

A blue-tinted microscopic image of coronavirus particles, showing their characteristic spherical shape and spiky surface, serving as a background for the slide.

# How Businesses Can Survive Covid-19

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# What Shelter Orders Mean for Your Business

## Can my business...

- remain open or qualify as “essential”?
- require employees to work?
- qualify for financial help?
- fire employees and bring them back when it reopens?
- get sued for contract breach?
- sue the government or virus source?
- get help from insurance policies?





## Essential Businesses & Critical Infrastructure



**California currently has 2 levels of shelter order directives.**

**March 19th:** statewide “stay home” rules unless working to maintain continuity of operations of the federal critical infrastructure sectors

**March 31st:** the City of Berkeley & 6 Bay Area counties announced stricter rules for shelter in place until May 3rd, further defining essential status by prohibiting most residential and commercial construction unless working to maintain continuity of operations of the federal critical infrastructure sectors

Order 2’s changes from earlier lockdown rules includes a requirement that essential businesses enact tighter social-distancing and other rules for workers and customers, including banning the use of reusable bags, by Friday April 3.



# Essential Businesses

>>> See Appendix (e.g., for Alameda County)<<<

- The list of essential worker examples is very long so we've added a few slides to the end of this slideshow, titled Appendix.

Note that although your county may not currently have strict rules in place, the counties may be likely to follow the stricter approaches as time goes on, so familiarize yourself with these new terms.

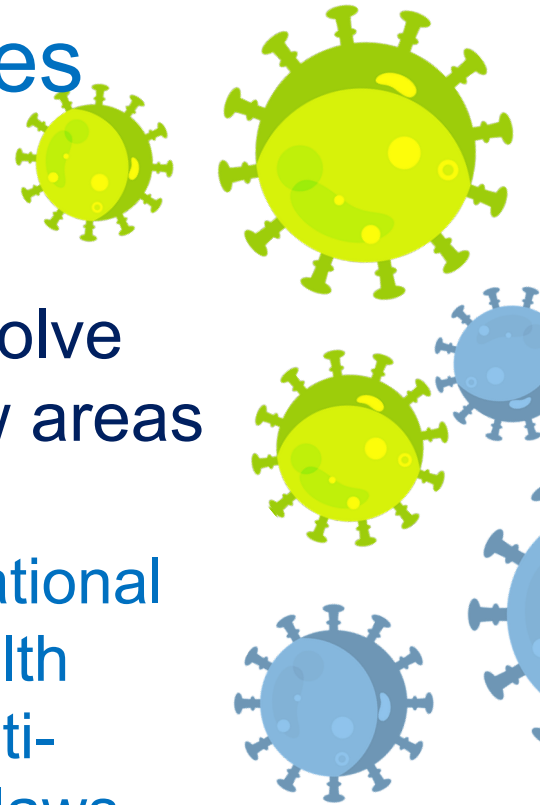


# Employer Responsibilities



Actions may involve employment law areas

- Uphold occupational safety and health regulations, anti-discrimination laws, immigration regulations, and employee privacy considerations



**There is no specific OSHA standard covering COVID-19, but existing requirements may apply to COVID-19 exposure prevention:**



OSHA's Personal Protective Equipment (PPE) standards (in general industry, 29 CFR 1910 Subpart I) require use of gloves and eye, face, and respiratory protection

The General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health (OSH) Act of 1970, 29 USC 654(a)(1) requires employers to furnish to each worker “employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm”

# Health inquiries and worker health inquiries

During this pandemic, employers may:

- Ask employees if they are experiencing any symptoms of COVID-19
- Take temperature for limited purpose of evaluating risk to others
- Send employees home if they become ill with symptoms of COVID-19
- Require workers to wear personal protective equipment (reasonable accommodation duties still apply)

**Employers MUST NOT name people who are or may test positive**

For employees who may continue working, consider:

- Safety precautions to minimize risk of exposure
- Remote work or rotating schedules
- Social distancing rules
- Mental health breaks



# Families First Coronavirus Response Act

FFCRA provides income benefits to employees working for Employers with fewer than 500 employees, if, among other reasons, employees cannot work due to isolation, advisories, or quarantine orders.

