



SIPA

Search to Involve Pilipino Americans





SIPA enriches and empowers generations of Pilipino Americans and others by providing health and human services, community economic development, arts and culture, and a place where all people of all backgrounds can come together to strengthen community.



Small Business Webcast Series: *Survival and Success*

Mon, April 6 (12:00 PM PT) – “Commercial Real Estate and Rent Relief”

- Lease obligations
- Rent relief
- Communicating with landlord and lender

Tue, April 7 (12:00 PM PT) – “Small Business Funding Opportunities”

- SBA Disaster Loans/CARES ACT
- PPP (Payroll Protection Program)
- Emergency funding available now

Wed, April 8 (12:00 PM PT) – “Everything Employment”

- Current unemployment tips
- Current employer (protection & liabilities)
- Freelance entrepreneurs

Thur, April 9 (12:00 PM PT) – “Essential PR Tips for the Pandemic”

- The 3 Basic “Be”s – Be relevant, be helpful – or be quiet!
- Being heard above the noise
- Being innovative

Fri, April 10 (12:00 PM PT) – “Not Business As Usual: Pivot & Recovery”

- Business strategies amidst the pandemic
- Internet presence and Up-volving your business online
- Lead generation and keep consumers engaged



PRESENTERS



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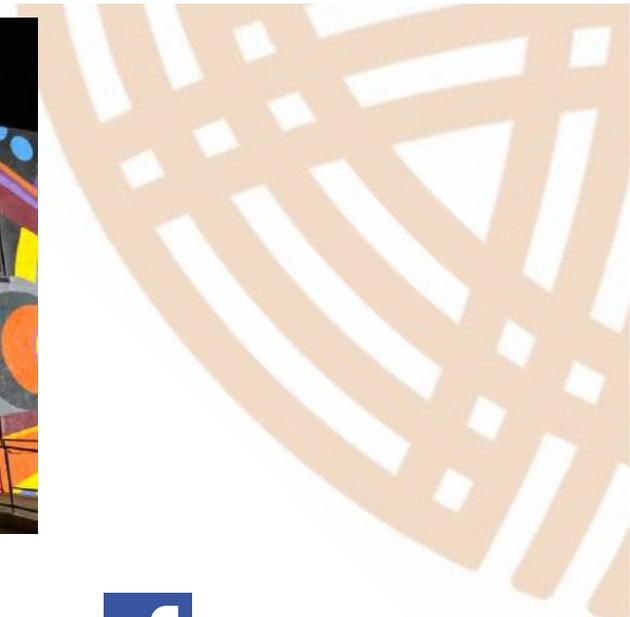
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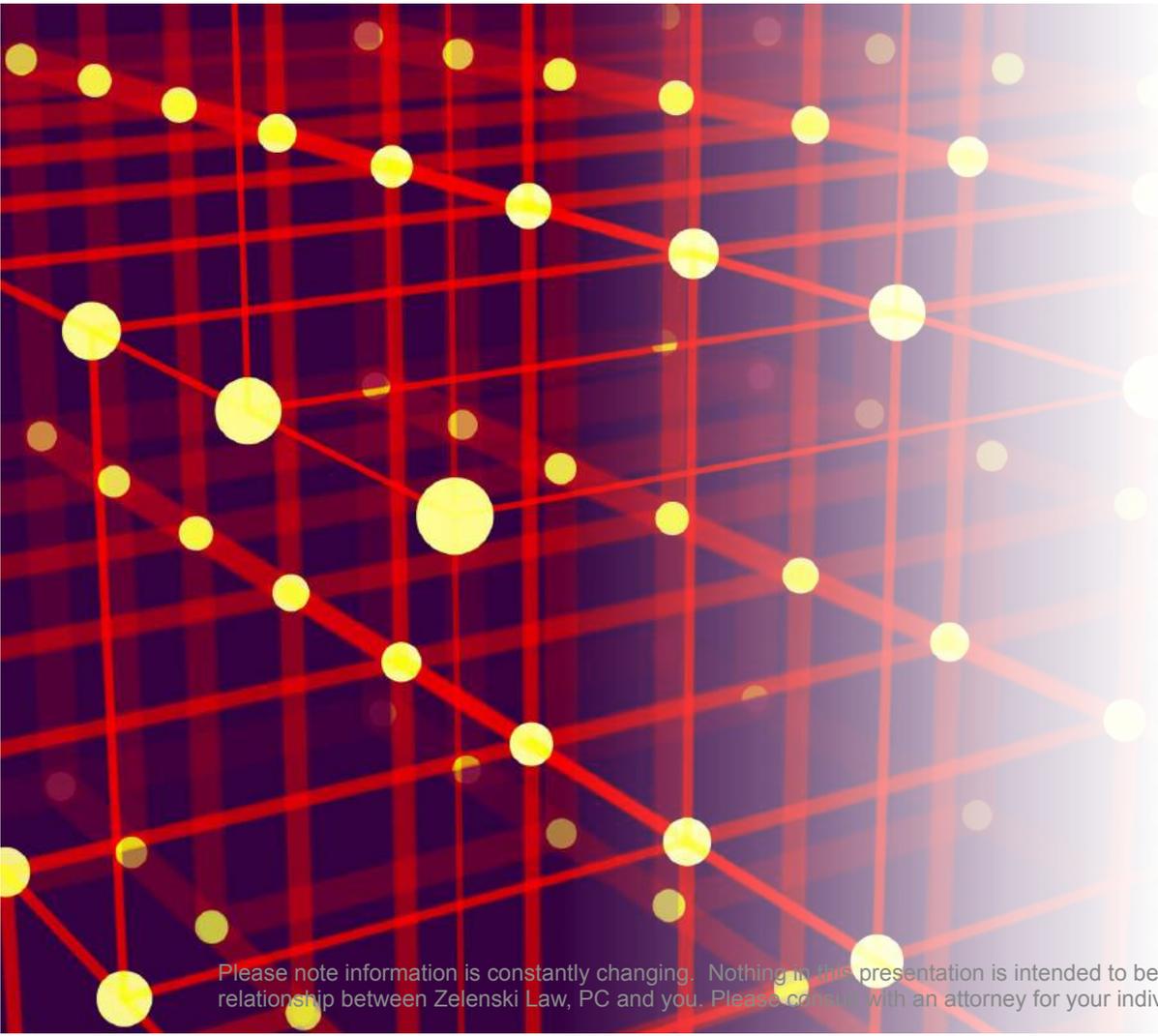
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PARTNERS





CORONAVIRUS CONSIDERATIONS FOR EMPLOYERS

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WORKPLACE SAFETY CONCERNS

- Keep track of updates from the CDC: <https://www.cdc.gov/coronavirus/2019-ncov/index.html> and WHO: https://www.who.int/health-topics/coronavirus#tab=tab_1.
- Establish a point of contact (human resources, supervisor, or owner) for employees who have concerns.
- Educate employees on how virus can be contracted. Remind employees to stay home if sick or been in contact with those who are sick.
- Duty to keep a safe workplace. Look at OSHA requirements (updated): <https://www.osha.gov/Publications/OSHA3990.pdf>
- EEOC guidelines during a pandemic (updated): https://www.eeoc.gov/facts/pandemic_flu.html
 - Send employees home who have symptoms of COVID-19.
 - Temperatures may be taken, but must maintain confidentiality, and safety measures to reduce spread. Qualifies as a medical examination, so be careful.
 - Not allowed to ask about underlying medical conditions making employee more susceptible.
 - Can require use of PPEs at work.

