



COVID-19: Wednesday Update

CFCA will provide updates at the close of each business day this week, following federal, state, and local announcements

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.**

CalRecycle Pauses Enforcement

CFCA has successfully stalled the retailer beverage container acceptance program in California. In the wake of the COVID-19 lockdowns CalRecycle has indicated that it will halt enforcement of recycling acceptance for retailers until further notice. After hearing concerns from members indicating that individuals were not respecting lockdown guidelines and social distancing, as well as citing concerns over hygiene and contamination, CFCA contacted CalRecycle and successfully lobbied program directors to pause all enforcement of the program.

CalRecycle will be issuing a notice either tonight or tomorrow, and CFCA will send it to our members as soon as it has been released.

[Learn More](#)

Governor Issues Executive Order Permitting Heavy Hauling

Taking action to ensure that key commodities can be delivered to California retailers in a timely manner during the COVID-19 outbreak, Governor Gavin Newsom today signed an executive order to ease restrictions on commercial drivers engaged in support of emergency relief efforts.

The change comes in conjunction with the Federal Motor Carrier Safety Administration's emergency waiver announced [last week](#) to ensure the free flow of critical supplies and equipment.

The executive order also suspends existing law for employers directly impacted by COVID-19 and directs the Labor and Workforce Development Agency to provide guidance to impacted employees.

[The Governor's full executive order can be found here.](#)

CEC Reiterates California Has No Immediate Threat of Fuel Shortage

From Politico

"The California Energy Commission assured residents today that upstream parts of the fuel supply chain remain open and that there is ample availability amid the coronavirus pandemic.

Bay Area counties, followed by other California localities, have issued shelter-in-place orders that only allow travel to essential services. Those include gas stations, but fuel still has to be produced and transported to the pump.

That prompted the California Energy Commission to say today that facilities like refineries, pipeline operators, distribution terminals, tanker trucks and fuel wholesalers are classified as essential services. The agency said it worked with local governments to confirm those facilities will remain open.

There are five petroleum refineries north of San Francisco straddling San Pablo Bay and Suisun Bay, according to federal energy data, along with petroleum product pipelines crisscrossing the East Bay. These are just some of the areas with local shelter-in-place orders.

State analysts say that "fuel supply availability is ample," according to the CEC statement, "and there are no disruptions to the fuel supply."

The agency also said that electric vehicle chargers and hydrogen refueling stations remain open."

FMCSA Expands Emergency HOS Waiver to include Fuel

Today, the Federal Motor Carrier Administration (FMCSA) issued an Expanded Emergency Declaration to include fuel in their list of approved HOS waivers.

This provides HOS waivers for commercial motor vehicle operations providing direct assistance in support of emergency relief efforts related to the COVID-19 outbreaks.

Direct assistance **does not** include routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief added to obtain the benefits of this emergency declaration.

The declaration expires on April 12, 2020, unless revised.

[Read Here for the full declaration.](#)

Update on the Federal Coronavirus Paid Leave Law

Today, the U.S. Senate passed the Families First Coronavirus Response Act that was passed by the House earlier this week. President Trump is expected to sign the bill into law at any moment now. Here are the important aspects for employers: Paid Sick Leave Under the new law, employers with fewer than 500 employees must provide employees with two weeks (10 days) of emergency paid sick leave benefits to be used for Coronavirus-related absences. For full-time employees, this means 80 hours of paid sick leave. For part-time employees, this means the number of hours the employee works on average over a two-week period. The attorneys at Carothers DiSante & Freudenberger LLP have developed an extremely extensive resource page you can find via the link below.

[Read More Here](#)

Shelter-in-Place

As of today, **San Francisco, Santa Clara, San Mateo, Marin, Contra Costa, Alameda, Santa Cruz, Sonoma, Sacramento, Monterey, San Benito, Ventura, Yolo, San Luis Obispo, and Yolo Counties, along with the cities of Berkeley, Manteca, and Davis have issued Shelter-in-Place mandates. San Diego County, Los Angeles County, Orange County, Placer County, and the City of Long Beach have issued health directives very similar, but not quite as extensive as mandates.** While these orders do limit the number of businesses allowed to remain open, they do allow for the continued operation of essential

goods and service providers. As part of these declarations, **gas stations and convenience stores are explicitly named as essential and will remain open during the shelter-in-place.**

Price Gouging Protocol

Statewide price gouging protections in place due to COVID-19 until 9/4/2020 per Proclamation of a State of Emergency date 3/4/2020. Local laws may extend this further or apply it to more products. Raising prices of consumer goods and services above 10% meets the state definition of price gouging. Gasoline prices are always under scrutiny when a State of Emergency is declared, even if the supply chain is not currently impacted.

[FAQs from the Attorney General's Office](#)

[Read the AG's Statement](#)

Action by the Legislature - Update

On Monday, the **legislature was placed on recess** amid growing concerns of the spread of COVID-19. Recess is scheduled to last through April 13th, but could go longer if requested by the Assembly Speaker. Prior to going on recess however, the legislature did **pass an emergency funding bill** designed to help mitigate the response to the pandemic. That declaration expedites the government's ability to procure goods and services to mitigate the effects of the virus, and lawmakers said the money would be used to expand capacity in California hospitals, add beds in health care facilities around the state and buy hotels and motels to shelter sick Californians who lack homes. **Late Tuesday, the Governor signed the bill, enacting what promises to be an expedient process of placing the funds in their respective coffers.**

They made \$500 million available immediately and allowed Newsom to spend up to \$1 billion total, passing two bills and waiving a requirement that legislation must be in print for 72 hours before lawmakers can act — a rule that can only be scrapped during an official emergency. Additionally, they allocated an additional \$100 million to California schools, to do a deep disinfecting of campuses, and passed a law granting schools full funding despite the prolonged closures.

An analysis provided by our lobbying team can be found below.

[Analyses of SB 89 and SB 117](#)

Day at the Capitol Postponed

Finally, in an abundance of caution, CFCA announced last week that we will be postponing Day at the Capitol until such time that the COVID-19 concerns have subsided. For those who have already registered, CFCA will issue a full refund for your registration, upon request. For those who have reserved rooms under our block with the Sheraton, we advise you cancel your reservation immediately, and you will be issued a full refund by the hotel.

Updates will be provided as they become available.

We apologize for any inconvenience, but out of an abundance of caution, CFCA is taking these steps to ensure the health and safety of our members.

For any questions regarding current Day at the Capitol registrations or hotel reservations, please contact Amber Palmer at (916) 646-5999 or palmer@cfca.energy.