**Effective dates:** April 1, 2020 to December 31, 2020

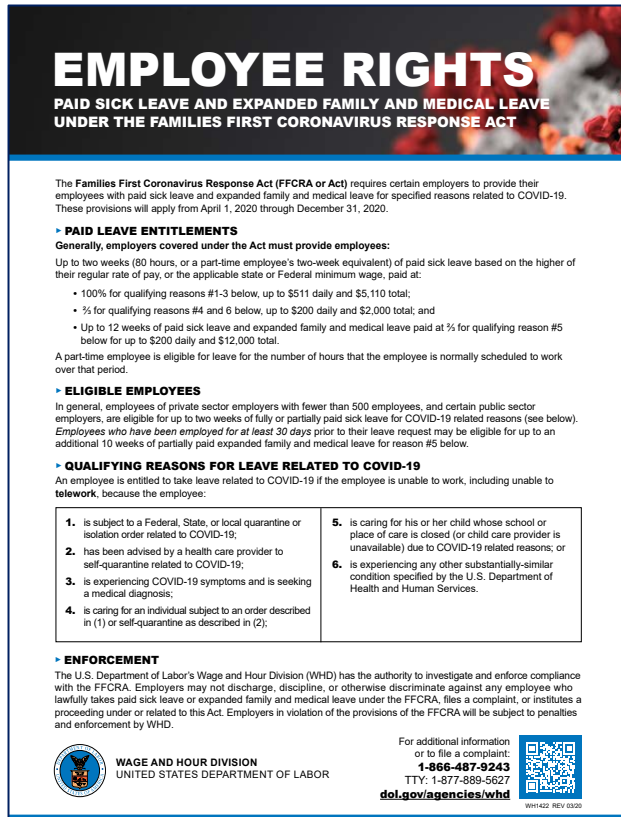
- The U.S. Department of Labor provided a new required workplace poster. Employers should post this poster in their offices ASAP and e-mail it to telecommuting and remote workers and/or post it via the employer's internal or external website

## Employers must

- **Allow employees paid sick leave at 100% pay up to 80 hours** (or 2-week PT equivalent), up to \$511 per day and \$5,110 total, if worker is (a) subject to a Federal, State, or local quarantine or isolation order, (b) advised by a health care provider to self-quarantine, or (c) experiencing symptoms and seeking a medical diagnosis (due to COVID-19), **or**
- **Allow employees 12 weeks paid sick leave** at 2/3 pay up to \$200 daily and \$12k total if employee must care for their child whose school or care provider closed due to COVID-19, **and**
- **Up to 10 more weeks of paid expanded family and medical leave** at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.



# Families First Coronavirus Response Act



**EMPLOYEE RIGHTS**  
**PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE**  
**UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► **PAID LEAVE ENTITLEMENTS**  
**Generally, employers covered under the Act must provide employees:**  
Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅓ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

► **ELIGIBLE EMPLOYEES**  
In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

► **QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19**  
An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;	5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
2. has been advised by a health care provider to self-quarantine related to COVID-19;	6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;	
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);	

► **ENFORCEMENT**  
The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

For additional information or to file a complaint:  
**1-866-487-9243**  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

WH-1422 REV. 03/20

Existing employer-provided paid leave is in addition to Emergency Paid Sick Leave Act pay, but paid leave under the Emergency Paid Sick Leave Act must be applied first

Under FLSA, there are penalties for non-compliance with sick leave

Under FMLA, there are penalties for non-compliance with expansion for childcare needs

DOL 30-day period of non-enforcement if employer acted in good faith and remedies act(s)

Employee Paid Leave poster, in English:

[www.dol.gov/sites/dolgov/files/WH/D/Pandemic/FFCRA-Employee\\_Paid\\_Leave\\_Rights.pdf](https://www.dol.gov/sites/dolgov/files/WH/D/Pandemic/FFCRA-Employee_Paid_Leave_Rights.pdf)

