

Good Morning:

See below a summary of some issues that might be important to you. It included local updates, and some more detailed information for employers and employees. The situation is changing hourly and thus cannot constitute legal advice, but this should at least give you a place to start.

Blessings,
Brian

I want to provide a few bullet-points/highlights as of March 19, 2020:

1. **LOCAL: As of 3/20/20, subject to exceptions, the City is limiting gatherings of people to 10 or less. There are many details in the Order that is included on the Fairview website.**
3. CITY AND COUNTY BUILDINGS / COURTHOUSE. Our City and County buildings and courts have closed to the public, although they are still conducting business. Obviously, all public services like police, fire, etc. are still in full force. As for the courts, cases that are a matter of emergency, such as orders of protection, are still being heard. The majority regular in-person court hearings are postponed until April 17, 2020 or later. Lawsuits and other pleadings can still be filed with the court. In other words, the Courts, County and City are operating to make sure people are safe.
4. **NATIONAL: Employer-Employee. The President signed into law last night the Families First Coronavirus Response Act.** It will take effect “not later than 15 days after” March 18, 2020. Based on the poor wording, it is not clear if it is effective before April 2, 2020. It applies to employers with less than 500 employees and expands FMLA to provide largely paid leave for employees who either have contracted the COVID-19 virus, ordered to self-quarantine by a healthcare provider because of exposure of symptoms of COVID-19, must care for a family member or child who has the virus or whose school or place of care is closed due to the public health emergency. The first two weeks of leave may be unpaid (although the employee may use his or her accrued PTO or sick leave, as discussed below), and after that time, the remainder of the leave must be paid at 2/3 of the employer’s regular rate, capped at \$200/day/employee (\$10,000 aggregate).
5. **NATIONAL: Employer-Employee. The new law also contains the “Emergency Paid Sick Leave Act”,** creating new sick pay requirements. Based on the poor wording, it is not clear if it is effective before April 2, 2020. Employers with less than 500 employees are required to immediately provide employees with up to 80 hours (or the equivalent of two weeks for part time employees) for use in the following circumstances: (1) they have been diagnosed with COVID-19; (2) they are quarantined at the instruction of a health care provider, employer, or government official because of the exposure to

COVID-19 or exhibit symptoms; (3) they are caring for another person who has COVID-19 or who is under a quarantine related to COVID-19; or (4) they are caring for a child or other individual family member who is unable to care for themselves due to the COVID-19 related closing of their school, child care facility, or other care program. Employees caring for themselves are entitled to their full regular rate of pay, capped at \$511/day/employee (\$5,110 aggregate) Employees caring for others are entitled to 2/3 of their regular rate of pay, capped at \$200/day/employee (\$2,000 aggregate). There will be a required notice that must be posted by the employer (currently being prepared by the Secretary of Labor) giving employees notice of these rights.

6. **NATIONAL: Employer-Employee – Tax Credit.** A payroll tax credit is allowed for 100% of the qualified sick leave wages or FMLA leave paid by the employer pursuant to #4 and #5, above, although the amount is capped at \$200/day for sick leave due to caring for a child or family member and \$511 for otherwise qualified sick leave pay, not exceeding 10 days. Based on poor wording, it is not clear if the tax credit is available if given prior to April 2, 2020.
7. **LOCAL/NATIONAL: Employer – Employee Issues.** Missouri is an at-will employment state but the legislation set forth above will impact the ability to let employees go. Fold into this the rights of employees to receive unemployment benefits.

If you have employer-employee questions, you should discuss with a lawyer.

8. **NATIONAL: Stimulus.** Additional stimulus packages are being considered for individuals and business owners, but nothing concrete has been enacted. We will keep an eye on landlord-tenant and banking issues as well.
9. **THE LATEST:**
 - (a) **California** issued a lockdown order for the state. Exempt businesses are unknown at this point.
 - (b) **Missouri DHSS is allowing daycares** to operate at an additional 1/3rd capacity, extend hours, and created a temporary license that can be applied for using an abbreviated inspection by the state.
 - (c) **Columbia, Missouri - has suspended all parking enforcement** indefinitely.
 - (d) **National Stimulus bill offering \$1,200** checks to everyone with certain phase outs and making a large amount of money available for business loans/guarantees has been proposed.

Hope this helps, stay well.