors are available below:

- [Gyms and fitness facilities](#)
- [Day camps](#)
- [Museums, galleries, zoos and aquariums](#)
- [Campgrounds, RV parks and outdoor recreation](#)
- [Music, film and television production](#)

- [Hotels, lodging and short-term rentals for tourism and individual travel](#)

SACRAMENTO

New Rules For Rationing Medical Equipment

What happens if there isn't enough medical equipment available to treat every person who gets sick with COVID-19? Who gets an ICU bed? Who gets a ventilator? The California Department of Public Health has a new plan for that worst-case scenario. The CDPH released new [pandemic crisis care guidelines](#), after more than 60 community and advocacy organizations objected to the first set of guidelines the department released in April. CDPH has been scrambling to stockpile medical equipment over the past three months to make sure that scenario never occurs. The new guidelines are meant to help healthcare providers decide which patients would get a bed in an intensive care unit, get a ventilator, or receive other lifesaving treatments in the event that there are more patients than necessary resources. The revision makes it clear that health care providers are not allowed to prioritize patients differently on the basis of age, disability, or certain pre-existing conditions — three categories that were used to triage patients in the original guidelines

LEGAL DEVELOPMENTS

Governor's Powers Checked by the Courts

State Superior Court judge granted two Assemblymembers request for a Temporary Restraining Order against Governor Gavin Newsom. The restraining order suspends the Governor's recent [Executive Order N-67-20](#) regarding the conduct of elections, and further restrains him from "exercising any further legislative powers in violation of the California Constitution and applicable statute, specifically from unilaterally amending, altering, or changing existing statutory law or making new statutory law." The Governor's Executive Order changed a variety of state election laws, including the elimination of public meetings with protected groups such as Californians with disabilities and limited English proficiency. [Click here to read the entire Order](#) issued by the Sutter County Superior Court.

Class Action Cites COVID-19 Price Gouging

A customer filed a class action lawsuit against the parent grocery chain Albertsons for selling essential items at inflated prices in violation of a California law that prevents price increases greater than 10 percent during a state of emergency. Eleisha Redmond says she paid \$19 for a package of Angel Soft toilet paper that would normally be less than \$11 at the same location in San Francisco after California declared a state of emergency on March 4. According to the complaint, California has enacted strict measures to fight profiteering in the event of a public health crisis. In fact, points out the class action lawsuit, this kind of exploitation is a criminal offense under California's consumer protection laws. This is not the first lawsuit over price gouging filed since the coronavirus pandemic began, or even the first time Albertsons has been named in such a case. In late April, a group of consumers filed a lawsuit against a slew of stores,

including Whole Foods, Walmart, Trader Joe's, Costco, Amazon, Albertsons, and Kroger Co. for tripling the price of eggs after a state of emergency was declared. To view the case, click [here](#).

Wrongful Death Lawsuit

A new lawsuit claims that at least 51 other Safeway workers contracted the coronavirus in "dangerous and hazardous conditions" at the company's warehouse, but they were not given personal protective equipment nor did they social distance. The lawsuit claims that they were forced to work in close quarters and deterred by their employer from calling in sick.

McDonald's COVID-19 Class Action Lawsuit

McDonald's has also been accused of not providing employees with necessary protective equipment from coronavirus, but the class action lawsuit wants the fast-food giant to "provide employees with enough gloves, masks and hand sanitizer, in addition to training on how to prevent the spread of the virus. Employees at one Chicago location claimed they only received masks after striking, and afterward they were given only one mask each to wear every shift. The lawsuit states that "The damage done by McDonald's decisions is not confined to the walls of its restaurants, but instead has broader public health consequences for ...the entire country."