Same DOL poster in Spanish:

[https://www.dol.gov/sites/dolgov/files/WH/D/Pandemic/FFCRA-Employee\\_Paid\\_Leave\\_Rights\\_SPANISH.pdf](https://www.dol.gov/sites/dolgov/files/WH/D/Pandemic/FFCRA-Employee_Paid_Leave_Rights_SPANISH.pdf)

# Maintain Clear Records

Records are useful for insurance claims, tracing loan funds, and tax credits

- Employers can receive a **payroll tax credit** for qualified sick leave wages paid subject to time (i.e., next quarter) and monetary caps
- “Qualified sick leave wages” means wages, as defined in IRC 3121(a)) and “compensation,” as defined in IRC 3231(e), paid by an employer which are required to be paid by reason of the Act

## Emergency Paid Sick Leave Act

- Employee’s name
- Qualifying reason for leave
- Statement why employee cannot work, including telework, for stated reason
- Leave dates requested
- Supporting documentation, e.g., copy of gov’t quarantine/isolation order applicable to employee or written documentation by healthcare provider

## Emergency Paid Sick Leave Act

- “Appropriate documentation in support of such leave,” equivalent to “conventional FMLA requests,” e.g., posted notice by government, school, or childcare website; published in newspaper; email or paper mail from employee or school official



# California Specific Resources for Businesses

**Undocumented immigrants** can seek help via 805 Undocufund

April 2nd, Gov. Newsome announced California is allocating \$50 million to the **California Infrastructure and Economic Development Bank** for loan guarantees to small businesses. CA is also allowing small businesses payment **deferral of sales and use taxes of up to \$50,000, for up to 12 months**. Note: You must request this extension.

**The Small Business Rebuild Program (SMBX)** announced a loan program for small Bay Area businesses seeking money. SMBX will help businesses get low-interest loans by issuing short-term Bonds to their community.

Qualifications:

- At least 2 years of operating history
- Raise between \$25k to \$100k
- 2 years of consistent or growing revenue (positive net income)
- Must earn at least \$100,000 in revenue within the last year to qualify

Center for Workers' Rights Coronavirus Job Protection Helpline: (916) 905-1625

The city of SF is also establishing a COVID-19 Economic Recovery Task Force with a \$10 million emergency relief fund that will extend interest-free loans of up to \$50,000 to small businesses in crisis during the coronavirus shelter-in-place period.



# CARES Act

Congress appropriated \$350 billion for SBA Paycheck Protection Loans of up to \$10 million to small businesses impacted by COVID-19



An additional \$10 billion will go to SBA Economic Injury Disaster Loans of up to \$2 million to small businesses impacted by natural disasters—now including the COVID-19 pandemic—and modifies this program.

## WHAT SMALL BUSINESS OWNERS NEED TO KNOW: **A GUIDE TO THE CARES ACT**

# Usual SBA Rules are Reduced

- Proof that you cannot receive a loan elsewhere is not necessary
- Collateral rules and personal guarantees are relaxed

Companies that already have Economic Injury Disaster Loans may apply for a Paycheck Protection Loan if it will not duplicate the applicant's use of the Economic Injury Disaster Loan. Applicants should approach this issue with caution





# Paycheck Protection Program

Provides fully forgivable loans up to \$10 million to pay up to 8 weeks of payroll costs including benefits. Funds may also be used to pay mortgage interest, rent, and utilities.

Application processing began April 3.  
Starting April 10, independent contractors and self-employed individuals can apply.

## Can you apply?

Small businesses (< 500 employees or SBA size standards), sole proprietorships, independent contractors, and non-profits affected by COVID-19 may apply.

You must have been in operation on February 15, 2020

## How can you apply?

Submit SBA Form 2483 via an existing 7(a) lender, any federally insured depository institution, federal credit union, or participating Farm Credit System institution.

If you maintain (or rehire) your workforce, the SBA will forgive the portion of your PPP loan used as prescribed above if at least 75% goes to payroll. Otherwise forgiveness is reduced according to FT headcount decline.

