

Susan Bloch

From: Lori Howerton <lorih@akronhba.com>
Sent: Wednesday, April 22, 2020 12:23 AM
To: Susan Bloch
Subject: HBA Update 4.21.20 - PPP Info - Mechanic's Liens - OSHA Guidance - Multiple People Per Vehicle
Attachments: 2020.04.16_COVID-19 Legal Update.pdf; 2020.04.07_House Bill 197 Legal Summary.pdf



Greetings:

Today I took some time to reflect on the last few weeks. It has been a whirlwind. It also became evident that things we initially spent time digesting and figuring out how to implement are now second nature. In that, there is a sense of accomplishment.

And yet there are also still struggles that go on daily with staffing levels, unemployment, government stimulus funds, and how to implement safety protocols. At this point we need endurance and hope. So rather than focus on what's not working, think about this Drew Barrymore quote (and maybe think about watching one of her movies), "If you are going to go through hell...I suggest you come back learning something." *I'd love to hear from all of you about the lessons you have learned so far. The top lessons will be featured in an upcoming update.*

PPP Info - For many of you, your focus has moved from how to get PPP funds to making sure your PPP loans are forgiven. Official guidance and regulations will be issued by the SBA no later than **April 26, 2020**. Additionally,

- When does the 8 weeks start for the PPP loan?** While this will officially be answered with the SBA guidelines no later than April 26, 2020, the current understanding is the clock starts with the disbursement of funds.
- The million dollar question, **how will my forgiveness amount be calculated?** **Forgiveness Calculation for PPP** - See attached summary from Harpst Becker for the current interpretation.
- If your PPP loan is forgiven, you may not defer **social security payroll taxes** as permitted under CARES Act (IRS Guidance included in the Harpst Becker attachment)

Mechanic's Liens & Other Litigation - While we have not heard much about mechanic's liens and other litigation during this time, House Bill 197 and the Ohio Supreme Court Order on statutes of limitations passed back on March 27, 2020. Attached is a summary of the bill and Supreme Court order prepared by N. Horrigan and I. Borsh of Harpst Becker. Nick believes the repercussions of this legislation and order aren't going to be felt for awhile, potentially even months from now. However it is still very important to be aware of the changes and to continue to monitor deadlines, particularly with mechanic's liens.

Ohio BWC Dividend Checks - Watch for your dividend check in the mail this week. Your check will equal approximately 100% of the premiums you paid in policy year 2018.

OSHA Guidance - Guidelines for Protecting Employees from COVID-19 and Reporting COVID-19 Employee Illness on your OSHA 300 Log have been issued. See the attached Harpst Becker summary.

Multiple People in a Vehicle - Summit County Health Department has informed me that officially, for now, there should be only one person per vehicle. However the Health Department recognizes it is difficult for some businesses to adhere

to this standard. In those cases where one person per vehicle is *not* feasible, the following additional safety measures need to be followed:

- Cloth masks need to be provided to employees
- Vehicles need to be sanitized regularly
- Hand sanitizer needs to be provided to employees
- MOST IMPORTANTLY, temperatures need to be taken and recorded at the start of each day

Soon we will be starting Phase 2 of COVID-19, the re-opening of the economy and the use of much needed financial assistance. The whirlwind is going to continue. I can't encourage you enough to stay focused on the essentials: keep good documentation and records - communicate often and frequently with employees and clients - and continue following the safe job site practices and protocols.

Stay safe & healthy,

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