

TO: NAW Direct Members

FROM: NAW Government Relations Team

DATE: March 30, 2020

## **1. Coronavirus Aid, Relief, and Economic Security (CARES) Act Updates**

We have heard reports today that the Small Business Association (SBA) will soon be releasing guidance on the small business loan component of the CARES Act programs. We had originally been told that the guidance might be released as soon as 1:00pm this afternoon, but subsequently we were told that we should expect that guidance anytime between this evening and “early in the week.”

On the Economic Stabilization Act, the Treasury Department is moving forward with establishment of that loan program, and the Treasury Secretary has stated that they will take the actions necessary to make those funds available as soon as possible.

We are monitoring both programs closely and will report to you just as quickly as we can when usable information is made available.

## **2. Updated: Guidance on Paid Sick Leave and Expanded Family and Medical Leave Under FFCRA**

Today, the U.S. Department of Labor’s Wage and Hour Division (WHD) published more guidance to provide information to employees and employers about how each will be able to take advantage of the protections and relief offered by the Families First Coronavirus Response Act (FFCRA) when it goes into effect on April 1, 2020.

The latest round of guidance includes questions and answers addressing critical issues (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) such as the definition of a “health care provider,” and the scope of the small business exemption for purposes of exclusion from the provisions of the Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act, as well as whether public sector employees may take paid family and medical leave. In addition, WHD posted its two recently released posters and fact sheets in Spanish on its COVID-19 website:

<https://www.dol.gov/agencies/whd/pandemic>.

This guidance adds to a growing list of compliance assistance materials published by WHD, including the English-language versions of:

Fact Sheet for Employees - <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>

Fact Sheet for Employers - <https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

Required Poster for All Employees -

[https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf](https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)

Questions and Answers about posting requirements -

<https://www.dol.gov/agencies/whd/pandemic/ffcra-poster-questions>

Field Assistance Bulletin describing WHD's 30-day non-enforcement policy -

<https://www.dol.gov/agencies/whd/field-assistance-bulletins/2020-1>

WHD provides additional information on common issues employers and employees face when responding to COVID-19, and its effects on wages and hours worked under the Fair Labor Standards Act and job-protected leave under the Family and Medical Leave Act at:

<https://www.dol.gov/agencies/whd/pandemic>.

For more information about the laws enforced by the WHD, call 866-4US-WAGE, or visit [www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)

### **3. How Americans Want Business to Behave in Dealing with the Covid-19 Crisis**

A recent survey by the Glover Park Group's Research and Insights Practice has found that the American public expects companies to change from "business as usual" and will be judging brands based on "who does what is right for the nation, even if that involves taking a hit to their bottom line."

Additionally, the American public is paying close attention to how businesses react to paid leave and worker pay as the country continues to confront this crisis.

Click here to view the report:

<https://assets.documentcloud.org/documents/6821088/GPG-COVID19-Caucus-Insights-0326202.pdf>

Many thanks—

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