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WORK FROM HOME CONCERNS

- Allowing to Work From Home
 - Decision must be made on certain standards, perform functions at home, decision must be non-discriminatory
- All Employees
 - Reimbursement of expenses, e.g. WiFi, cell phone, supplies
 - Reasonable accommodations for medical conditions
- Non-Exempt Employees
 - Wage-and-hour obligations still apply
 - Timekeeping, overtime, de minimis work
 - Breaks
- Exempt Employees
 - Any work performed in a workweek triggers salary requirements for the week

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BUSINESS CONTINUITY MEASURES

- LAYOFFS
 - Final pay issues
 - Decision as to whom must be non-discriminatory
- FURLOUGHS
 - Not a legal term, might trigger final pay issues
 - Decision as to whom must be non-discriminatory
 - Any work during furlough performed must be compensated
 - Exempt: Any work during a workweek triggers full workweek's salary
 - Non-Exempt: Track time worked
- REDUCTION IN HOURS / REDUCTION IN PAY
 - Exempt: Continue to meet salary-exempt minimum (2x the state's minimum wage)
 - Non-Exempt: Continue to meet minimum-wage requirements

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FAMILIES FIRST CORONAVIRUS RESPONSE ACT **EMERGENCY PAID SICK LEAVE ACT**

Employers with 1-499 employees.
All employees eligible.

- Under **Emergency Paid Sick Leave Act**, an employee is entitled to paid sick leave either for (1) 80 hours for a full-time employee, or (2) the average number of hours that would be worked over a two-week period for part-time employee.
 - EPSL is for immediate use, no waiting time period.
 - Amount to be paid depends on why the leave is needed.
 - The employee's regular rate of pay, up to a max of \$511/day (and \$5110 max in the aggregate) if the leave is for these reasons:
 - (1) Employee is subject to a federal, state, or local quarantine or isolation order related to COVID
 - (2) Employee has been advised by a healthcare provider to self-quarantine related to COVID
 - (3) Employee is experiencing COVID symptoms and is seeking a medical diagnosis
 - The employee's regular rate of pay, up to a maximum of \$200/day (and \$2000 maximum in the aggregate) if the leave is for these reasons:
 - (4) Employee is caring for an individual who is subject to a federal, state, or local quarantine or isolation order related to COVID, or employee is caring for an individual who has been advised by a healthcare provider to self-quarantine related to COVID
 - (5) employee is caring for a son or daughter of such employee is the school or place of the son or daughter has been closed, or the childcare provider of such son or daughter is unavailable, due to COVID precautions
 - (6) Employee is experiencing any other substantially similar conditions specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

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FAMILIES FIRST CORONAVIRUS RESPONSE ACT EMERGENCY FMLA

Employers with 1-499 employees.
Any employee who has worked for employer for 30 days prior to leave.

- Under **Emergency FMLA**, the employee is entitled to paid leave ONLY IF the employee has a “qualifying need related to public emergency.” The “qualifying need related to a public emergency” is narrowly defined as: “employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.” In other words, a school closure due to COVID.
 - The first 10 days of this leave is unpaid.
 - This was done on purpose so that it could work in conjunction with the Emergency Paid Sick Leave.
 - During the first 10 days of unpaid leave, the employee can elect to use Emergency Paid Sick Leave, or any other accrued PTO that the employee has. Creative cannot dictate what PTO the employee elects to use.
 - Unfortunately, the Emergency FMLA is not clear whether 10 days means two workweeks.
 - After the first 10 days of leave, the employee is entitled to payment of:
 - 2/3 of regular pay based on the number of hours the employee would otherwise be normally scheduled to work.
 - The maximum payment is \$200/day (and \$10,000 maximum in the aggregate).

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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- There would be job protection and reinstatement while the employee is taking Emergency Paid Sick Leave or Emergency FMLA.
- Employee chooses the type of leave to take, and should be granted, if time bank is available.
- Discuss with your accountant regarding applying for tax credits for provisions of EPSL and EFMLA.
- DOL FFCRA Q&A (updated often):
 - <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

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