

ACEC OKLAHOMA UPDATE - March 24, 2020

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- **TODAY - March 24th - FREE COVID-19 Legislation Webinar from ACEC: What Do Employers Need to Know?**
- **ACEC Business Insurance Trust - Navigating State Restrictions and Limitations on Business Activity**
- **ACEC National Convention CANCELLED**

FREE COVID-19 Webinar TODAY at 2:30pm Central Time



In an effort to keep ACEC members updated on all of the latest developments with the COVID-19 pandemic, ACEC is offering a **FREE webinar** on Tuesday, March 24th at 3:30pm Eastern time. For those of us in Oklahoma, that would be 2:30pm Central.

The webinar will review the employer-related provisions in HR 6201 as amended, which was just passed by Congress, as well as provision which might be included in follow-on legislation which Congress is currently considering. Topics will include: emergency leave, emergency sick leave, and the payroll tax credits for employers that are required to provide the leave.

We encourage all ACEC OKLAHOMA member firms to take advantage of this FREE webinar from ACEC.

FREE WEBINAR FOR ALL ACEC FIRMS

Navigating State Restrictions and Limitations on Business Activity from ACEC Business Insurance Trust and Greying



Greying Brief:
Navigating State Restrictions and Limitations on Business Activity

Over the past few days multiple government authorities across the United States have issued mandates in response to the expanding coronavirus pandemic requiring employees to work at home and avoid office environments with limited exceptions. Your firm has likely already implemented some form of remote working for many offices and workers, as we have. Nevertheless, these government orders are another reflection point for possible restrictions on your firm's ability to timely fulfill project requirements in the manner contemplated by your contract. If you have not previously provided blanket or contract specific notice of possible impacts, or if these orders mandate a departure from your firm's previous client communications, you should consider an updated, revised, or new notice regarding delays, disruptions, and force majeure, along the lines of what Greying recommended last week.

If you are continuing to have employees working at locations outside of their homes, you must evaluate the legal authority for them to do so, as well as the prudence of maintaining any scheduled on-site activities and any risk management protocols that employees should follow. In states, counties, and cities where government orders impact locations and conditions of work, we recommend determining if the nature of any project and any work tasks proposed to take place outside of any employee's home fit within the parameters of defined "essential" business activities that are permitted. For example, New York's PAUSE order specifically contemplates continued provision of professional services at on-site locations but arguably only authorizes those services for emergency repair, safety, and for certain specified "essential infrastructure" construction projects involving utilities, water resources, telecommunications, transportation, and homes.

As of mid-morning on Monday, March 23, eight states with broad, published limitations are California, Connecticut, Delaware, Illinois, Louisiana, New Jersey, New York, and Ohio, with more likely to follow suit. These responses will take you to government websites and the text of the applicable orders so you can see how each state is referencing construction activities. Given the ambiguity and uncertainty within these orders and other emerging local and state directives, we also recommend consulting local legal counsel for further advice regarding what activities are allowed outside of an employee's home.

For employees traveling outside their homes for work in any restricted jurisdictions, Greying recommends providing them with a written authorization - preferably countersigned by the relevant client or contractor requesting or permitting an on-site activity - setting forth the parameters of work outside of the home. Numerous states and localities have threatened civil penalties for workers deemed to violate the applicable orders.

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ACEC OKLAHOMA just received information from the ACEC Business Insurance Trust which we wanted to share with you. Click on the image to

the left to open the pdf document.

The report discusses issues with regards to government mandated "work from home" and other limitations or restrictions on "essential" business activities including travel and "on site" construction services.

Our thanks to the ACEC Business Insurance Trust and Greying for this information.

#COVID19 Legislation: What do Employers Need to Know?

**Tuesday, March 24
2:30pm (Central)**

Amanda Machin of Gibson, Dunn & Crutcher LLP

Sign up here:

<https://education.acec.org/diweb/catalog/item?id=5019609>

Registration & Log-On Instructions : Follow the link above to the registration page. Then, click on the "Checkout" button in the top left. This will take you to a "log-on" page. If you don't already have a personal ACEC account, click on "NEW VISITIOR REGISTRATION" to create your own personal account.

**ACEC National Convention
Cancelled**

We have just received word from ACEC that the Annual Convention and Engineering Excellence Awards Gala, and Legislative Summit, set for April 25-29 has been CANCELLED. The Marriott Wardman Park informed ACEC that the hotel was closing until the end of May.

ACEC is now assessing the possibility of a "virtual" convention for Board, Committee, and Educational opportunities.

The Legislative Summit and the Engineering Excellence Awards Gala have been postponed to a later date, possibly September at a location to be determined.

As we get more info, we'll pass it along.



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Let's Connect:

