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Dear Clients and Community Members,

With the growing public health concern about the Coronavirus (Covid-19), we, here at Makarem and Associates, want to assure you that our main concern is the health and safety of our clients, staff and their families. To that end, we have compiled a list of resources that may be helpful in addressing issues that may arise during this unprecedented time. While we hope that this list will be helpful, it is certainly not exhaustive, and given the rapidly changing conditions, it may only provide a place to start to look for answers. Our hope is that it will, at least, provide some relief during this stressful time.

EMPLOYMENT RELATED ISSUES:

Has your employer cut your hours, forced to take unpaid leave or ended your employment?

- If so, you can file a claim for **Unemployment Insurance Benefits** with the California Employment Development Department, if you need certain minimum requirements. If you are unemployed as a result of the Coronavirus, the EDD has waived the one-week waiting period during which you otherwise would not receive Unemployment Insurance Benefits. For more information, including eligibility and how to file a claim, please visit [here](#).
- For information on the unemployment insurance provisions in the **Coronavirus Aid, Relief and Economic Security (CARES) Act**, please see the following publication: [Unemployment Insurance Provisions in the Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#)

Have you been sent home from work because of symptoms relating to the Coronavirus?

- The CDC recommends that employees who become sick with coronavirus symptoms (such as fever, cough, shortness of breath) should be separated from other employees and sent home immediately.
- For information about how the federal government's U.S. Equal Employment Opportunity Commission (EEOC) is interpreting employment laws relating to disability during the pandemic, please consult the [Pandemic Preparedness in the Workplace and the Americans With Disabilities Act](#).

Are you unable to work because of an illness?

- You are entitled to use **Paid Sick Days** if you are missing work because of illness. Your employer should provide you with pay for the accrued sick days you have. For more information see the [Labor Commissioner's FAQs](#). Employers may limit the number of sick days an employee may use to as little as 3 days of pay in some places. (Some places like Berkeley, Emeryville, Los Angeles, Oakland, San Diego, San Francisco and Santa Monica require that employers provide more than 3 sick days.) Additionally, starting April 2, under the **Families First Coronavirus Response Act**, as long as your employer has fewer than 500 employees, you should be able to access 2 weeks of additional Paid Sick Days.
- For more information of the unemployment provisions of the Families First Coronavirus Response Act, please see the following publications: [Understanding the Unemployment Provisions of the Families First Coronavirus Response Act](#), [Federal 'Families First' Coronavirus Response Act Offers Sick Leave and Family Leave, with Exceptions](#)
- You may also be eligible for **State Disability Insurance (SDI)** to replace some of the income you lose while you are not working. You can apply for SDI from the Employment Development Department (EDD) [here](#). A healthcare provider or local health official will need to certify your application. SDI benefits are usually 60% or 70% of your normal pay, depending on your income. If you are disabled as a result of coronavirus, the EDD has waived the usual one-week waiting period during which you otherwise would not receive SDI benefits.
- Finally, if you are unable to do your usual job because you contracted coronavirus during the regular course of your work, you may be eligible for **workers' compensation benefits**, including temporary disability payments and medical treatment. To start the process, you will need to file the claim form (DWC-1) with your employer. The form is available from your employer or [here](#).

Are you unable to work because you are caring for another who is ill?

- You may be eligible to receive **Paid Family Leave** (usually 60% or 70% of your pay for up to 6 weeks) if you are missing work to care for a seriously ill parent, parent-in-law, child, spouse, domestic partner, sibling, grandparent or grandchild. You can apply for Paid Family Leave from the Employment Development Department [here](#). You will need a healthcare provider or local healthcare official to certify your family member's health condition.
- If you work for an employer with at least 50 employees within 75 miles of your worksite, you have worked there for at least a year and you worked at least 1250 hours in the year before you take time off, then your employer must provide you with up to 12 weeks of job **protected time off** to care for a parent, spouse, domestic partner, minor child, or adult dependent child with a serious health condition. For more information see [Caregiving + My Job](#).

Are you unable to work because your child's day care or school is closed because of a Coronavirus threat?

- Starting April 2, if your employer has fewer than 500 employees, your employer is required to provide you with 12 weeks of job-protected, paid leave, at 2/3 your normal pay rate, up to \$200 per day, under the **Families First Coronavirus Response Act**.
- However, if your employer has fewer than 50 employees, it may seek an exemption. If your employer has 25 or more employees working at the same location in California, you can take off up to 40 hours each year to address an emergency at your child's day care or school. A closure because of the coronavirus qualifies as such an emergency. However, you must still notify your employer ahead of time that you intend to take this time off.
- You also may be eligible for **Unemployment Insurance Benefits** if you have exhausted all other care options but have to miss work to stay home with your child because of a school closure. Apply for Unemployment Insurance from the Employment Development Department [here](#). For more information, see the EDD's [information on coronavirus](#).

Are you undocumented and unable to work?

- Unfortunately, undocumented workers cannot get [Unemployment Insurance](#). Only individuals with legal authorization to work in the U.S. are eligible for Unemployment Insurance (for example, asylees, refugees, DACA recipients, individuals with temporary protected status, lawful permanent residents (even if their green card has expired), and individuals who have been issued an Employment Authorization Document while their application for legal immigration status is pending).
- However, undocumented workers can get income from other programs, including: [State Disability Insurance \(SDI\)](#); [Paid Family Leave \(PFL\)](#); [Workers' Compensation](#); and Paid sick days.
- You also may be eligible for relief funds, depending on your situation. You can find a list of relief funds [here](#).

For questions related to pregnancy and parental leave rights in California in the time of the Coronavirus, please find information [here](#).

HOUSING ISSUES:

- **Los Angeles County and City:** Evictions of any tenant in the city and county (both residential and commercial) that cannot pay rent due to health or economic effects caused by the coronavirus are prohibited. This prohibition was subsequently expanded to include tenants who would be removed for a landlord to exit the rental business (Ellis Act), or other "no-fault" evictions. Therefore, no party may remove occupied residential units from the rental market while the emergency order is in effect. Further, tenancies may not be terminated to remove a unit from the rental market until 60 days after the expiration of the

emergency order. Residential tenants will be required to pay back any accumulated rent within six months of the expiration of the emergency order. Commercial tenants will be required to pay back any accumulated rent within three months of the expiration of the emergency order. This prohibition is currently in effect until April 19th, but is likely to be extended, and tenants may use the protections afforded here as an affirmative defense in any unlawful detainer action.

- Covered hardships include: (a) loss of business or personal income due to COVID-19 related workplace closures; (b) child care expenditures due to school closures; (c) health care expenses related to being ill with COVID-19 or caring for a member of the tenant's household who is ill with COVID-19; or (d) reasonable expenditures that stem from government-ordered emergency measures.
- **Los Angeles County Unlawful Detainer Courts (Eviction Courts) Closed:** The Unlawful Detainer Courts have suspended all operations and no new date has been set for them to reopen. Effectively, evictions are completely on hold even if a landlord has a "for cause" eviction, like a breach of the peace.
- **State:** Governor Newsom has not yet enacted a statewide ban on evictions, instead leaving the decision to local governments. His executive order on March 16, 2020 gave local governments the power to halt evictions when a renter can demonstrate hardship caused by the coronavirus emergency. The executive order remains in effect until May 31, unless conditions change.
- **Federal:** The Department of Housing and Urban Development has suspended evictions in public housing until the end of April.

OTHER RESOURCES:

- For a comparison of the Federal bills, including information on what's included in each and what is not, please visit [here](#).

If you have any questions or concerns, feel free to contact Marina Serrano at serrano@law-rm.com. During this stressful time, we hope to be able to help in any way that we can.

Sincerely,

Your Team at Makarem & Associates