



Please keep in mind that our intent is to offer general subject matter information to the wine industry. Information contained in this presentation should be taken as general identification of issues rather than as specific legal advice. If you are interested in a legal consultation, please feel free to contact Leila Narvid directly. Subject to conflicts-checking and full factual context, she would be happy to discuss how Payne & Fears, LLP, could be of assistance regarding specific legal questions you may have.

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# COVID-19 UPDATES FOR EMPLOYERS

## FOR THE WINE INSTITUTE

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Leila Narvid, Payne & Fears LLP | March 25, 2020


PAYNE & FEARS

# FAMILIES FIRST CORONAVIRUS RESPONSE ACT



- FMLA Expansion
  - Up to 12 weeks of protected leave
  - Paid or unpaid?
  - Job protection
- Emergency Paid Sick Leave
  - Eligibility
  - 80 hours paid sick leave at regular rate
  - 1:1 reduction in payroll tax obligations

# Shelter In Place Orders – Employer Obligations?



- NOT a qualifying reason for Emergency Paid Sick Leave Act benefits
- “Emergency paid sick leave benefits are available when “[t]he individual is under quarantine (including self-imposed quarantine), at the instruction of a health care provider, employer, or a local, State, or Federal official, in order to prevent the spread of COVID-19.”
- Legislative intent: provide unemployment insurance, when applicable, over paid sick leave

# Furloughs & Terminations



- Cal-WARN modifications
  - Applies to layoffs and furloughs
  - Exception to notice obligations: “unforeseeable business circumstances”
  - As much paid notice as possible
  - Express notification of eligibility for unemployment insurance benefits

# Resources for Employers



- U.S. Small Business Administration Disaster Loan Assistance
- California Unemployment Insurance Work Sharing Program
- Payroll Tax Deadline Extension
- CA Unemployment Insurance

# Employee Relations Issues



- Sending employees home
- Notifying employees of known or suspected infection
- Privacy issues
- Requiring return-to-work medical clearance
- Dealing with panic in the workplace

# Questions?

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<https://www.paynefears.com/insights/covid-19-resource-center>

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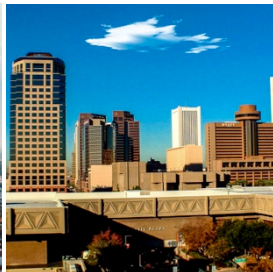
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