This program would be retroactive to February 15, 2020, in order to help bring workers who may have already been laid off back onto payrolls.

Other perks:

- Max pay term is 10 years, the maximum interest rate is usually 4% (CARES capped at 1%), zero loan fees, zero prepayment fee
- 6 mos to 1 year of payment deferral

If you get a PPP loan or refinance an EIDL into a PPP loan, any advance received under the Emergency Economic Injury Grant Program would be subtracted from the amount forgiven in the PPP.



# Paycheck Protection Program

## How do I calculate the maximum amount I can borrow?

**Step 1:** Aggregate payroll costs from the last 12 months for employees whose principal place of residence is the United States

**Step 2:** Subtract any compensation paid to an employee in excess of an annual salary of \$100,000 and/or any amounts paid to any independent contractor or sole proprietor in excess of \$100,000 per year

**Step 3:** Calculate average monthly payroll: divide the amount from Step 2 by 12

**Step 4:** Multiply the average monthly payroll costs from Step 3 by 2.5

**Step 5:** Add the outstanding amount of an Economic Injury Disaster Loan (EIDL) made between January 31, 2020 and April 3, 2020, and subtract the amount of any “advance” under an EIDL COVID-19 loan (because it does not have to be repaid)

Max loan is equal to 250% of your average monthly payroll costs.



# Economic Injury Disaster Loans

- Provide up to \$2 million to cover necessary operating expenses
- Low interest rates: 3.75 % for small businesses; 2.75% for non-profits
- Long terms: up to 30 years with first payment due 12 months after issuance

## Who is eligible?

- Any business affected by disaster; e.g., sole proprietors, LLCs, coops, independent contractors, corporations, tribal small businesses, and 501(c), (d), (e) non-profits

## What are some types of organizations that are NOT eligible?

- Religious organizations
- Other charitable organizations
- Businesses that derive more than 1/3 of their annual gross revenue from legal gambling activities



# EIDL & Emergency Economic Injury Grants

EIDLs are available to help meet financial obligations and operating costs that could have been paid if the disaster not occurred; e.g., payroll and other operating expenses. After you apply, the loan officer's decision may take 2-3 weeks and then 5 more days for money.

If you were harmed by COVID-19 and apply for an EIDL, you may request an emergency advance **up to \$10,000 grant within 3 days** of applying for EIDL.

**This advance will not need to be repaid.**

Eligibility: 500 or fewer employees; Sole proprietors; Independent contractors; Cooperatives / employee owned businesses; Tribal small businesses

The grants are backdated to January 31, 2020 to allow those who have already applied for EIDLs to be eligible to also receive a grant.

This grant may be used to fund payroll, sick leave, increased production costs due to supply chain disruptions, or other business obligations, including debts, rent, and mortgage payments.



# EIDL Info

## **Are you self employed?**

Sole proprietors / gig workers / self-employed must file Form 5C. To qualify, you must have filed a Schedule C before 2020

## **Do you employ others?**

Business owners with employees should file Form 5

## **How should you apply?**

Apply online for faster results. Download the paper version to prep your answers and necessary info (e.g., tax forms) before applying. +Continuously save your progress.

## **Final tip:** Complete every section

- Applicants with missing info on forms will be contacted for the info but will lose their place in line

SBA's Disaster Customer Service Center: 800-659-2955 (4am to 6pm PST) or email [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)

Deaf and hard-of-hearing customers: call 800-877-8339





# SBA Small Business Debt Relief Program

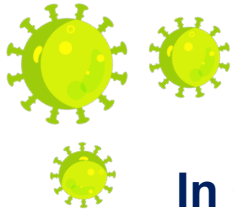
This program will provide immediate relief to small businesses with non-disaster SBA loans, in particular 7(a), 504, and microloans. Under it, SBA will cover all loan payments on these SBA loans, including principal, interest, and fees, for 6 months.

Which SBA loans are eligible for debt relief under this program?

7(a) loans not made under the Paycheck Protection Program (PPP), 504 loans, and microloans. Disaster loans are not eligible.

