

TO: NAW Direct Members

FROM: NAW Government Relations Team

RE: NAW Critical Update September 17

1. Latest on the Next Congressional Pandemic Relief Package and PPP Extension

Earlier this week, a bipartisan group of House lawmakers put forward their own plan to deliver badly needed coronavirus relief amid a bitter stalemate between their party leaders. Shortly after, the proposal faced a sharp rebuke from Speaker Nancy Pelosi and Democratic committee chairs who said in a statement that it "falls short of what is needed to save lives and boost the economy."

The bipartisan House Problem Solvers Caucus has assembled a roughly \$2 trillion plan that includes a second round of stimulus checks, unemployment aid and small business loans that they say would last through at least next spring. NAW and our allies continue to push Congress for action on PPP expansion, liability protection and an end to the \$600 pandemic UI benefit. The plan from the Problem Solvers would also resume those UI checks at \$450 per week for the first two months, eventually increasing to \$600 per week. Many employers – including many NAW members – report that the bonus payment has made it difficult for them to hire or re-hire workers.

Yesterday, President Trump inserted himself into the coronavirus stimulus talks by urging Republicans to support more aid, but lawmakers still haven't found much common ground.

"We look forward to hearing from the President's negotiators that they will finally meet us halfway with a bill that is equal to the massive health and economic crises gripping our nation," Speaker Pelosi and Senate Minority Leader Charles Schumer said in a joint statement. GOP leaders, meanwhile, are pushing back, warning that a funding package in the \$1.5 trillion range would likely lose support from a significant number of Republicans.

Few on Capitol Hill expect a deal is possible in the remaining weeks before both the House and Senate will leave town to campaign before the November election. Meanwhile, the House is expected to vote on a stopgap spending bill early next week to give the Senate plenty of time to approve the measure before the fiscal year ends September 30th. That gives Congressional leaders and the White House just a few days

to wrap up negotiations on details of the continuing resolution, which is needed to avert a partial government shutdown starting October 1st.

2. Latest on Economic Recovery and Re-Opening the Workplace

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 is providing information about reports, webinars and seminars that you may find useful:

“Cash is King” Webinar Series

To assist wholesaler-distributors manage the credit and collections process in these turbulent times, NAW recently endorsed Trusted Partner Creditsafe. We chose them because of their superior ability to help companies look into the future. Creditsafe is offering wholesaler-distributors access to a series of webinars designed to help you continue to navigate in the COVID-19 business environment.

In the webinar series, **Cash is King**, you'll learn from Creditsafe experts and NAW leadership how you can leverage key strategies with your customers and suppliers.

To register for the first, on September 22 at 2pm EST and subsequent webinars in this series, go [HERE](#).

From *McGuireWoods Law Firm*: Labor Department Updates Families First Coronavirus Response Act Regulations

As previously reported, the Families First Coronavirus Response Act (FFCRA) requires private employers with fewer than 500 employees (and state/local government employers regardless of size) to provide special paid emergency family leave and sick leave related to COVID-19 in certain circumstances. However, following an August 2020 court loss regarding portions of the prior FFCRA regulations, the U.S. Department of Labor on September 11 issued updated “temporary” regulations refining its rules — effective September 16, 2020. Click [HERE](#) to learn more about key changes to these regulations and their impact on employee leave.

From *Reed Smith Law Firm*: [California requires new COVID-19 supplemental paid sick leave](#)

On September 9, 2020, Governor Newsom signed Assembly Bill (AB) 1867 into law, adding section 248.1 to the Labor Code. Under this new section, “hiring entities” are required to provide supplemental COVID-19 paid sick leave (CPSL) to “covered workers.” This is in addition to any paid sick leave that may be available to the covered... [Continue Reading](#)

From *McGuireWoods Law Firm*: EEOC Publishes New COVID-19 Teleworking, Virus Screening and Testing Guidance

On September 8, the U.S. Equal Employment Opportunity Commission updated its COVID-19 guidance, offering additional instruction regarding the potential clash between teleworking accommodation requests and office reopening procedures. Click [HERE](#) to learn more about the updated guidance, which includes additional information on the EEOC’s position on COVID-19 screening and testing of employees.

From *Nixon Peabody Law Firm*: Significant changes to FFCRA: DOL redefines “health care provider” exception & clarifies intermittent leave for childcare purposes

The Family First Coronavirus Response Act, while providing covered employees with helpful paid leave benefits, has left employers with many questions. The Department of Labor has issued new guidance, which may answer some of those questions. This alert explains this new guidance and helps employers navigate potential changes to their policies and procedures. To read the full article, click [HERE](#).

From *Little Law Firm*: [The Race for a COVID-19 VACCINE – Planning for the Employer Response](#)

Many employers are hopeful that a vaccine for COVID-19 will be the silver bullet that will enable employers to return to some semblance of a pre-COVID workplace. Can an employer mandate that employees be vaccinated before coming back to work? To read more, click [HERE](#).

Stateside Associates publishes a daily report about State and Local Government responses to the evolving situation. To read their latest report, click [HERE](#).

We are also providing a link to a spreadsheet that includes state and local COVID-19 response information provided by ***MultiState Associates***. To view their spreadsheet, click [HERE](#).

3. Unrelated to COVID-19

Union leaders optimistic about post pandemic future:

Union leaders and Democratic political strategists recently predicted a “wave of union organizing” is on the horizon if Democratic Presidential Candidate Joe Biden wins in November and pro-labor candidates expand their numbers in Congress. This same sentiment was expressed by Joe Biden during a Labor Day rally hosted by the AFL-CIO, where Biden promised to be the “strongest labor president you have ever had.” During the same rally, Biden promised to enact the PRO-Act, the largest handout to organized labor since 1935, which among other things, would hold executives personally liable for interference in union organizing campaigns. You can read more about union optimism in a Roll Call story [HERE](#).

House and Senate transportation leaders back highway extension in stopgap funding bill:

As Congress continues to work on a stopgap funding bill to keep the government open until at least December 18th, Members of Congress have signaled their support for including an extension of the highway bill into the government funding bill. As we have previously reported, the Highway Bill expires at the end of September and Congress is far apart on approving a long-term solution for the next Highway Bill. With leaders of both the House and Senate committees in support, it is highly likely that a final funding bill will include a measure to extend the surface transportation law as well.

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

Many thanks—

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