

Responses to questions from March 27 CMTA COVID 19 webinar

This not meant to be, nor should it be taken as legal advice.
It is information gathered from our resources through this COVID19 crisis.

GENERAL Q's

- Any news regarding manufacturers going back to work as normal during the next two weeks?
 - o *Normal seems to be a long way off.*

- Any plans on manufacturing impacted by borders being closed?
 - o *We are surfacing this with GO-Biz.*

- Can we anticipate further clarity on what constitutes "essential" businesses? It seems many are stretching the definition.
 - o *Some companies have proactively written to their local jurisdictions that they have self-determined that they fall within the essential or critical infrastructure areas as identified by the Department of Homeland Security. In most cases, those letters have been effective. CMTA is not in a position to provide certification, due to lack of recognized authority by the state to provide that certification.*

- Good news about the N95 masks from the State, Apple Inc's donations etc. When are they expected to be delivered to local hospitals? Please also address, or at least be aware of UVC light and heat methods to sanitize N95 masks. Who can support that effort with research, expertise and equipment? UCSF is doing some testing with this.
 - o *Thank you. This is being coordinated through the Governor's Office of Emergency services and the Governor's Office of Business and Economic Development. You can address questions to contributions@calOES.ca.gov*

- N.Y. and Florida have allowed breweries to manufacture sanitizer using on hand supplies. Is CA considering this?
 - o *This is going on at various distilleries. Here is a great link to the Distilled Spirits Council of the United States' (DISCUS) hand sanitizer [connection portal](#) to assist hundreds of distillers who are producing hand sanitizer to help solve the national shortage created by COVID19.*

- Any info on the loan forgiveness to business if they bring back employees to cover payroll and cover basic operating costs?
 - o *Businesses can take out loans totaling 250 percent of their average monthly payroll in 2019. If they spend at least 75 percent of that money to pay their workers, they'll be eligible to have the loans fully forgiven at federal expense. The application is a [simple two-page form](#), plus documentation.*

- Info on the CARE loan program through SBA?
 - o *Here is [a link](#) to excellent information regarding the SBA program under CARES.*

SAFETY Q's

- According to our experience, the CDC guidance for distancing at work is weak. Can CMTA put together a best practices guidance to keep our manufacturing infrastructure healthy and open?
 - o *Some processes in the manufacturing sector do require closer proximity than other industry sectors. This poses additional challenges under the current COVID-19 crisis. It is critical that employers follow CDC guidance on social distancing and increased hygiene at all facilities and for all*

employees. CMTA has provided posters (English/Spanish) to assist manufacturers.

- Have members experienced any issues with the police or border patrol on the streets while driving to work?
 - o *At the moment, there have only been a handful of occurrences when employees were questioned while on their way to/from work. To the extent that an employer is in the critical infrastructure sectors, the employee(s) should be able to travel to/from work. Some employers have provided letters to be carried by employees that demonstrate they are engaged in essential and/or critical manufacturing services. Please contact CMTA if there are any law enforcement encounters with employees going to/from work.*

- As an essential supplier for essential customers, is it reasonable and justifiable to run our regularly scheduled work in tandem with essential jobs? Provided that we are following CDC safety standards.
 - o *If those operations are contingent upon one another, those operations should be able to be run concurrently. If there are different facilities or staff in the non-essential functions, the concurrent operation would be more difficult to pursue.*

- There is confusion whether FFCRA applies to California shelter-in-place order. Can you clarify?
 - o *Please review the attached Families First Coronavirus Response Act information from the federal Department of Labor. The key phrases are “local quarantine or isolation.” Local regions continue to expand their guidance as the crisis grows.*

https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf

- How do manufacturers producing essential products or services certify that they are essential? Self-certify? Are there any entities that provide certification, e.g. CMTA?

- o *Some companies have proactively written to their local jurisdictions that they have self-determined that they fall within the essential or critical infrastructure areas as identified by the Department of Homeland Security. In most cases, those letters have been effective. CMTA is not in a position to provide certification, due to lack of recognized authority by the state to provide that certification.*

<https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

- I operate a 165 person medical device manufacturing company in Norcal. So far no one in our employ has been diagnosed with Covid19. Am I supposed to close my facility if someone is diagnosed?