What is a 7(a) loan and how do I apply?

7(a) loans are an affordable loan product of up to \$5 million for borrowers who lack credit elsewhere and need access to versatile financing, providing short-term or long-term working capital and to purchase an existing business, refinance current business debt, or purchase furniture, fixtures and supplies.



# Unemployment Benefits & PUA

**In California, UI benefit payments can be made for up to 26 weeks within a 1-year timeframe. CARES provides a 3-week extension.**

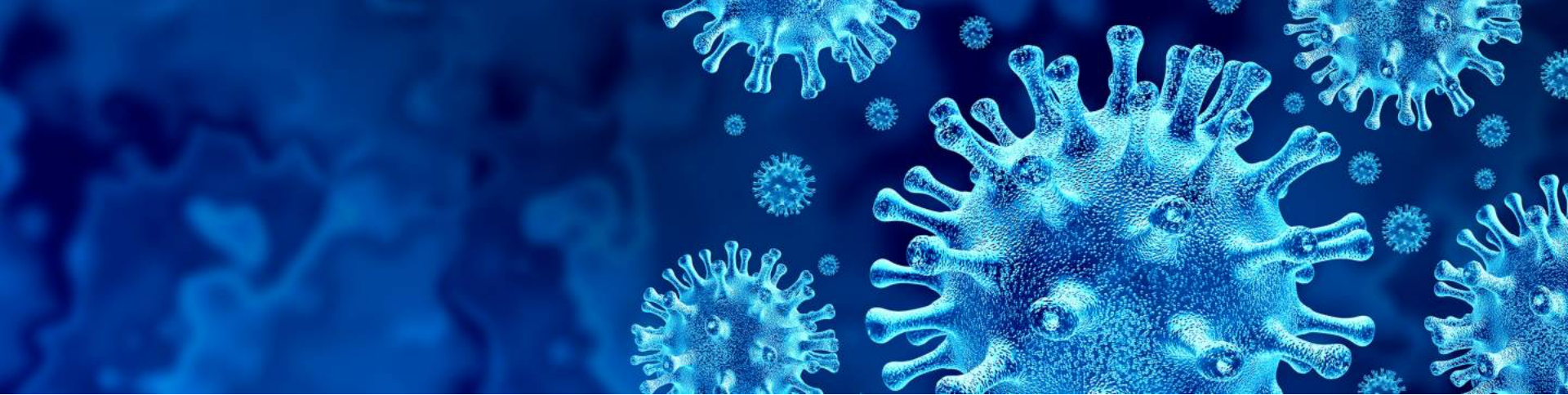
## **Am I or my employees eligible for unemployment benefits?**

- Under the CARES Act, the Pandemic Unemployment Assistance (PUA) program expands the list of eligible unemployment recipients.
- Self-employed independent contractors, furloughed workers, employees of religious institutions, workers, and caregivers now may qualify.

## **How much are unemployment benefits?**

- The California EDD, determines your weekly benefit amount by dividing your earnings for the highest paid quarter of the base period by 26, up to \$450 / week.
- The CARES Act provides an additional \$600 per check to each person receiving standard unemployment due to a COVID-19 related dismissal.





Some insurance policies already provided coverage for COVID-19 related losses.

Your insurance company may hope you think otherwise.

Companies are already making claims and filing lawsuits:

- French Laundry Partners, LP v. Hartford Fire Insurance Co. (Cal. Super. Ct. Mar. 25, 2020)

# Possible Coronavirus Claims

Please note: Anyone can file a lawsuit. Losing a lawsuit is what you may prevent.

## 1st Party Claims

- Event Cancellation
- Lost work travel
- Supply Chain & Trade Disruption
- Civil Authority
- Communicable Disease Response and Interruption
- Business Interruption
- Workers' Compensation

## 3rd Party Claims

- Shareholder Claims
- Bodily Injury
- Discrimination
- Retaliation
- Failure to Protect
- Failure to Prevent

## Policies that may cover losses

- Event cancellation insurance
- Travel insurance
- Property / Business Interruption Insurance, including Time Element Coverages
- Workers' Compensation
- Commercial General Liability Policies
- Director & Officer Policies
- Environmental Insurance policies
- Employment Practices Liability

# Event Cancellation Insurance



Do you have a broad “all-risk” policy OR communicable disease endorsement?