REOPENING

Nail Salons, Tattoo Parlors Can Begin Reopening

The Health and Human Services Agency said they would give counties the green light this week to allow nail salons and tattoo parlors to reopen based on local conditions and with the approval of county governments. The reopening day will be this Friday, June 19. The decision marks yet another notable step toward reopening much the California economy after it was shut down abruptly by Newsom's March 19 "[Stay at Home Order](#)" in the early days of the coronavirus pandemic. The decision to finally reopen thousands of salons and parlors around the state was made because officials believe the state and counties are, so far, maintaining a handle on virus cases. As detailed in our updates, many counties are allowing movie theaters, bars, wineries, fitness centers and gyms to reopen. Nail salons have been considered a higher-risk interaction site for COVID-19 transmission. The state is issuing guidelines for reopening salons, including mask-wearing, cleaning and limiting the number of customers

NATIONAL

CDC Issues Tips on Going Out

The Centers for Disease Control and Prevention posted guidelines for organizing and [attending big gatherings](#) such as concerts, sporting events, protests and political rallies. As noted in our previous updates, the CDC has put out many sets of guidelines, including some for churches, camps, schools and transit agencies. But until now, the organization hasn't offered specific advice to people trying to decide whether to take vacations, get their nails done, host barbecues, visit a bank or library, go out to eat or exercise at a gym. CDC suggestions for social distancing:

- When dining out, see if there's an option to sit outside, or ensure that tables are 6 feet apart. Before you go call and ask if all staff are wearing cloth face coverings while at work. When possible, avoid items that are self-serve to limit the use of shared serving utensils.
- If you have a cookout, try to use disposable dishes and cutlery, practice hand hygiene and avoid sharing frequently-touched items like tongs, serving utensils and condiments. Remind guests to stay home if they've been exposed to COVID-19.
- If you hit the gym, don't share items that can't be cleaned and refrain from high fives and elbow bumps. Limit attendance at indoor group training sessions.
- When your library reopens, ask about possible curbside pickup of books.

To read the full list of CDC tips, click [here](#).

Paycheck Protection Program

Senators are urging the Treasury Department and Small Business Administration to simplify the process for businesses to receive loan forgiveness under the Paycheck Protection Program (PPP). Every member of the Senate Democratic caucus signed a letter encouraging Treasury and the SBA to streamline the process, arguing that doing so would be particularly helpful for the smallest and most underserved businesses. As detailed in our previous updates, the Treasury and the SBA released a form last month for businesses to use to apply for loan forgiveness. The Senators said that they'd heard concerns from companies and lenders that the form is complex. "The 11-page form that must be completed to secure forgiveness is especially burdensome, time-consuming, and costly for very small and underserved businesses, including microbusinesses, sole proprietorships, rural, and minority-owned small businesses," the senators wrote. In a separate letter, a bipartisan group of more than 40 senators urged Treasury and the SBA to revise the loan forgiveness application form so that it is no more than one page long for loans under \$250,000.

Legislation

The House and Senate have conducted a series of virtual hearings this week related to COVID-19, and one of the notable hearing exchanges occurred during a discussion on the Paycheck Protection Program between Senator Susan Collins and Treasury Secretary Steven Mnuchin. In the exchange (according to the Bloomberg News), Treasury Secretary Mnuchin said he would "very seriously" look at the possibility of allowing some businesses to seek more PPP aid if Congress wished to consider. The focus on liability protection for employers remains a priority in both congressional bodies, and Senator John Cornyn has confirmed that Senate Republicans are drafting legislation to let employers choose which government COVID-19 safety guidelines to follow to be protected from lawsuits if their customers or employees contract the virus. This issue is expected to be a key area of contention in discussions between the Democrats and Republicans as the next stimulus bills begins to take shape.

PPP Loan Funds Are Still Available

Although the first batch of \$349 billion in PPP funding ran out in less than two weeks, the second allotment of \$310 billion has seen considerably less demand, likely due to controversy over how the money was distributed and concerns over the feasibility of qualifying for loan

forgiveness. According to the SBA, more than \$510 billion in PPP loans had been, which suggests that roughly \$149 billion is still available to potential applicants. The deadline to apply for a PPP loan is June 30.

QUESTIONS EKA HAS RECEIVED

What Are the Forgiveness Rules on Payroll Protection Program Loans?

