

COVID-19: Monday, 4-6 Update

In an effort to help you stay informed on the federal, state, and local developments regarding COVID-19, CFCA will be sending updates at the close of each day summarizing the highlights of responses from levels of government. **Please feel free to send this update to colleagues, employees, or anyone you wish to keep up to date on these pressing matters.**



Tax & Business Impact of the CARES Act

April 9, 2020 | 10:30am

presented by the experts at
Moss Adams LLP

You can now apply for CARES Act Loans to help your business during these turbulent times. We know you have questions about how you can apply and make sure you have the critical funding to help you get through this crisis. Join us Thursday, while our partners at Moss Adams teach you everything you need to know to get started, and answer your most pressing questions!

[Register Here](#)

Bay Area Expands Shelter-In-Place Orders

This week, various Bay Area counties and municipalities issued new and revised “shelter in place” orders that extended the prior “shelter in place” orders and implemented additional and severe restrictions on businesses and non-essential personal activities.

The following eight counties and the City of Berkeley issued new and expanded “shelter in place” orders:

- San Francisco County (order available [here](#))
- San Mateo County (order available [here](#))
- Alameda County (order available [here](#))
- Contra Costa County (order available [here](#))
- Santa Clara County (order available [here](#))
- Marin County (order available [here](#))
- City of Berkeley (order available [here](#))
- Sonoma County (order available [here](#))
- Napa County (order available [here](#))

Additional Restrictions and Changes to Prior “Shelter in Place” Orders

While the new orders maintain the same basic structure and minimal restrictions of the prior orders, they are more restrictive in a number of material ways, including:

- **Mandatory Social Distancing.** The new orders make clear that social distancing requirements are mandatory and must be practiced during all permitted travel and activities, except for a very limited number of exempt situations (providing childcare, adult or senior care, care to individuals with special needs, patient care or as necessary to carry out the work of Essential Businesses, Essential Governmental Functions, or provide for Minimum Basic Operations). The mandatory social distancing requirements are largely the same as from the prior orders, except that they add a new requirement to avoid **all** outside social interaction (even from 6 feet away) when sick with a fever or cough. The new social distancing requirements include:
 - Maintaining at least six-foot social distancing from individuals who are not part of the same household or living unit;
 - Frequently washing hands with soap and water for at least 20 seconds, or using hand sanitizer that is recognized by the Centers for Disease Control and Prevention as effective in combatting COVID-19;

- Covering coughs and sneezes with a tissue or fabric or, if not possible, into the sleeve or elbow (but not into hands); and
- Avoiding all social interaction outside the household when sick with a fever or cough.
- **Mandatory Posting.** Before April 3, 2020, essential businesses that continue to operate facilities in the affected counties must complete, post, and implement a social distancing protocol using the template [here](#).
- **Mandatory Remote Work (If Possible).** The prior orders generally permitted employees of “Essential Businesses” to travel to work and to work in their normal workplace, so long as there was social distancing. The new orders mandate that even “Essential Businesses” must “maximize the number of employees who work from home,” and *only* “those employees who cannot perform their job duties from home” are permitted “to work outside the home.”
- **Closure of Non-Essential Functions (Even For Essential Businesses).** In the prior orders, “Essential Businesses” were generally permitted (and, in fact, encouraged) to stay fully open. The new orders require “Essential Businesses” to “scale down their operations to the Essential Business component only” to the “extent feasible.” The new orders, however, make clear that mixed retail businesses that are otherwise allowed to operate under the orders may continue to stock and sell non-essential products.

The new orders also make a number of small and large changes to what qualifies as an “Essential Business.” **At this time, CFCA's members are still classified as essential businesses.**

These orders also expand the definitions of what classifies as 'Minimum Basic Operations'

As with the prior orders, the new orders permit non-essential business to perform certain basic minimum operations. The new orders slightly expand the definition of “minimum basic operations” as follows (additions in bold):

- The minimum necessary activities to maintain and protect the value of the business's inventory **and facilities**; ensure

security, **safety, and sanitation**; process payroll and employee benefits; **provide for the delivery of existing inventory directly to residences or businesses**; and related functions.

- The minimum necessary activities to facilitate **owners, employees, and contractors** of the business being able to continue to work remotely from their residences, **and to ensure that the business can deliver its services remotely.**

CFCA HIGHLY RECOMMENDS you review the shelter in place orders for your local jurisdiction and ensure you remain in compliance.

Critical Infrastructure Employee Letter Template

In an effort to prevent any employees from encountering any issues with law enforcement while attempting to perform regular job functions, CFCA has prepared a letter template for employers to use indicating their employees are exempt from local stay-at-home orders and other travel restrictions. This letter indicates your employees as working on behalf of a 'Critical Infrastructure Sector'. CFCA recommends you put the letter on your company letterhead and modify the entry fields accordingly. If you would like the template Word document, please email James Allison at james@cfca.energy.

[Learn More](#)

Show that Your Business is 'Essential'

CFCA has produced the attached images for you to display in your business, indicating your status as 'Essential' during the statewide COVID-19 Shelter-in-Place.

The first is a notice you can display, explicitly defining your business as 'essential' as defined by Gavin Newsom's Executive Order N-33-20.

The second is a badge you can display, proudly indicating to your customers, that you are an essential business during this time of crisis.

CFCA recommends you print the badge as a 4"x4" image on a 6"x6" sticker, or 6"x6" image on an 8"x8" sticker, but no larger, otherwise, it will cause distortion.

For the notice, it is formatted for a standard 8.5"x11" sheet of paper.

If your printer requires the original .png file for the badge, please contact James Allison at james@cfca.energy.

[Click Here to Download the Notice](#)

[Click Here to Download the Badge](#)

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