

3RD ANNUAL WOMEN IN LAW & BUSINESS PANEL

THE YEAR IN REVIEW, OUR "NEW

NORMAL" & WHAT'S NEXT





PANELISTS

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- YEAR IN REVIEW AND WHERE WE ARE AT SINCE LAST YEAR
- "NEW NORMAL" LIVING AND WORKING FROM HOME
- NOW WHAT? YOU DON'T HAVE TO BE "WONDER WOMAN"



A YEAR IN REVIEW

HOW ARE WE DOING ON GENDER EQUALITY?

HOW HAS THE COVID CRISIS IMPACTED GENDER EQUALITY?

1) ECONOMIC

2) HOUSEHOLD

3) CAREER ADVANCEMENT

4) DOMESTIC VIOLENCE

5) POLITICAL

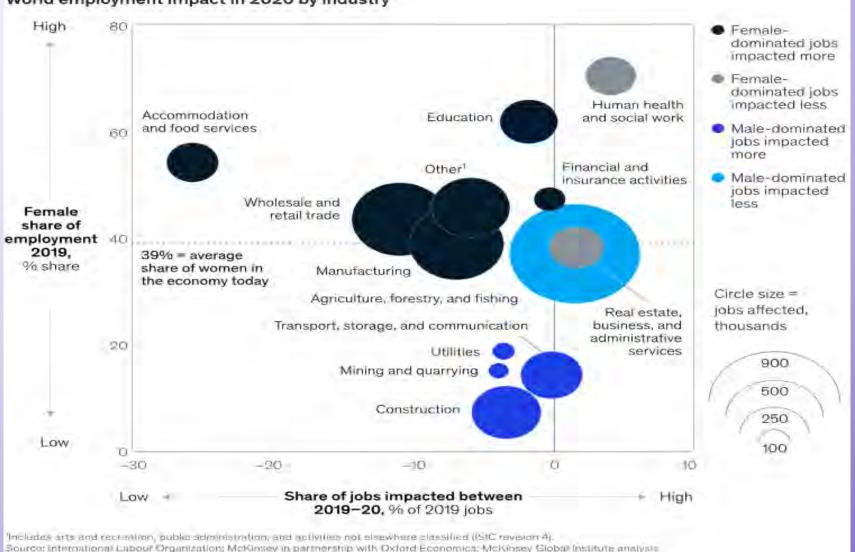




ECONOMIC

- THIS RECESSION HAS LED TO MORE JOB LOSSES AMONG WOMEN
- 1.8 TIMES GREATER THAN MEN
- IS THIS THE "SHECESSION"? (BBC 10/21/20 "WHY THIS RECESSION DISPROPORTIONATELY AFFECTS WOMEN")
- WOMEN ARE MORE LIKELY TO BE IN JOBS THAT ARE SUBJECT TO LAYOFF- HOSPITALITY AND PERSONAL CARE
- CHILD CARE FALLS MORE OFTEN ON WOMEN

 Women are disproportionately represented in industries that are expected to decline the most in 2020 due to COVID-19.



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World employment impact in 2020 by industry

McKinsey

& Company



- THE ECONOMY LOST 140,000 JOBS IN DECEMBER 2020—WOMEN ACCOUNTED FOR 100% OF THAT LOSS (1/12/21 FORBES REPORT ON THE FINAL JOBS REPORT OF 2020 RELEASED BY THE BUREAU OF LABOR STATISTICS)
- OVERALL, WOMEN ARE STILL DOWN 5.4 MILLION JOBS FROM FEBRUARY 2020, BEFORE THE PANDEMIC BEGAN, AS COMPARED TO 4.4 MILLION JOB LOSSES FOR MEN. THEY STARTED 2020 ON ROUGHLY EQUAL FOOTING, WITH WOMEN HOLDING 50.03% OF JOBS, BUT ENDED IT WELL BEHIND THEIR MALE PEERS. (CNN 1/8/21)