Without repeating in detail information that is our previous updates, business owners who want their Paycheck Protection Program loans to be forgiven need to make sure they spend at least 60% of the loan on payroll costs within 24 weeks of receiving the money. Payroll costs include salary, wages, tips, and payments for vacation, parental, family, medical, or sick leave. It also includes allowances for separation or dismissal and payments for benefits such as group healthcare coverage and retirement. The maximum for each employee is \$15,385. Businesses that adhere to the 60% rule could get their entire loan and the 1% interest forgiven. "A lot of companies would not have applied for the Paycheck Protection loans if it weren't for the forgiveness aspect. The remaining 40% of the loan can be spent on expenses such as utility payments, rent, or mortgage interest. The loan could also cover employee parking or public transportation expenses, which many companies subsidize. Businesses that spend less than 60% of the loan on payroll expenses will have to repay part of the loan at 1% interest. For instance, if 45% of the loan is spent on rent and 55% of payroll, the borrower will have to repay 5% of the loan at an interest rate of 1%. Companies need to maintain the same monthly average of full-time employees. Companies also must not reduce wages by more than 25% for those who were paid less than \$100,000 in 2019.

WHAT WE'RE READING

Analysis: Data From 15 Million Phones Shows Some Americans Are Gathering At Pre-Pandemic Levels

Americans have been keeping their distance from one another since late March. But new data suggests that those habits are coming to an end for more than 10 million people. According to an NBC News analysis of cellphone location data provided by the analytics and marketing company Cuebiq, people in more than 450 counties across the country have started to come near one another more frequently. And as people begin to gather in greater numbers, health officials are watching for a new round of coronavirus spikes. To read the full article, click [here](#).

Pushing Through As Many Job-Killer Bills As Possible To Advance Leftist Agenda

The California economy is struggling after the COVID-related state lockdown order by Gov. Gavin Newsom in March. Newsom's stay-at-home orders forced "non-essential" businesses to close, and led to record unemployment insurance claims. Faced with a \$54.3 billion deficit following the lockdown, many anticipated that Gov. Newsom and the Democrat-controlled Legislature would use the economic crisis to then be the heroes to save California. Now, it's looking as if California's Democrats can't help themselves or ignore their impulses. To read the full article, click [here](#).

Labor Group Loses Bid for Virus Safety Protections

The D.C. Circuit on Thursday rejected a lawsuit from the AFL-CIO claiming the Trump administration is not doing enough to protect workers during the Covid-19 pandemic. A three-judge panel said in an unsigned, two-page order that the Occupational Safety and Health Administration acted reasonably in determining that an emergency temporary standard is unnecessary during the outbreak of the novel coronavirus, which has so far has killed over 113,000 Americans, according to a Johns Hopkins University tracker. To read the full article, click [here](#).

Prison Admissions Resume as COVID-19 Spreads

The COVID-19 crisis triggered an eight-week moratorium on prison admissions that helped reduce California's prison population to a level not seen for more than 25 years. On May 26—as demonstrations decrying police violence and systemic racial inequality spread across the nation—California resumed admitting prison inmates. Resuming admissions without also accelerating prison releases could reverse the latest reductions in prison population, and further increase overcrowding in an environment challenged by a deepening COVID-19 outbreak. In the weeks since May 26, when the suspension was lifted, the number of actively infected prisoners increased by nearly 150%— from less than 1,000 cases to more than 2,400 cases. To read the full article, click [here](#).

Feds Sued Over Info Related to Coronavirus at Calif. Detention and Border Patrol Stations

Los Angeles legal aid organization is suing the U.S. Department of Homeland Security and other governmental agencies, seeking to compel the release of records regarding COVID-19 outbreaks at immigration detention centers and Border Patrol stations. The lawsuit was filed in federal court in Los Angeles under the Freedom of Information Act by Al Otro Lado and the Edwin F. Mandel Legal Aid Clinic at the University of Chicago Law School. To read the full article, click [here](#).

LA Legal Aid Group Files Suit Over COVID-19 Procedures Information

A Los Angeles legal aid organization sued the U.S. Department of Homeland Security and other governmental agencies Thursday, seeking to compel the release of records regarding COVID-19 outbreaks at immigration detention centers and Border Patrol stations. To read the full article, click [here](#).

