



THE IMPACT OF COVID-19

CORONAVIRUS UPDATES FOR AMERICA'S HOTEL OWNERS

AAHOA COVID-19 WEBCAST SERIES RESOURCE HOTEL OWNERS & COVID-19: WORKPLACE GUIDANCE FOR CA HOTELIERS

Visit AAHOA.com/webcasts to access this webcast on demand.

COVID-19 Basics

On March 11, 2020, the World Health Organization declared the coronavirus outbreak a pandemic. On March 13, 2020, it was declared a national emergency. Combatting the virus has brought about new legislation and implications for employers. It is important to stay as up to date as possible with these developments to ensure compliance with the shifting legal landscape.

Managing a Potentially Ill Employee

If your employee is exhibiting symptoms of the coronavirus, you may instruct them to leave the workplace as soon as is practical. If you learn that they have tested positive for the virus, you should send home all employees who worked closely with that employee for 14 days to ensure the infection does not spread. Before the employee departs, ask them to identify all individuals who worked in close proximity (3-to-6 feet) with them in the previous 14 days to ensure you have a full list of those who should be sent home. **When sending the employees home, do not identify by name the infected employee or you could risk a violation of confidentiality laws.**



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Government-Imposed Shelter-in-Place Orders

On March 19, 2020, California Gov. Gavin Newsom issued Executive Order N-33-20 directing all residents to heed state public health directives to stay home. This order includes exceptions for "essential critical infrastructure operations" to remain open. Failing to comply with the executive order risks criminal prosecution for a misdemeanor punishable by up to \$1,000 and/or six months' imprisonment. **Several counties and cities also have issued their own mandates, so be sure to check all orders in your jurisdiction.**

Furloughs/Layoffs

Many businesses are now facing financial challenges due to these orders. It is lawful to reduce the number of hours worked or days worked each week by employees. A furlough (when employees are required to work fewer hours, fewer shifts, or even zero hours for a period of time) or layoff (typically a group reduction-in-force, either temporary with an expectation to return to work, or permanent) may be necessary to keep business viable in this time. **Make sure you consider the FLSA, Health Benefits, Final Pay, and WARN Act obligations and consult with your legal counsel before taking these actions.**

AAHOA does not provide business or legal advice or representation to anyone. AAHOA goes to great lengths to ensure the information it provides is accurate and useful, but strongly recommends that all members consult a lawyer and obtain professional advice and representation that is appropriate to his/her particular situation.

FOR MORE INFORMATION | COVID19@AAHOA.COM | WWW.AAHOA.COM/COVID-19 | 404.816.5759



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New Legislation in Response to COVID-19

New federal legislation may change your obligations to employees as well as provide business assistance during this challenging time.

- **The Families First Coronavirus Response Act** went into effect on April 1, 2020, and applies to employers with fewer than 500 employees. The act provides (1) Emergency paid sick leave (up to 80 hours) for specified COVID-19 reasons, and (2) Emergency FMLA rights (up to 12 additional weeks, 10 weeks of paid time). Amounts paid to employees by employers may be recouped through federal tax credits. There are posting and policy updates required under the act. Consult your legal counsel for the latest information.
- **The Coronavirus Aid, Relief, and Economic Security” (CARES) Act** was signed on March 27, 2020. Among other things, this act provides small businesses (less than 500 employees) loans of up to \$10 million to help with normal payroll and other costs. Hospitality employers can apply as long as they do not employ more than 500 employees “per physical location.” The act also provides business support through tax credits and tax “holidays.” Consult with your legal counsel to learn more about how this act may help your business.

Please contact **John A. Mavros**, Partner at Fisher Phillips with any questions.

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Visit www.fisherphillips.com and its COVID-19 Resource Center for helpful information on what employers need to know, including free templates and forms.

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