

MEMORANDUM

DATE: March 26, 2020

RE: Important Legal Update regarding Coronavirus (COVID-19)

Greetings:

There have been some new developments since our last update:

- The Department of Labor has clarified that the Families First Coronavirus Response Act (FFCRA) will go into effect on **April 1**. We previously reported that it was scheduled to go into effect on April 2 based on language in the FFCRA, but the Department of Labor has mandated that the effective date is April 1.
- Here is the link to the mandatory notice required under the emergency paid sick leave portion of the law: https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf. All employers with 1 – 499 employees must post this notice in a conspicuous place (we suggest you post this notice at each location where you have placed your other mandatory postings). For those with employees working remotely, you should send this notice to each employee via e-mail to ensure that all employees receive a copy.
- Pursuant to Governor Brown’s Executive Order 20-12, all Oregon employers who have employees working in business locations (excluding those working remotely) must establish, implement and enforce a social distancing policy consistent with guidance from the Oregon Health Authority. Please note that the Order requires you to identify a specific employee responsible for implementing and enforcing that policy.

In the coming days we will send out draft EFMLA notices and policies to use with employees who qualify for paid leave under the FFCRA. We are also following the stimulus bill currently being considered by the U.S. House of Representatives, and will send out information about that bill once it passes. We know that many clients are interested in the SBA loan forgiveness program contained in that bill, but so far the details are sparse. We’ll push that information out as soon as we get it.

For more information, please contact our Labor and Employment attorneys, Amanda Walkup, Andy Lewis and Mario Conte.

This summary provides general information and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. If you have specific legal questions, you are urged to consult with your attorney concerning your own situation.