- DIRECTLY RELATED TO THOSE JOBS THAT DON'T ALLOW EMPLOYEES TO TELECOMMUTE
- 28% OF MALE WORKERS AND 22% OF FEMALE WORKERS REPORT THAT THEY ARE IN POSITIONS THAT ALLOW THEM TO TELECOMMUTE
- ECONOMIC IMPACT OFTEN DIRECTLY RELATED TO THE CHILDCARE SITUATION IN THE HOUSEHOLD
- (IMPACT OF COVID-19 ON GENDER EQUALITY, NATIONAL BUREAU OF ECONOMIC RESEARCH APRIL 2020)



• WOMEN ARE DISPROPORTIONATELY WORKING ON THE FRONTLINES CARING FOR OUR LOVED ONES AND WORKING TO BEAT THE VIRUS, BUT THEY CONTINUE TO EARN LESS THAN THEIR MALE COUNTERPARTS. THE PANDEMIC IS WIDENING WOMEN'S INCOME AND WEALTH GAPS, AS MORE THAN TWO MILLION HAVE DROPPED OUT OF THE LABOR FORCE, PARTLY REFLECTING THE INCREASED DOMESTIC LABOR DEMANDS ON WOMEN DURING THE PANDEMIC.

(WHITE HOUSE "STATEMENT ON THE 12TH ANNIVERSARY OF THE LILLY LEDBETTER FAIR PAY ACT," JANUARY 29, 2021)

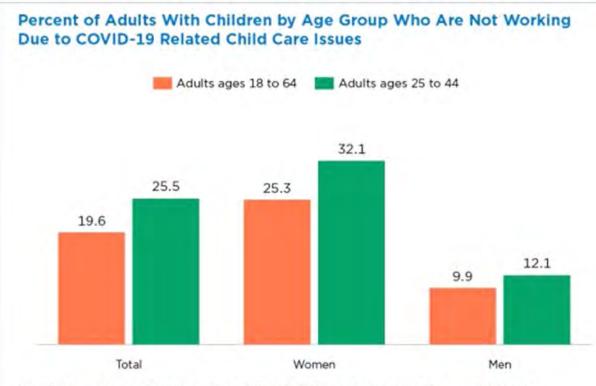




HOUSEHOLD

- "WHAT IS GOOD FOR GENDER EQUALITY IS GOOD FOR THE ECONOMY AND SOCIETY AS WELL. THE COVID-19 PANDEMIC PUTS THAT TRUTH INTO STARK RELIEF AND RAISES CRITICALLY IMPORTANT CHOICES."
- ARE WOMEN MORE IMPACTED BY COVID-19 OR ARE CHILDCARE CHOICES NOW LIMITED AND FALLING ON WOMEN?
- WORKING MOTHERS IN STATES WITH EARLY STAY AT HOME ORDERS WERE 68.8% MORE LIKELY TO TAKE LEAVE FROM THEIR JOBS THAN WORKING MOTHERS IN STATES WITHOUT CLOSURES

("WORKING MOMS BEAR BRUNT OF HOME SCHOOLING WHILE WORKING DURING COVID-19," U.S. CENSUS BUREAU, AUGUST 2020)



Note: The percentages reflect nonworking adults with children excluding those who are retired or not interested in working.

Source: U.S. Census Bureau, Household Pulse Survey (Week 12: July 16-July 21, 2020).

HOUSEHOLD

WOMEN WERE ALMOST THREE TIMES AS LIKELY AS MEN TO NOT BE WORKING DUE TO CHILDCARE DEMANDS



CAREER ADVANCEMENT

- FOUR TIMES AS MANY WOMEN AS MEN DROPPED OUT OF THE LABOR FORCE IN SEPTEMBER, ROUGHLY 865,000 WOMEN COMPARED WITH 216,000 MEN
- IF THE LEVELS OF MATERNAL LABOR FORCE PARTICIPATION AND WORK HOURS EXPERIENCED DURING THE APRIL 2020 FIRST-WAVE PEAK OF INFECTIONS AND COVID-19 LOCKDOWNS PERSIST LONG TERM—LOST WAGES WOULD AMOUNT TO \$64.5 BILLION PER YEAR.
- THE BIPARTISAN POLICY CENTER (BPC) AND MORNING CONSULT FOUND THAT MORE THAN 70 PERCENT OF PARENTS OF CHILDREN UNDER THE AGE OF 5 REPORT THEIR CHILD CARE PROVIDER IS CLOSED OR OPERATING WITH LIMITED HOURS OR SPACE

(HOW COVID-19 SENT WOMEN'S WORKFORCE PROGRESS BACKWARD; CENTER FOR AMERICAN PROGRESS OCTOBER 2020)





CAREER ADVANCEMENT

- ONE STUDY FOUND THAT WOMEN WHO TOOK JUST ONE YEAR OUT OF THE WORKFORCE HAD ANNUAL EARNINGS THAT WERE 39 PERCENT LOWER THAN THOSE OF WOMEN WHO DID NOT
- ESTIMATED ANNUAL LOST WAGES DUE TO CHANGES IN MATERNAL LABOR FORCE PARTICIPATION, 2019 DOLLARS
- <u>TOTAL LOST WAGES (BILLIONS OF DOLLARS)</u>
- DECREASED LABOR FORCE PARTICIPATION
- 1 PERCENT OF MOTHERS LEAVE THE LABOR FORCE \$8.7
- 3.2 PERCENT OF MOTHERS WITH A CHILD UNDER AGE 6 AND 3.5 PERCENT OF MOTHERS WITH A CHILD AGE 6–17 LEAVE THE LABOR FORCE* \$29.4
- 6.5 PERCENT OF MOTHERS LEAVE THE LABOR FORCE** \$56.4
- 20 PERCENT OF MOTHERS LEAVE THE LABOR FORCE*** \$173.6



DOMESTIC VIOLENCE

- NUMBER OF CALLS TO DOMESTIC VIOLENCE HOTLINES DECREASED OVER THE LAST YEAR
- 1 IN 4 WOMEN EXPERIENCE DOMESTIC VIOLENCE
- ECONOMIC INSTABILITY, LACK OF SAFE AND RELIABLE CHILD CARE, AND LACK OF SOCIAL SUPPORT CAN WORSEN THE SITUATION
- ECONOMIC INDEPENDENCE IS CRUCIAL IN DOMESTIC VIOLENCE NOW MORE DIFFICULT
- CLOSURE OF SCHOOLS AND LACK OF CHILD CARE HAS INCREASED THE PROBLEM
- (A PANDEMIC WITHIN A PANDEMIC INTIMATE PARTNER VIOLENCE DURING COVID-19

MEGAN L. EVANS, M.D., M.P.H., 12/10/20





- THE REDUCTION IN CALLS TO REPORT DOMESTIC VIOLENCE IS THAT NOW WOMEN AND FAMILIES ARE ALL TOGETHER WITH NO OPTIONS FOR CONNECTING WITH RESOURCES
- 243 MILLION WOMEN WORLDWIDE AGES 18-44 EXPERIENCE DOMESTIC VIOLENCE BY AN INTIMATE PARTNER LAST YEAR (UN REPORT ON HOW THE COVID CRISIS IMPACTS WOMEN AND GIRLS)



- AS A RESULT OF THE COVID-19 CRISIS CONGRESS, THE CALIFORNIA LEGISLATURE AND GOVERNOR NEWSOM PROVIDED NUMEROUS RESOURCES FOR WORKING MOTHERS AND FAMILIES TO HELP LESSEN THE IMPACT
- SPSL-SUPPLEMENTAL PAID SICK LEAVE
- SB 1159-WORKERS' COMPENSATION PRESUMPTION
- FFCRA-FAMILIES FIRST CORONA RELIEF ACT
- CARES ACT CORONA AID, RELIEF AND ECONOMIC SECURITY ACT





LEGISLATION

- SUPPLEMENTAL PAID SICK LEAVE
- EXECUTIVE ORDER N-51-20 AND LABOR CODE 248 APPLIES TO FOOD SERVICE WORKERS
- LABOR CODE SECTION 248.1 EXTENDS SPSL TO ALL WORKERS
- BUSINESS MUST HAVE 500+ WORKERS NATIONWIDE
- UP TO 80 HOURS OF PAID SICK LEAVE FOR CERTAIN WORKERS
- EXPIRED ON 12/31/20