- o *Closure may not be necessary, but ensuring that the facility is properly cleaned in areas where that employee(s) were assigned is a critical procedure, as is notifying the remaining employees that a diagnosed case of COVID-19 has occurred at the site. This allows employees to make decisions about their intentions to continue working or not.*

- Do we need additional authorization or permissions to stay open if we are deemed essential? If so, from what level of authority?

- o *As the crisis unfolds, that additional authorization may become necessary and will require strong coordination by the federal, state and local jurisdictions across the country and in California. CMTA will continue to monitor developments on this issue and will advocate for authorizations as appropriate.*

ASSISTANCE Q's

- We are having problems finding material to feed through our 5,000 member network of fabricators and manufacturers to make PPE and getting to those with purchase authority at hospitals so we can get the PPE made into places where it is needed. What kinds of support can there be from the state level for either issue? (Hepful Engineering)
 - o Contact contributions@calOES.ca.gov

- I need access to a finish and fill operation for hand sanitizer. My bulk manufacturer has contracts he needs to fill. (SteeleTech) Thank you.
 - o *This is being coordinated through the Governor's Office of Emergency services and the Governor's Office of Business and Economic Development. You can address questions to contributions@calOES.ca.gov*

- A ventilator company in San Jose is having trouble sourcing regulators and valves of required standard. Is there a place to find information re critical components?
 - o Contact contributions@calOES.ca.gov

- We would like to explore re-tooling our winery to making antibiotics, we can source personnel from UCD. (Jack Salerno)
 - o *Please do this and contact contributions@calOES.ca.gov*

- Can you provide info on the best online courses to use to train our employees who are working from home?
 - o *In an effort to help keep employees and organizations healthy, productive and engaged during this unprecedented crisis, CMTA will be offering free, live video-based training to qualified companies under a State of California Employment Training Panel Multiple Employer Training grant. Training topics include live web-based online training courses covering:*
 - *Full Microsoft Office suite computer training*

- *Leadership Development*
- *Process Improvement (Lean/Six Sigma)*
- *Time Management (while working at home)*
- *Project Management*
- *COVID-19 safety guidelines for organizations*
- *and many more*

CMTA can also assist companies with computer-based (non-instructor-led) training with providers such as Tooling U, www.toolingu.com and Udemy for Business, www.udemy.com with content in multiple languages. Some of this training is reimbursed under our training grants as well. CMTA has current ETP training funds to offset the costs of both in person training and now live video-based training and computer-based online training without an instructor. If you looking for subject matter experts in a variety of topics please contact Rob Sanger at CMTA: rsanger@cmta.net.

- I run a \$1.1B contract mfg. company with 18 factories. I want to manufacturer ventilators but I don't know who to contact. Any guidance?

- *Any company that has an interest in repurposing their facility and/or helping to meet the emergency need for supplies/equipment should contact do two things: Contact contributions@calOES.ca.gov and notify them of your interest and Gand complete CMTA's [online form](#) to submit your California operations to be part of GO-Biz' and OES' coordination for repurposing.*

-We have had to shut down operations. We have applied for an SBA 5 loan so we can keep paying our employees and other fixed expenses. I hear there is also going to be an SBA 7a loan for payroll relief. Do you have any details or know if we should apply for both?

- *You may apply for the SBA 7a loan through an eligible lender. The eligibility criteria for the SBA 7a loan does not list anything that precludes one from applying to both loans. We would suggest you confirm your eligibility for the SBA 7a loan with the lender.*

RESPONSE Q's

- What is best practice if we are notified we have an employee with a confirmed positive test for Covid-19?

- *According to the CDC guidelines, the suggested course of action is to send the employee home immediately, (2) inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (no specifics related to the infected employee's identity), and immediately sanitize all areas the person may have come into contact with. Beyond those recommendations, I would review and implement any internal policies developed, including those contained in your IIPP, that may be applicable to the situation.*

- Rather than creating a new design for a ventilator, is anyone working on licensing an existing design (or licensing an older, but simpler design)?

