

TO: NAW Direct Members

FROM: NAW Government Relations Team

DATE: April 20, 2020

## **1. Update on Congressional Action for Additional Paycheck Protection Program (PPP) Funding**

Negotiators from the House, Senate and White House are close to finalizing a deal on the “phase 3.5” response to the coronavirus pandemic.

The basic outline of the package includes a \$310 billion infusion for the PPP, designed to help small businesses keep workers on their payrolls; \$50 billion to \$60 billion more for a separate Economic Injury Disaster Loan program; \$75 billion for hospitals, with a significant portion aimed at those in rural areas; and \$25 billion for virus testing.

After a brief pro forma session today, Senate Leader McConnell scheduled a new pro forma session for tomorrow afternoon in an attempt to tackle a prospective deal. On the Senate floor, Leader McConnell said, “It’s now been four days since the Paycheck Protection Program ran out of money. Republicans have been trying to secure more funding for this critical program for a week and a half. At this hour, our Democratic colleagues are still prolonging their discussions with the Administration, so the Senate regretfully will not be able to pass more funding for Americans’ paychecks today.”

House members have been put on notice of a possible vote on Wednesday or Thursday. House Democrats will get an update on the status of the talks during a caucus-wide call with Speaker Pelosi and other leaders this afternoon and we should know more following that meeting.

## **2. Update: U.S. Department of Labor Ends Temporary Non-Enforcement of Paid Leave Protections to Help American Workers During Coronavirus Pandemic**

Today, the U.S. Department of Labor announced the end of the temporary period of non-enforcement of paid leave protections under the Families First Coronavirus Response Act (FFCRA).

The non-enforcement period allowed the department's Wage and Hour Division (WHD) to offer extensive guidance and education about the law's requirements, which aided American workers and enabled employers covered by the new law to come into compliance as the nation continues to battle the coronavirus pandemic.

WHD offers extensive plain-language guidance on the requirements of the law, including [Questions and Answers](#), a [Fact Sheet for Employees](#) and a [Fact Sheet for Employers](#), available in both English and Spanish, required workplace [posters for employers](#), and an in-depth [FFCRA Webinar](#).

WHD provides additional information on common issues employers and employees face when responding to the coronavirus, 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>

You can view the DOL's press release here:

<https://www.dol.gov/newsroom/releases/whd/whd20200420>

### **3. Information on State and Local Government's Actions To Re-Open The Economy**

Last week President Trump released federal guidelines for re-opening America (<https://www.whitehouse.gov/openingamerica/#criteria>) and named NAW President and CEO Dirk Van Dongen to his industry advisory group on re-opening the economy (<https://www.naw.org/news/president-trump-names-naw-president-dirk-van-dongen-to-the-great-american-economic-revival-industry-group/>).

During his release of the federal guidelines, President Trump indicated that many states may be able to re-open as early as May 1<sup>st</sup>. However, there will inevitably be a patchwork of state specific guidance and staggered starts as individual state governors make the decision for their state.

As such, NAW has been in contact with the National Governors Association (NGA) and has been informed that they are currently in the process of compiling and disseminating a database of where each state stands on re-opening. In our conversation with NGA, they informed us that they don't have an exact timeline of when that database will be available, but once it is active NAW will direct our members to that resource.

Additionally, as each state, and often each county, have varying levels of restrictions, NAW understands that navigating the web of regulations can be daunting. The law firm AkinGump has created an interactive map where individuals can view state and county level orders.

You can view the map here:

<https://solutions.akingump.com/covid19/>

#### 4. Webinar on Workplace Issues

As the Coronavirus Pandemic continues to impact the United States economy and businesses across the nation, it can be hard to decipher how new regulations and laws may impact your business. To help you manage these issues NAW has provided information about a webinar that you may find useful:

##### ***Coming Back From COVID-19—Employment Issues to Consider Now Before Reopening Eventually***

- **Host:** Nixon Peabody
- **Date:** Wednesday, April 29th
- **Time:** 12:30 pm EST
- **Place:** Webinar (access instructions e-mailed upon registration)
- **RSVP:** Register online [here](#).

**Now Available for Purchase On Demand: “Distribution Industry: Navigating the Crisis” with Alan Beaulieu:** <https://www.naw.org/navigating-the-crisis/>

[Click here](#) for links to *Critical Updates sent previously*.

Many thanks—

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