

COVID-19 DAILY ALERT: April 1

April 1, 2020

Below is today's updated compilation of key information and resources for GADA members. **New or revised information is in bold.** GADA Alerts are posted to "COVID-19 Information" page on www.gada.com each night.

Executive Orders

- **Governor Kemp announced this evening that he will impose a statewide "shelter in place order" effective this Friday, April 3. It will remain in effect until April 13, but may be extended beyond that date.**
- **The Governor's office has not yet released a copy of the executive order. Governor Kemp indicated the executive order will be signed and released tomorrow (Thursday, April 2) and will contain guidance on what activities are permitted and what activities are not. Once GADA receives and has had an opportunity to analyze the order, we will provide a copy to members via an email alert.**
- Anticipating that such an order may be issued, representatives of GADA have been in contact with the Governor's office to communicate our position that both sales and service operations should be deemed essential. [View GADA's letter to the Governor](#)
- We are aware that a number of counties and local jurisdictions that have issued "shelter-in-place" Orders. To the extent your local county or municipality has issued such an Order, we would appreciate if you would let us know at legal@gada.com.
- GADA has been in contact with both the Association of County Commissioners of Georgia (ACCG) and the Georgia Municipal Association (GMA) to communicate our position that both dealership sales and service operations are essential. [View letter to ACCG](#) | [View letter to GMA](#) **Please note that, to the extent a local order is more restrictive than a statewide order, the local order will be enforceable.**

- In addition, to the extent dealers would like to request clarification or reconsideration from local jurisdictions regarding the scope of an order, GADA has prepared a letter that can be customized. [View letter template](#)
- The U.S. Department of Homeland Security has updated its list identifying essential workers to include "workers critical to rental and leasing of vehicles and equipment that facilitate the continuity of operations for essential workforces and other essential travel." **Sales are not specifically addressed in the DHS guidance.**

The Families First Coronavirus Response Act (FFCRA) for Employers

- Dealers are reminded that the provisions in the FFCRA take effect April 1, 2020. Employers [must provide required FFCRA notice](#) to employees by posting or electronic delivery by that date.
- NADA issued an updated FAQ on FFCRA. [View FAQ](#)
- The U.S. Department of Labor has updated and added more guidance on the Families First Act. The Q&A answers many questions regarding eligibility and documentation for expanded leave provisions under the Family Medical Leave Act and Emergency Paid Leave. For Q&A, Fact Sheets and applicable posters click [here](#).
- **One important clarification in USDOL Guidance is related to whether a state or local shelter-in-place Order constitutes a quarantine or isolation under FFCRA. USDOL guidance suggests that employees who cannot work because their businesses are subject to a government shutdown order or they are ordered to shelter at home will not qualify for Emergency Paid Sick Leave or Emergency FMLA. [View Fisher Phillips article](#) (See Guidance #23 and #24)**
- Fisher Phillips Dealership Practice Group has updated an FAQ specifically geared toward FFCRA as it relates to dealership operations. [View FAQs](#)
- To clarify cash flow issues as they related to the provisions in the Families First Act, the U.S. Treasury has issued guidance. [View guidance](#)

Coronavirus Aid, Relief and Economic Security (CARES) Act

- **Congress passed and President Trump signed into law the \$2.2 trillion Coronavirus Aid, Relief and Economic Security (CARES) Act. This bill, known as Phase 3, includes generous and unprecedented provisions to help provide liquidity for dealerships and to help businesses keep their employees on the payroll. [View summary of the provisions](#)**

- NADA conducted a webinar reviewing the provisions of the Paycheck Protection Program in the CARES Act. [View copy of webinar slides](#)
- NADA has prepared an analysis regarding applicability of CARES to dealers with more than 500 employees. [View NADA's SBA Affiliation Analysis](#). A list of OEMs with SBA Franchise Identification Numbers is available upon request via email to legal@gada.com.
- The CARES Act includes an Employee Retention Credit available to many small businesses, designed to encourage them to keep employees on the payroll. The refundable tax credit is 50% of up to \$10,000 in wages paid by an eligible employer whose business has been financially impacted by COVID-19. Before applying for the credit, dealers are encouraged to review the IRS [Employee Retention Credit FAQs](#) to understand how the credit works and how it may affect eligibility for other assistance under the CARES Act.
- The U.S. Treasury Department has updated its website to provide resources. [View website](#) Specifically, under the Assistance for Small Businesses section, there are four links entitled:

For a top-line overview of the program [CLICK HERE](#)

If you're a lender, more information can be found [HERE](#)

If you're a borrower, more information can be found [HERE](#)

The application for borrowers can be found [HERE](#)

- The U.S. Chamber of Commerce has issued a summary [Guide and Checklist](#).
- For additional guidance, view the [SBA Coronavirus Resource page](#).

Tag & Title Information

- The Georgia Department of Revenue (GADOR) has made available a DRIVES e-Service that allows customers to pay for and order a tag online. This can be used when dealers perform title only transactions via ETR. [View Message from GADOR](#)
- GADOR issued an extension of tag and registration deadlines as well as income tax deadlines. [View details here](#)
- Note that GADOR's extension of registrations and temporary tags does not extend the time period in which dealers must submit title applications. For purposes of timely lien perfection and remittance of TAVT, dealers must continue to submit title applications within 30 days of transaction.

- Many county tag offices are closed but continue to allow drop-off of title work. View a [list of county tag offices](#) and the services they are providing.

Georgia Department of Labor (Unemployment/Partial Unemployment Claims)

- The Georgia Department of Labor has updated its website to assist employers with new requirements for filing unemployment claims. [View website](#)
- The Georgia Department of Labor has addressed partial unemployment claims for reduced hours. Important information can be found [here](#).
- The Georgia Chamber has a fact sheet about new rules for unemployment claims. [View fact sheet](#)

Other Guidance for Business

- NADA has launched a [Coronavirus Hub](#).
- Fisher Phillips has developed a [COVID-19 resource page](#).
- The law firm of Bass Sox Mercer has issued a newsletter helpful to dealers. [View newsletter](#)
- A general FAQ addressing many issues, including workplace safety, workers compensation, Americans with Disabilities Act can be found [here](#).
- Dixon Hughes Goodman has also developed a knowledge resource page addressing, among other items, tax issues. [View DHG resource page](#)
- [CDC Interim Guidance for Businesses and Employers](#)
- [OSHA Guidance 3990-Preparing Workplaces for COVID-19](#)

The GADA staff stands ready to assist members. If you have any questions, please direct them to legal@gada.com.