Second stimulus check: July 2020 timeline, how much you could get, pros and cons

If Washington does start work on a second stimulus package in 2020, it won't be till late July, after Congress returns from a two-week recess, CBS News reports. Before White House and Republican leaders do begin negotiating the details of a new stimulus proposal, they want to evaluate how much money allocated to the first stimulus checks and other aid for businesses has actually been spent, CNBC reports. To read the full article, click [here](#).

CalChamber Recommends Ways to Fire Up Economy

Setting liability limits for employers facing lawsuits over COVID-19 exposure, postponing the 2021 minimum wage hike, and expediting retraining programs for unemployed workers are some ways lawmakers and the Governor can help ensure California's economy recovers from the pandemic crisis, the California Chamber of Commerce told state leaders in a letter this week. The May 26 letter, addressed to California Governor Gavin Newsom, Assembly and Senate leaders, and members of the Legislature, pointed out that the private economy is the engine that creates jobs and tax revenue to support state spending, including critical government services threatened with cuts. To read the full article, click [here](#).

US Coronavirus Survivor Receives Double Lung Transplant After Virus Leaves Holes In Lungs

Surgeons in Chicago have given a new set of lungs to a young woman with severe lung damage from the coronavirus. Only a few other COVID-19 survivors, in China and Europe, have received lung transplants.

The patient, who is in her 20s, was on a ventilator and heart-lung machine for almost two months before her operation last Friday at Northwestern Memorial Hospital. To read the full article, click [here](#).

States Divided On Coronavirus-Tracing Apps

The world is rushing to use smartphones to help fight the global coronavirus pandemic, but efforts to do the same in the U.S. are running into an all-too-familiar challenge. To read the full article, click [here](#).

Post-COVID-19 Employee Challenges Extend Beyond Automation

Even prior to COVID-19, financial services, like many other industries, felt disrupted by technological advancements. The pandemic has accelerated much of what we predicted about the future of work into a considerably shorter time frame. The pressure to adapt that traditional financial services organizations have been feeling will only increase after COVID-19. To read the full article, click [here](#).

A Candid Discussion on the Effects of COVID-19 on Employment Law

As a result of being on the other side of many disputes with Littler, I was aware of their multi-functional knowledge base, for both client counseling and litigation. Covid-19 has obviously upended all facets of employment law. I sat down with Harry Jones, a Littler partner who is helping spearhead their Covid-19 practice, to get his perspective on this monumental change. To read the full article, click [here](#).

How we analyzed the link between COVID-19 and crowded housing in California

When coronavirus began spreading in California, public health officials told people who fell ill to isolate themselves in their homes for two weeks. But many California families simply can't do that. Forced by the high cost of living, parents squeeze into rooms with their children, cousins sleep on couches, grandparents convert living rooms into bedrooms and farmworkers pile into barracks-style bunk beds. To read the full article, click [here](#).

Germany's Carmakers Face A 'Toxic Mix' Of Challenges As They Emerge From Coronavirus Crisis

Germany's car industry has reopened for business following the coronavirus epidemic. The sector supports tens of thousands of jobs in Germany and exports are vital to the whole country's economy. Consumer demand has fallen and the industry faces big challenges in the transition to greener technology. To read the full article, click [here](#).

Dow Plunges Nearly 7% On COVID-19 Fears, Economic Forecasts

The Dow Jones Industrial Average plummeted more than 1,860 points, or 6.9%, on Thursday as investors seemed concerned about new spikes in COVID-19 cases and on the heels of two gloomy economic forecasts. Meanwhile, the S&P 500 closed down 5.9% and the Nasdaq tumbled 5.3%. Thursday marked the worst day for U.S. financial markets since March 16, when the impact of the coronavirus pandemic first began to hit Wall Street. To read the full article, click [here](#).

Coronavirus: Do I have to go back to the office when it reopens?