LEGISLATION

- FFCRA FAMILIES FIRST CORONA VIRUS RESPONSE ACT
- LEAVE FOR 4/1/20-12/31/20
- APPLIES TO EMPLOYERS WITH FEWER THAN 500 EMPLOYEES
- APPLIES IF SUBJECT TO A QUARANTINE ORDER, ADVISED TO SELF-QUARANTINE OR EXPERIENCING SYMPTOMS
- APPLIES IF CARING FOR YOUR CHILD WHOSE SCHOOL OR PLACE OF CARE IS CLOSED
- FOR FULL TIME EMPLOYEES UP TO 80 HOURS OF SICK LEAVE



- CARES ACT 2020 \$1200 FOR EACH INDIVIDUAL AND \$500 FOR EACH CHILD
- CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT 2021 \$600 PER ADULT - \$600 PER CHILD
- PAYCHECK FAIRNESS ACT PROPOSED IN CONGRESS STEPS TO INCREASE TRANSPARENCY AND ELIMINATE DISCRIMINATION



POLITICAL



POLITICAL

- MARSHALL PLAN FOR MOMS MANY TOP CORP. LEADERS HAVE SIGNED ON ASKING BIDEN TO IMPLEMENT A MARSHALL PLAN TO SUPPORT MOMS, INCLUDING IMPLEMENTING LONG OVERDUE POLICIES ON EQUAL PAY, FAMILY LEAVE AND AFFORDABLE CHILDCARE
- "A FINANCIAL INVESTMENT IN
 O
 REBUILDING FROM THE
 GROUND UP"





POLITICAL

MORE WOMEN IN CONGRESS THAN EVER BEFORE - 144





RIP RBG 1933-2020



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THE NEW "NORMAL"

LIVING AND WORKING FROM HOME

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WORK FROM HOME

- MANY MAJOR COMPANIES REMAIN REMOTE AS THE CORONAVIRUS PANDEMIC WEARS ON — AND PLENTY HAVE NO IMMEDIATE PLANS TO RETURN TO THE OFFICE.
- <u>GOOGLE</u> EXTENDED ITS WORK-FROM-HOME POLICY TO SEPTEMBER 2021 AND PLANS TO ACCOMMODATE REMOTE WORK INDEFINITELY, AS WELL AS TRY A PROGRAM WHERE EMPLOYEES WORK HALF THE WEEK FROM HOME. <u>MICROSOFT</u> SIMILARLY OFFERED ALL OF ITS EMPLOYEES THE CHANCE TO WORK FROM HOME LESS THAN 50% OF THE TIME WITHOUT APPROVAL.
- <u>UBER,</u> AMERICAN EXPRESS, AND <u>AIRBNB</u> HAVE ALSO EXTENDED THEIR REMOTE WORK POLICIES.
- FOLLOWING THE PANDEMIC, <u>MORE THAN HALF OF</u> <u>AMERICANS</u> WANT TO CONTINUE WORKING REMOTELY, WHILE <u>TWO-THIRDS OF COMPANIES</u> MAY RENDER THEIR CURRENT WORK-FROM-HOME POLICIES PERMANENT.

- INCENTIVES FOR EMPLOYERS LOWERING OVERHEAD
 - EARLIER THIS SUMMER, OUTDOOR RETAILER REI ANNOUNCED THAT IT IS SELLING ITS BRAND NEW, UNUSED 8-ACRE CORPORATE CAMPUS IN BELLEVUE, WASHINGTON. IN AN AUGUST 12 STATEMENT, CEO ERIC ARTZ SAID THE COMPANY WILL "LEAN INTO REMOTE WORKING AS AN ENGRAINED, SUPPORTED, AND NORMALIZED MODEL" FOR EMPLOYEES.

WORK FROM HOME (CONT'D)

- EMPLOYERS SHOULD CONSIDER
 - EMPLOYEE REMOTE WORK POLICY
 AND AGREEMENT
 - PURCHASING AND TRANSPORTING OFFICE SUPPLIES AND EQUIPMENT FOR HOME USE.
 - TRACKING EMPLOYER EQUIPMENT. ...
 - INSURANCE FOR THEFT OF OFFICE EQUIPMENT. ...
 - EXPANDED IT SUPPORT. ...
 - MAINTAINING FILES.
 - WORK RELATED INJURIES
 - COMPENSATION AND TAXATION ISSUES

- EMPLOYEES SHOULD CONSIDER: WHEN TRANSITIONING TO REMOTE WORK
 - CREATE "YOUR" WORKSPACE. ...
 - ADD PERSONAL TOUCHES. ...
 - SET DAILY GOALS OR WRITE TASK LISTS. ...
 - TAKE BREAKS, AND STAND UP. ...
 - TRY TO MAINTAIN WORKING HOURS. ...
 - COMMUNICATE, COMMUNICATE, COMMUNICATE. ...
 - USE YOUR VIDEO CAMERA. ...
 - ASK QUESTIONS, AND DON'T ASSUME.







