

COVID-19 Government Relations Update for Columbus Chamber Members

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031920*

Governor DeWine has taken quick and decisive action in order to slow the spread of the coronavirus (COVID-19). Each of these actions is to ensure that Ohio's healthcare system is able to remain strong and available to anyone who needs it, especially our most vulnerable.

The Chamber recognizes the impact that this pandemic, and the government response to it, is having on many of our members. We are working tirelessly to help you weather this storm. We are strongly advocating on your behalf. Last week, we submitted a list of policy priorities to the Governor, many of which have already been enacted. We will continue to assess your needs and work with our partners in government to propose solutions to address them. While we do not have clarity on how long these mandates will remain in place, the Governor's office has pledged to keep us updated as much as possible.

It is our goal to sift through the influx of information and provide you with only the most pertinent. We will be hosting our first virtual event on April 16, Government Spotlight: Evaluating the Economic Impacts of COVID-19. The U.S. Chamber's senior economist will break down the projected short and long-term impacts of COVID-19 on our economy. [Details and registration here.](#)

Industries within the Chamber's membership that have been ordered to close in Ohio include: schools and universities, fitness centers, gyms, bowling alleys, movie theaters, indoor water parks, indoor trampoline parks, bars, restaurants, barbers, salons, spas, nail and tattoo parlors, and internet cafes. Bars and restaurants may remain open to carry out and delivery orders, and alcohol may still be purchased in grocery stores and drive-through locations. As we all work to "flatten the curve," expect additional industries to be added to this list.

Business Urged to Implement Safety Policies Immediately

In today's press conference, the Governor implored businesses requiring on-site employees to make changes to protect workers and save lives, noting reports of bad actors failing to implement policies to mitigate the risk of spreading COVID-19. The Governor stated that he will err on the side of protecting people and warned that his next intervention, if companies do not improve protocols, would be to close down non-essential businesses and operations that continue to put the safety of the public in jeopardy. The Chamber is actively lobbying for the continuation of business and proactively working to define "essential business" in a manner that will minimize the negative impact on our members. To prevent this dramatic escalation, we encourage businesses to: stagger breaks and lunches to keep the number of people in a break room to under 10, cancel internal meetings that do not comply with recommended social distancing and gathering restrictions, discourage congregating and remove communal gathering spaces, such as coffee and drink machines, move desks and chairs to create proper distance in work spaces, increase the frequency of cleaning and disinfecting any shared space and equipment to multiple times per day, make sanitizing supplies readily available, and hire or appoint someone to ensure compliance of these measures. Share with us any other effective measures you are taking to

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comply.

SBA Economic Injury Disaster Loans Available Very Soon

With the help of the Columbus Chamber, the Governor's application to the U.S. Small Business Administration's (SBA) for the Economic Injury Disaster Loan (EIDL) program was approved. Ohio businesses are now able to access loans up to \$2 million to overcome the temporary loss of revenue during the state of emergency. Non-profit organizations will also be eligible for EIDL loans. The loan can be used to pay for fixed debts, payroll, accounts payable and other bills that can't be paid because of the disaster's impact. Please note: EIDL is only available to entities with no other credit lines. Therefore, if you have an open line of credit with a financial institution, you should work directly with them. Businesses can apply for the loan online at <https://disasterloan.sba.gov/ela/>. A step-by-step guide can be found [HERE](#). To expedite the application process, applicants should have ready complete copies of their most recent federal income tax return and a completed and signed [IRS Form 4506-T](#), which authorizes the release of tax information. Additional information to have available would be a schedule of liabilities, personal financial statement, monthly sales figures, a current year-to-date profit-and-loss statement, and a year-end profit-and-loss statement and balance sheet for that tax year if the most recent federal income tax return has not been filed.

Congress Passes Second Coronavirus Response Bill and Considers Third

Emergency Paid Sick Leave

Private sector employers with fewer than 500 employees must provide 2 weeks of paid sick leave for full-time covered employees, which they may use for mandated or healthcare-advised quarantine, caring for an individual in quarantine, or caring for a child due to forced school closures. Employees receive their regular rate of pay capped at \$511/day for quarantine related leave, and 2/3 pay capped at \$200 per day for caring for a child.

Emergency Family and Medical Leave

Private sector employers with fewer than 500 employees must provide 10 weeks of paid family and medical leave for employees employed for at least 30 days, if the employee is unable to work or telework due to a need for leave to care for a child under 18 years of age. Wage replacement must be no less than 2/3 of regular rate of pay capped at \$200/day. The Secretary of Labor has the authority to make exceptions for small businesses with fewer than 50 employees to prevent emergency paid leave from causing hardship.