- *You should address that to contributions@calOES.ca.gov*

- Oakland's FabCity initiative has connected FabLabs and makerspaces to produce items. Laser-cut mask face shields and sewing for masks is starting soon. What else can be done to help manufacturers meet demand? What are you not able to address? What is small enough to pass off to allow manufacturers to focus on the big stuff?

- *You should address that to contributions@calOES.ca.gov*

- Where would a manufacturer go to see what is needed for production on medical devices to fight COVID-19, when a factory has the extra capacity to help?

- *Any company that has an interest in repurposing their facility and/or helping to meet the emergency need for supplies/equipment should contact do two things: Contact contributions@calOES.ca.gov and notify them of your interest and Gand complete CMTA's [online form](#) to submit*

your California operations to be part of GO-Biz' and OES' coordination for repurposing.

LOGISTICS Q's

- How are companies handling recruiting and starting/training production floor and office employees?
 - o *Autodesk is providing a list of manufacturing courses, available for free on Autodesk Design Academy. These courses guide learners through key manufacturing concepts, while developing technical proficiency. Six online courses include over 85 hours of video content, assessments, challenge assignments, and step-by-step guides. Each course is aligned to in-demand roles and skills to prepare learners for the latest industry trends like computer aided manufacturing (CAM). CMTA will be working with Autodesk throughout this crisis to help upskill the State's manufacturers.*
- As an essential supplier for essential customers, is it reasonable and justifiable to run our regularly scheduled work in tandem with essential jobs? Provided that we are following CDC safety standards?
 - o *If those operations are contingent upon one another, those operations should be able to be run concurrently. If there are different facilities or staff in the non-essential functions, the concurrent operation would be more difficult to pursue.*
- Has anyone raised questions/concerns about submitting confidential business information to regulatory agencies during this crisis? Presume state workers (CARB, DTSC, etc) handling this information may be doing work at home on their personal equipment. Is this an issue for manufacturers or others submitting CBI to the state?
 - o *We are working on getting answers about this through GO-Biz and our counsel.*

- For those in state government, adequate quantities of PPE will help flatten the curve, which in turn means we are more likely to come off shelter in place. So that's critical for CA manufacturers. My manufacturing contacts with networks in China have said that Chinese manufacturers are able to provide large quantities of PPE. Can you give details on what CA is doing to get shipments of PPE from China? Is CA organizing and purchasing PPE directly to then distribute to hospitals? Does CA have folks on the ground in China working with factories? Is CA talking with the FDA to see if they are able to certify new suppliers in China for production of PPE?
 - o *We are working on getting answers about this through GO-Biz.*

- For firms who have Bargaining Agreements ending in the next two months, what should employers expect? We have found that the unions have changed contracts (mid contract) for retirement and sick leave based on CA laws. Also what about pay raises, what's happening in the market? How will the virus affect this?
 - o *We really don't have an answer for this question because who really knows what the economic and political environments will look like once we are beyond this crisis. What we do know definitively is that it won't be the same as before. CMTA's advocacy team is positioned to engage on any issue that arises to affect CA manufacturers' viability and competitiveness going forward. If you aren't a member of CMTA, I would encourage you to join with us in fighting for your sustainability in California. If you already are a member, we thank you, and ask that you make sure you are connected with one of our policy committees covering the issues you care most about. I know the lobbyists would appreciate your insight and expertise.*

- How does CA SDI work with FFCRA ?
 - o *We are working on getting answers about this through GO-Biz and our counsel. It really doesn't work in conjunction with FFCRA but is merely*

another form of benefit available to employees that have contracted or been exposed to COVID-19 and are quarantined. FFCRA offers two types of paid leave – emergency paid sick leave and expanded FMLA (which is only paid for 10 of the 12 weeks). Expanded FLMA can only be used for leave related to caring for a child whose school or childcare facility is closed due to COVID-19, which is not a qualifying event under SDI. The emergency paid sick leave and SDI can be used for similar reasons related to COVID-19. The biggest difference for employers is that SDI is paid from contributions made by the employee while the expanded paid sick leave is funding by employers that is reimbursable through a tax credit against the employer’s portion of the Social Security tax. There could also be other benefits for the employee selecting one over the other. For more information: EDD Coronavirus Guidance: https://edd.ca.gov/about_edd/coronavirus-2019.htm FFCRA Q&As: <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

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