KEY ISSUES FOR EMPLOYERS AND THEIR TELEWORKERS

- EXPENSE
 REIMBURSEMENTS
- ACCURATE TIMEKEEPING
- MEAL AND REST BREAKS
- UNAUTHORIZED WORK
- OTHER CONSIDERATIONS

TELEWORKING

COMPLIANCE WITH ALL APPLICABLE EMPLOYMENT LAWS, SPECIFICALLY WAGE AND HOUR OBLIGATIONS, IS CRITICAL FOR REMOTE WORKERS.

EMPLOYERS SHOULD ALSO HAVE A WELL-CRAFTED WORK FROM HOME POLICY AND AGREEMENT THAT CLEARLY OUTLINES THE EMPLOYER'S EXPECTATIONS.

THE POLICY / AGREEMENT SHOULD INCLUDE, BUT NOT BE LIMITED TO:

- ELIGIBILITY TO WORK REMOTELY
- EMPLOYER'S WORK EXPECTATIONS AND HOW PERFORMANCE WILL BE MEASURED
- HOW WORKPLACE SAFETY RULES APPLY TO HOME OFFICES
- EMPLOYEE COMPLIANCE WITH EMPLOYER POLICIES, SUCH AS ANTI-HARRASSMENT AND ATTENDANCE

- TIMEKEEPING
- EQUIPMENT AND EXPENSE REIMBURSEMENT

TELEWORKING: NECESSARY BUSINESS EXPENDITURES

LABOR CODE § 2802 REQUIRES EMPLOYERS TO REIMBURSE WORKERS FOR "ALL NECESSARY EXPENDITURES OR LOSSES INCURRED BY THE EMPLOYEE" IN THE COURSE OF THEIR JOB DUTIES

NECESSARY BUSINESS EXPENDITURES MAY VARY BASED ON THE EMPLOYER'S TYPE OF BUSINESS

IF THE EMPLOYEE IS REQUIRED OR ENCOURAGED TO WORK FROM HOME, THE EMPLOYER MUST PROVIDE OR REIMBURSE THE EMPLOYEE FOR CERTAIN BUSINESS EXPENDITURES, SUCH AS INTERNET SERVICES, PERSONAL COMPUTERS AND/OR PRINTERS

DETERMINING THE APPROPRIATE AMOUNT FOR A REASONABLE REIMBURSEMENT IS O

TELEWORKING: NECESSARY BUSINESS EXPENDITURES

IN <u>COCHRAN V. SCHWAN'S HOME SERVICE, INC.</u>, (2014) 228 CALAPP.4TH 1137, THE COURT ADDRESSED EXPENSE REIMBURSEMENT REQUIREMENTS FOR WHEN EMPLOYEES ARE REQUIRED TO USE PERSONAL CELL PHONES FOR WORK PURPOSES.

THE COURT HELD THAT THE EMPLOYER MUST REIMBURSE THE EMPLOYEE FOR CELL PHONE USE EVEN IF THE EMPLOYEE DID NOT INCUR AN ADDITIONAL EXPENSE IN EXCESS OF THEIR USUAL, FLAT MONTHLY RATE.

THE COURT DID NOT SPECIFY HOW MUCH AN EMPLOYER IS REQUIRED TO PAY IN EXPENSE REIMBURSEMENT, BUT RATHER FOUND IT SHOULD BE A REASONABLE PERCENTAGE OF THE EMPLOYEE'S BILL.

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COCHRAN: HOW FAR WILL EMPLOYEES PUSH THE ENVELOPE?