For both emergency paid sick leave and family and medical leave, employers receive a 100% payroll tax credit (refundable as needed) for required wages plus certain health care expenses. The bill ensures that no business has a liability larger than the credit it receives. Both provisions go into effect in the next two weeks and expire on December 31, 2020. Special rules apply for part-time employees and self-employed individuals.

The Third stimulus bill is in the works now. The current draft includes direct payments to

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individual taxpayers, as well as small business interruption loans that will aim to provide continuity of employment. This proposed provision would authorize the creation of a new loan program and appropriate \$300 billion for it. It would be 100% guaranteed by the U.S. government^[1] but issued by lending institutions. More details to follow as this proposal makes its way through the legislative process.

Guidance for Taking On-Site Employees' Temperatures

Governor DeWine today asked that businesses take an aggressive approach to clean and sanitize all surfaces. He also recommends that on-site employees' temperatures be taken on a daily basis, and if an employee has a temperature of 100.4 or higher, they should be sent home to self-quarantine. This is a recommendation and not a requirement. Given the emergency situation and this recommendation by the Governor, the legal risk of taking employee temperatures has likely diminished. If you choose to do this, employers are advised to conduct this medical test in a private location, and the results of that test should be considered a private health record. The test must be non-invasive, such as a laser placed across the forehead, and should be taken during scheduled and paid work time. Due to the shortage of thermometers, employers could also ask their employees to take their own temperature before coming to work. The CDC recommends that employees not be permitted to work until they have been symptom-free for at least 24 hours, but employers may impose lengthier waiting periods.

Expanded Unemployment Benefits Available for Workers

An executive order issued by Governor DeWine expands flexibility for Ohioans to receive unemployment benefits during Ohio's emergency declaration period. The emergency declaration does not have an expiration date, and will remain in full force and effect until the emergency no longer exists. Unemployment benefits will be available for eligible individuals who are requested by a medical professional, local health authority, or employer to be isolated or quarantined as a consequence of COVID-19, even if they are not actually diagnosed with COVID-19. Employees laid off due to temporary closures will also be eligible for unemployment insurance benefits. In addition, the one-week waiting period for eligible Ohioans to receive unemployment benefits will be waived. Those who apply for unemployment under these circumstances will be exempt from the requirement that they be actively seeking work. Employers may contribute up to 20% in supplemental wages to the employee for them to still qualify. [Details here](#). Ohioans can apply for unemployment benefits online 24 hours a day, seven days a week, at unemployment.ohio.gov. It is also possible to file by phone at 877-644-6562 or TTY at 888- 642-8203, Monday through Friday 8 a.m. to 5 p.m. Employers with questions should email UCTech@jfs.ohio.gov.

Training Grants Now Available through TechCred

The Chamber worked successfully with the Ohio General Assembly and the DeWine-Husted Administration to advocate for increased training dollars for employers to up-skill their incumbent workers as part of the state budget. The third round of TechCred grants are now open.

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Employers can apply for up to \$2,000 to upskill incumbent workers with technology credentials, up to \$30,000 per employer per round. The new application window will be open until March 31 at www.TechCred.Ohio.Gov. We encourage businesses to take advantage of this program, especially utilizing online training opportunities. A list of resources is available [HERE](#). If a business has questions about the program they should email Workforce@OWT.Ohio.gov.

In addition, members seeking guidance and support in the talent and workforce space can schedule virtual consultations with Kelly Fuller, the Chamber's Director of Workforce Development. Please email Kelly directly to secure your session: kellyfuller@columbus.org.

SharedWork Ohio an Option for Employers

SharedWork Ohio is an alternative to layoffs for employers. It allows workers to remain employed and employers to retain their staff during times of reduced business activity. Under a SharedWork Ohio plan, employers reduce hours to avert a layoff. The participating employee works the reduced hours, and ODJFS provides an unemployment insurance benefit proportionate to their reduced hours. Interested employers should provide ODJFS with a list of participating employees and specify their normal weekly hours of work, not to exceed 40 hours and not including overtime. Part-time employees may be eligible, but all employees in an affected unit must have their hours reduced by the same reduction percentage. For more information, please visit JFS.Ohio.gov/SharedWorkOhio.

One-time Liquor Buyback

The Ohio Department of Commerce is offering a one-time liquor buyback option to support bars and restaurants. Businesses wishing to take advantage of this opportunity should return their unopened, high-proof liquor products (obtained within the past 30 days) to the agency where they purchased the product. This opportunity is also extended to those with temporary (F2) permits for events scheduled between March 12 and April 6, 2020. If a business has questions about this program, they should reach out directly to the Liquor Enterprise Service Center (LESC) at 1(877) 812-0013 or by emailing OhioLiquorInfo@Com.Ohio.gov.