BOLO language:

- “Company agrees to indemnify Purchaser, up to the Limit of Insurance, for Purchaser’s loss that occurs as a direct result of **cancellation, curtailment, abandonment, postponement, or relocation** of an insured event to which this insurance policy applies.”
- “The loss must be the direct result of an unexpected cause beyond your control, the control of the organizers of the insured event, the control of the attendees or exhibitors at the insured event, and the control of your financial supporters.”



# Key Event Insurance Terms

Please note: Event Cancellation Policies purchased before January 2020, generally covered infectious disease

**Cancellation** – must first mitigate as per event agreement and have proof

**Curtailment** – new limit placed on guest count. E.g., when the government announced ordinances limiting # of people per location

**Abandonment** – sudden shutdown without ability to regain access

**Postponement** – covered if unavoidable; fear of contagion is not enough

**Relocation** – key is to avoid carve-out exclusions; voluntary change may not be allowed

# Supply Chain / Trade Disruption or Business Interruption Policies

Great for businesses that have an international supply chain.

**This policy type is usually an insurance upgrade / add-on option. It is broader than the usual ingress/egress property coverage.**

Usually covers business interruption due to supply chain issues like weather and breakdown in transport.

Usually do not require physical loss or damage.

Provides protection beyond weather-related events:

- Pandemics
- Production process problems
- Financial solvency of suppliers
- Political unrest



# First-Party Property Policies

There are 2 types of property damage and economic loss policies:

- “All risk” or “Named Peril”

**This policy type usually requires “direct damage or physical loss.”**

Coverage determinations are subjective.

Most provide time element coverages:

- Business Interruption - to replace lost income and necessary operating expenses while business is being repaired.
- Contingent Business Interruption - if direct supplier cannot provide your order; or if a receiver cannot accept your products due to a covered loss.

BOLO: The most likely avenue for coverage in these policies are via civil authority, ingress/egress, and extra expense claims

- [Oceana Grill v. Certain Underwriters at Lloyd’s, London, No. 20-02558 \(La. Civ. Dist. Ct. Mar. 16, 2020\)](#). New Orleans restaurant alleges CV-19 damaged property.

# Property / Business Interruption Insurance

“All Risks” interpreted broadly to cover many risks. Physical Damage to property is not required.

- See, e.g., *Cincinnati Ins. Co. v. Banks*, 610 F. App’x 453, 457 (6th Cir. 2015) (“An all-risk policy automatically covers any loss unless the policy contains a provision expressly excluding the loss from coverage.”)

Cases hold that the “physical loss or damage” requirement is met whenever the property cannot be used for the purposes intended or is unsafe.

Exclusions are applied very narrowly and there is lots of supporting case law.

- *Choctaw Nation v. Lexington Ins. Co.*, No. CV-20-42 (Okla. Dist. Ct. Mar. 24, 2020). “As a direct result of this pandemic and infection, the Nation’s Property has been damaged... and cannot be used for its intended purpose.”



# Specialized endorsements and Communicable Disease Response & Interruption

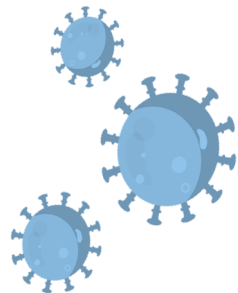
**Do you have explicit policy coverage for infectious and communicable diseases?**

After Ebola crisis multiple carriers offered pandemic endorsements. Coverage for business interruption, cleanup, and public relations

BOLO terms: Pandemic coverage and PathogenRX

Strict requirements to trigger coverage:

- Actual, not suspected, presence of communicable disease
- Location must be owned, rented or leased by insured
- Access must be limited for more than 48 hours because of a government order or decision of Insured officer