TELEWORKING: ACCURATE TIMEKEEPING

EMPLOYERS MUST HAVE A PROPER SYSTEM IN PLACE TO MAINTAIN ACCURATE TIME RECORDS FOR ALL NON-EXEMPT EMPLOYEES TO ENSURE ACCURATE COMPENSATION.

VARIOUS WAYS NON-EXEMPT EMPLOYEES CAN TRACK HOURS WORKED, INCLUDE:

- USING TIMEKEEPING SOFTWARE THAT ALLOWS CONTEMPORANEOUS RECORDING OF ALL HOURS WORKED
- RELYING ON AN EMPLOYEE'S TIMESHEET SUBMISSIONS
- CALL IN/CALL OUT PROCEDURES

EMPLOYERS MUST EMPHASIZE THAT ALL HOURS WORKED MUST BE RECORDED AND NO "OFF THE CLOCK WORK" IS EVER PERMITTED.

TELEWORKING: MEAL AND REST BREAKS

IN CALIFORNIA, EMPLOYERS MUST PROVIDE NONEXEMPT EMPLOYEES, INCLUDING REMOTE WORKERS, WITH MEAL AND REST BREAKS.

THE LAW REQUIRES THAT NON-EXEMPT EMPLOYEES RECEIVE A PAID 10-MINUTE REST BREAK FOR EVERY FOUR HOURS THEY WORK "OR MAJOR FRACTION THEREOF" AND A 30-MINUTE UNPAID MEAL BREAK FOR EVERY FIVE HOURS ON THE JOB.

FAILURE TO PROVIDE THESE MANDATED MEAL AND REST BREAKS SUBJECTS THE EMPLOYER TO LIABILITIES.

TELEWORKING: MEAL AND REST BREAKS

HOW CAN AN EMPLOYER PROVIDE AND MONITOR MEAL AND REST BREAKS REMOTELY?

- HAVE A PROPER TIMEKEEPING SYSTEM IN PLACE
- HAVE A CLEARLY WRITTEN MEAL AND REST BREAK POLICY, WHICH STATES THAT ALL EMPLOYEES ARE EXPECTED TO TAKE THEIR UNINTERRUPTED, OFF-DUTY MEAL AND REST BREAKS

IF THE EMPLOYEE FAILS TO TAKE THEIR REQUIRED MEAL OR REST BREAKS, EVEN DUE TO EMPLOYEE ERROR, THE EMPLOYER MUST PAY THE EMPLOYEE A MISSED-MEAL PREMIUM EQUAL TO AN HOUR OF PAY.

MEAL
BREAKS

Shift Length	Number of 30 Minute Meal Periods	Timing of Meal Period	Waiver Allowed
5 hours or less	0		
More than 5 hours, but no more than 6 hours	1	No later than the end of the fifth hour of work	Yes, by mutual agreement
More than 5 hours, but no more than 10 hours	1	No later than the end of the fifth hour of work	No
More than 10 hours but no more than 12 hours		First meal period no later than the end of the fifth hour of work Second meal period no later than the end of the tenth hour of work	Yes, the second meal period may be waived by mutual agreement if the first meal period was taken and not waived
More than 12 hours but no more than 15 hours		First meal period no later than the end of the fifth hour of work Second meal period no later than the end of the tenth hour of work	No

Shift Length	Number of 10 Minute Rest Periods
Less than 3.5 hours	0
From 3.5 hours up to 6 hours	1
More than 6 hours up to 10 hours	2
More than 10 hours up to 14 hours	3

REST BREAKS

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TELEWORKING: OVERTIME

TO ENSURE TELEWORKERS ARE FOLLOWING TIME-KEEPING POLICIES AND REPORTING ALL HOURS WORKED, EMPLOYERS SHOULD REQUIRE NON-EXEMPT EMPLOYEES TO OBTAIN AUTHORIZATION BEFORE WORKING OVERTIME.

