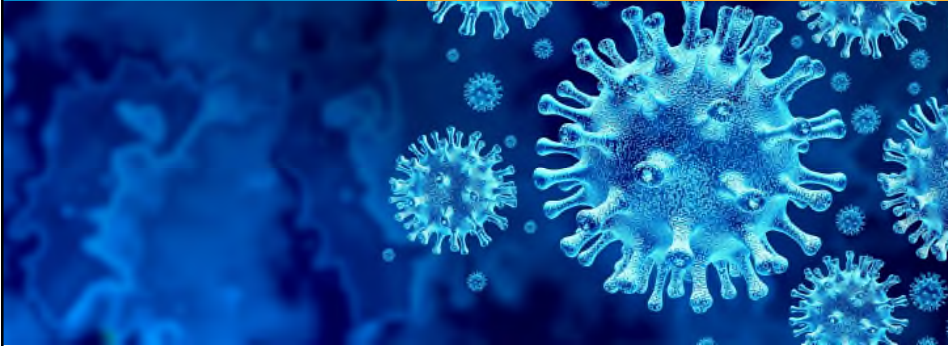



Bond

Coronavirus: Update and Discussion on Legal and Practical Issues May 5, 2020



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Introduction



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Unemployment Update Top Five Issues Under the Cares ACT



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Background on Expanded Unemployment

- Larger benefit amounts – extra \$600
- Longer period of time
- Extended coverage for individuals not typically eligible
- Waiver of 7-day waiting period



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Issue #1 – Weekly Benefit Rate

- Regular Unemployment
 - <https://labor.ny.gov/benefit-rate-calculator/>
- Expanded Coverage
 - Sufficient wages
 - Insufficient wages (or no wages)



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Issue #2 – Employees not wanting to return

- Individual must meet one of the COVID-19 related criteria under the CARES Act to be eligible for unemployment benefits
 - General fears is not a valid reason



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Issue #3 – Part-Time Employees and Alternating Workweeks

- Requirements for partial benefits:
 - (1) Work less than 4 days/week
 - (2) Earn less than \$504/week
- Alternating workweeks in lieu of partial benefits
 - Work full-time one week, be off the next



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Issue #4 – Shared Work Programs

- Lay-off aversion program
- Submit a plan
 - Reduce hours and wages by 20-60%
- 100% federal reimbursement of shared work program costs
- Example:
 - Employees earn \$400/week and would receive \$200/week in unemployment if totally unemployed
 - Shared work program – reduce hours and wages by 20%
 - Employees receive \$360 (\$320 (20% of \$400 from employer) and \$40 (20% of \$200 weekly benefit rate from state))




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Litigation Update

NYUS Court E-Filing and Other Litigation Issues



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Reopening Update

The Latest on the Reopening Plans



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Update from Albany

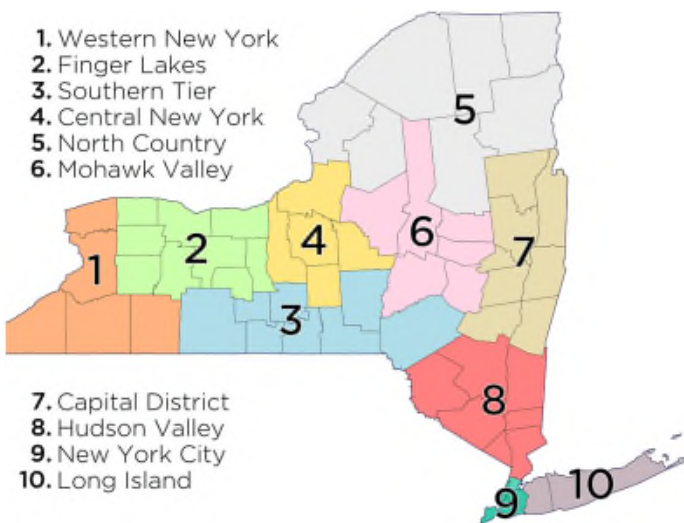


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Regional Approach to Reopening

1. CDC guidelines – 14 day decline
2. Industries – Phase 1:
Construction/Manufacturing
3. What business precautions will be in place?
4. Healthcare capacity – ICU, flu season, stockpile?
5. Testing regimen?
6. Tracing system?
7. Isolation facilities?
8. Regional coordination? (Schools, transportation, testing, tracing)
9. No “attractive nuisances”
10. Regional “Control Room”



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Region	14-Day ↓ hospital admissions OR < 15 new hospital admissions (3 day avg.)	14-Day ↓ Hospital Deaths OR < 5 Deaths (3 day avg.)	New hospital admissions < 2 per 100K residents (3 day roll. avg.)	Share of Total Beds Available (min.30%)	Share of ICU Beds Available (min.30%)	30/1k tested monthly: 7-day average of new tests/day	Min. 30 Contact Tracers/ 100k residents*	Metrics Met
Capital Region	N	Y	0.58	41%	44%	N	325	4/7
Central N.Y.	Y	Y	0.47	49%	51%	N	233	5/7
Finger Lakes	Y	Y	1.19	53%	64%	N	361	5/7
Long Island	Y	N	5.76	28%	26%	Y	852	2/7
Mid-Hudson	Y	N	4.74	31%	35%	Y	697	4/7
Mohawk Valley	Y	Y	1.17	58%	64%	N	146	5/7
N.Y.C.	Y	Y	5.41	26%	21%	Y	2520	3/7
North Country	Y	Y	0.08	53%	64%	N	126	5/7
Southern Tier	Y	Y	0.11	58%	52%	N	190	5/7
Western N.Y.	N	Y	2.20	46%	40%	N	414	3/7




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Phases of Reopening


Phase 1:


- Construction
- Manufacturing
- Wholesale supply chain
- Select retail – curbside pickup



Phase 2:

- Professional services
- Finance and insurance
- Retail
- Administrative support
- Real estate and rental leasing






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Phases of Reopening


Phase 3:


- Restaurants/Food Services
- Hotels/Accommodations



Phase 4:

- Arts
- Entertainment
- Recreation
- Education





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Loan and Relief Issues The Evolving Issues and Update



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