# Civil Authority Coverage and Ingress / Egress Coverage

**Civil Authority Coverage** - losses due to an order of a civil authority; e.g., shelter in place orders

Check for time and distance limits

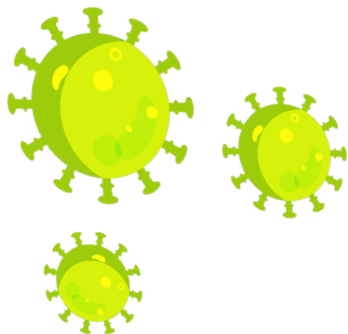
BOLO language:

“When a Covered Cause of Loss causes damage to property other than property at the described premises, we will pay for the actual loss of Business Income you sustain as well as necessary Extra Expense caused by action of civil authority that prohibits access”

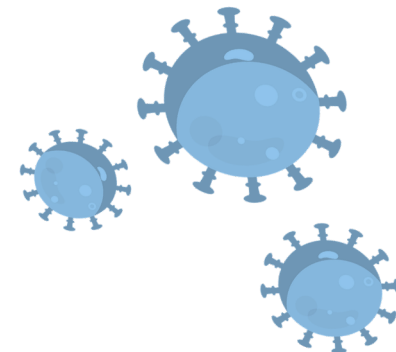
**Ingress / Egress Coverage** - lost income due to the inability to access the policyholder's property other than because of civil authority; e.g., road closures, transit shutdown, stay home order

BOLO language:

“Loss resulting from necessary interruption of business conducted by the Insured -- as a consequence of denial, prevention of, or reduction in access to or use of highways, bridges, causeways...or terminals...or the means of access thereto caused by or resulting from a peril insured under this Policy....”



# Commercial General Liability & Workers Compensation



## Commercial General Liability Policies

Broad coverage for third-party claims for “bodily injury,” “property damage,” and “personal injury”

### Exclusions:

- Bacteria and Virus Exclusions
- Pollution Exclusion

## Workers Compensation

- Causation will be key – fact specific
- Document circumstances of exposure
- Were employees required to come to work during quarantine?

### Exclusions

- Willful misconduct
- Failure to comply with health or safety laws or regulations



# Force Majeure

Covers when parties to a contract cannot perform due to a result of an unexpected and disruptive event outside of their control.

Covered acts include war, riots, hurricanes, and extreme weather.

This contract clause may remove liability for natural and unavoidable catastrophes, such as COVID-19, that interrupt the expected course of events and restrict participants from fulfilling obligations.

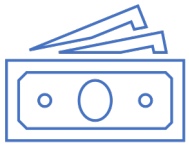
## Example of mutual excused non-performance clause:

- If unforeseen events beyond the reasonable control of the parties make it impossible or illegal to perform duties of this Agreement, the affected party may terminate this Agreement, without penalty or liability, by providing written notice to the other party within [#] days of occurrence.





# Small Business Tax Provisions



**The following is not available to employers receiving assistance through PPP.**

## **Employee Retention Credit for Employers Subject to Closure or Experiencing Economic Hardship**

This provision would provide a refundable payroll tax credit for 50 percent of wages paid by eligible employers to certain employees during the COVID-19 crisis. The credit is available to employers, including non-profits, whose operations have been fully or partially suspended as a result of a government order limiting commerce, travel or group meetings. The credit is also provided to employers who have experienced a greater than 50 percent reduction in quarterly receipts, measured on a year-over-year basis.

Wages of employees who are furloughed or face reduced hours as a result of their employer's closure or economic hardship are eligible for the credit. For employers with 100 or fewer FT employees, all employee wages are eligible, regardless of whether an employee is furloughed.

## **Delay of Payment of Employer Payroll Taxes**

This provision would allow taxpayers to defer paying the employer portion of certain payroll taxes through the end of 2020, with all 2020 deferred amounts due in two equal installments, one at the end of 2021, the other at the end of 2022.