With state and local governments allowing more businesses to reopen, employers and employees have questions about what they should — and shouldn't — expect in the workplace. The state has issued guidelines for various types of business, but little has prepared most of us for navigating a return to work during a pandemic when missteps could kill. We contacted employment law experts and state authorities to help answer questions about the new rules, including everything from disclosing workplace cases to temperature screening. The answers were drawn from interviews with employment lawyer David Barron, Jim Brudney, a labor law professor at Fordham University in New York City, and California agencies. To read the full article, click [here](#).

California Lawmakers Bristle At Newsom's Use Of Executive Power During Coronavirus Crisis

When the California Legislature voted to recess in mid-March during the height of concerns over the spread of the coronavirus, few lawmakers realized they were clearing the way for Gov. Gavin Newsom to assume unprecedented control of state government. The Democratic Governor has been widely credited for using his executive authority to prevent a massive surge of the virus early in the pandemic. At the same time, his unilateral decision-making has also fueled bipartisan frustrations in the Legislature, where lawmakers are still struggling to balance the scales of power with Newsom's administration. To read the full article, click [here](#).

Can You Travel In California? Official Signals Conflict

Californians, are you now free to move about the state? It seems you are, if you judge by the flurry of hotel, casino and park openings in California, Las Vegas and the rest of the West in recent days, including a big burst of reopenings Friday with Disneyland to follow on July 17. At popular destinations like Santa Barbara, Napa Valley and Los Angeles, tourism boosters are eagerly inviting the masses back and treating the state's stay-at-home Order as history. But that's not what public health officials are saying, at least not yet. To read the full article, click [here](#).

How CalMatters Analyzed The Link Between COVID And Overcrowded Housing

When coronavirus began spreading in California, public health officials urged people who fell ill to isolate themselves in their homes for two weeks. But many California families simply can't do that.

Forced by the high cost of living, parents squeeze into rooms with their children, cousins sleep on couches, grandparents convert living rooms into bedrooms and farmworkers sleep in barracks-style bunk beds. We decided to investigate how overcrowded housing may be exacerbating the pandemic's toll in California's hard-hit communities. To read the full article, click [here](#).

There Won't Be Another COVID-19 Lockdown. Here Are 3 Reasons Why

A number of factors have supported the recovery, including signs that the economy is bouncing back, a sense of bullishness among traders who may be pushing some stocks into bubble territory, and a lack of new spikes in coronavirus cases, even as many states began reopening their economies over a month ago. While fears of a second wave of infections persist and some epidemiologists have warned that a significant outbreak could return in the fall, another lockdown like the one we just saw across the country has little chance of happening. Here's why: To read the full article, click [here](#).

Federal Agencies Have Spent Millions On KN95 Masks, Often Without Knowing Who Made Them

Government employees at several agencies are relying on KN95 masks that the agencies cannot guarantee to offer the most protection. Some agencies have paid little attention to important manufacturing details and been tripped up by shifting regulations. To read the full article, click [here](#).

Emails Reveal Chaos as Meatpacking Companies Fought Health Agencies Over COVID-19 Outbreaks in Their Plants

Thousands of pages of documents obtained by ProPublica show how quickly public health agencies were overwhelmed by meatpacking cases. One CEO described social distancing as "a nicety that makes sense only for people with laptops." To read the full article, click [here](#).

California's Surge in COVID-19 Cases Linked to Increased Testing, CHHS Secretary Says

As we slowly transition back to a point of pre-coronavirus normalcy, counties across the state are seeing swells in COVID-19 cases. However, a California Health and Human Services (CHHS) official claims these spikes are because of increased testing — and not due to businesses reopening. To read the full article, click [here](#).

Mask vendor sues bank over thwarted deal with California

Blue Flame Medical alleges that the collapse of its \$609 million mask deal with California has trashed the reputations of its politically-connected founders and led to the cancellation of other contracts. To read the full article, click [here](#).

'Who Died And Made Him King?' California County Health Officers Feel Reopening Pressure

Gov. Gavin Newsom's slow, cautious approach of reopening California has given way to a breakneck pace of restarting almost all sectors in the state — a shift that puts the burden squarely on counties as Covid-19 cases continue to rise. Come Friday, Californians will be able to do most everything but gather in large groups and get their nails done in the vast majority of counties. To read the full article, click [here](#).

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