# New virus, new scams

**BOLO for scams.**

**The FTC identified 7 new scams:**

- GOVERNMENT CHECK SCAMS
- “PUBLIC HEALTH” / FAKE WHO SCAMS
- BUSINESS EMAIL SCAMS
- I.T. SCAMS
- SUPPLY SCAMS
- ROBOCALL SCAMS
- DATA SCAMS



**Connect with us!**



New Business Community  
Law Clinic

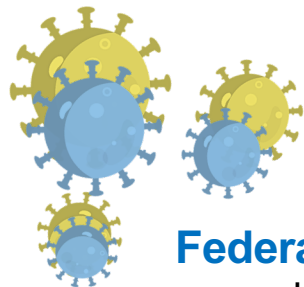
[www.law.berkeley.edu/nbclc](http://www.law.berkeley.edu/nbclc)

NewBusinessLaw@Berkeley.edu

**We will continue to update these slides  
and post them on our Facebook and website.**



@NewBusinessCommunityLawClinic



# Additional Resources

Please note: Links periodically update;  
if link fails, visit main pages

## Federal Resources

[www.sba.gov/page/disaster-loan-applications](http://www.sba.gov/page/disaster-loan-applications)

[www.dol.gov/agencies/whd/pandemic](http://www.dol.gov/agencies/whd/pandemic)

[www.osha.gov/SLTC/covid-19/](http://www.osha.gov/SLTC/covid-19/)

[www.ftc.gov/news-events/blogs/business-blog/2020/03/seven-coronavirus-scams-targeting-your-business](http://www.ftc.gov/news-events/blogs/business-blog/2020/03/seven-coronavirus-scams-targeting-your-business)

[www.cdc.gov/coronavirus/2019-ncov/index.html](http://www.cdc.gov/coronavirus/2019-ncov/index.html)

[home.treasury.gov/cares](http://home.treasury.gov/cares)

[www.sbc.senate.gov/public/index.cfm?p=guide-to-the-cares-act](http://www.sbc.senate.gov/public/index.cfm?p=guide-to-the-cares-act)

[www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf](http://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf)

## California State Resources

[covid19.ca.gov/](http://covid19.ca.gov/)

<https://oewd.org>

[805undocufund.org](http://805undocufund.org)

[www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/03/DFEH-Employment-Information-on-COVID-19-FAQ\\_ENG.pdf](http://www.dfeh.ca.gov/wp-content/uploads/sites/32/2020/03/DFEH-Employment-Information-on-COVID-19-FAQ_ENG.pdf)

[www.edd.ca.gov/about\\_edd/coronavirus-2019.htm](http://www.edd.ca.gov/about_edd/coronavirus-2019.htm)

[www.gov.ca.gov/2020/03/30/governor-newsom-signs-executive-order-providing-relief-to-california-small-businesses/](http://www.gov.ca.gov/2020/03/30/governor-newsom-signs-executive-order-providing-relief-to-california-small-businesses/)

[www.cdph.ca.gov/programs/cid/dcdc/pages/immunization/ncov2019.aspx](http://www.cdph.ca.gov/programs/cid/dcdc/pages/immunization/ncov2019.aspx)

# Appendix: Essential businesses

Alameda County: <http://www.acphd.org/media/563688/health-officer-order-20-04-shelter-in-place-20200331.pdf>

- Healthcare Operations and Essential Infrastructure;
- Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products)
- This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- Food cultivation, including farming, livestock, and fishing;
- Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and auto-supply, auto-repair, and related facilities;
- Hardware stores;



# Essential Businesses

- Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- Gas stations and auto-supply, auto-repair, and related facilities;
- Mailing and shipping service businesses, including P.O. boxes;
- Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of 6-feet is maintained to the greatest extent possible;
- Laundromats, drycleaners, and laundry service providers;
- Restaurants and other facilities that prepare and serve food (only for delivery or carry out).
- Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only.
- Food may not be eaten at the site where it is provided, or at any other gathering site;





# Essential Businesses

- Banks and related financial institutions;
- Businesses that supply products needed for people to work from home;
- Businesses that supply other essential businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, goods or services directly to residences;
- Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
- Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under certain mandatory conditions (e.g., childcare must be carried out in stable groups of 12 or fewer