- THE LAW REQUIRES EMPLOYERS TO PAY OVERTIME (1.5X HOURLY RATE) FOR ALL HOURS WORKED BY A NON-EXEMPT EMPLOYEE OVER EIGHT HOURS IN A DAY OR 40 HOURS IN A WEEK, AND FOR THE FIRST EIGHT HOURS WORKED ON THE SEVENTH CONSECUTIVE DAY OF WORK IN A WORKWEEK
- EMPLOYERS MUST PAY NON-EXEMPT EMPLOYEES DOUBLE THE EMPLOYEE'S REGULAR RATE OF PAY FOR ANY WORK PERFORMED IN EXCESS OF 12 HOURS IN ANY WORKDAY AND FOR ALL HOURS WORKED IN EXCESS OF EIGHT ON THE SEVENTH CONSECUTIVE DAY OF WORK IN A WORKWEEK

JUST AS WITH MEAL AND REST BREAKS, THE ABILITY TO MONITOR OVERTIME HOURS IS CRITICAL.

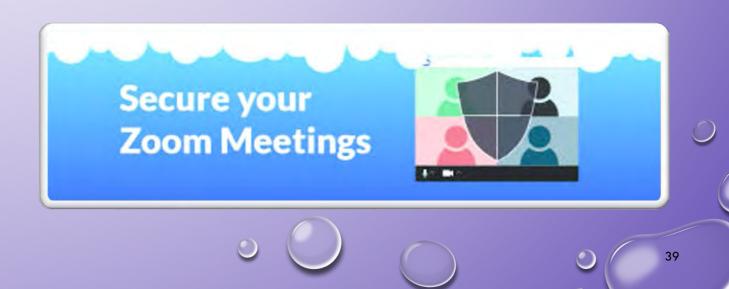
IF AN EMPLOYEE WORKS OVERTIME WITHOUT PRIOR AUTHORIZATION, THE EMPLOYER MUST STILL PAY THE EMPLOYEE FOR ANY OVERTIME. HOWEVER, THE EMPLOYER CAN COACH/DISCIPLINE AN EMPLOYEE FOR DOING SO.





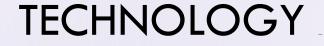
• DRUG TESTING

- SAFETY
- RECLASSIFYING EMPLOYEES FROM EXEMPT TO NON-EXEMPT
- PAID TIME OFF
- DRESS CODE & TELEWORKING ETIQUETTE



TELEWORKING: OTHER POLICIES TO REMEMBER

TECHNOLOGY



EQUIPMENT NEEDS

IDENTIFY WHAT EQUIPMENT YOU HAVE AND WHETHER YOU'LL NEED TO PURCHASE ANYTHING TO MAKE YOUR WORK AS SEAMLESS AS POSSIBLE. TO ASSURE YOU CAN CONTINUE WORKING, YOU MAY NEED:

1-2 COMPUTER MONITORS – IF YOU'RE USED TO USING TWO MONITORS, SEE IF YOU CAN BORROW ONE FROM THE OFFICE TO COMBINE WITH YOUR LAPTOP OR HOME COMPUTER.

HEADSET OR MICROPHONE – YOU'RE COMPUTER MIC JUST WON'T CUT IT, BE SURE YOU HAVE A HEADSET OR BLUETOOTH HEADPHONES WITH A DECENT QUALITY MICROPHONE.

WEBCAM – LUCKILY MOST LAPTOPS COME EQUIPPED WITH A CAMERA, BUT YOU CAN ALWAYS USE YOUR PHONE OR FIND A DECENT WEBCAM IF NECESSARY.

MOUSE AND KEYBOARD – AGAIN TRY AND USE THE SAME TYPE OF EQUIPMENT YOU'RE USED TO HAVING AVAILABLE IN THE OFFICE. IF YOU USUALLY HAVE A SECONDARY KEYBOARD OR MOUSE, ASK TO BRING THEM HOME WHILE WORKING REMOTELY.

STRONG AND RELIABLE INTERNET CONNECTION – THIS IS PRETTY SELF-EXPLANATORY, BUT IF YOU LIVE IN AN AREA WITH POOR INTERNET ACCESS, YOU MAY NEED TO FIND AN ALTERNATIVE LOCATION OR OPT FOR A WIRELESS HOTSPOT TO GET BY.

REMOTE TOOLS – THESE WILL FULLY DEPEND ON YOUR NEEDS AND WHAT YOUR COMPANY USES. IF YOU'RE UNSURE OF WHICH TOOLS ARE BEST FOR YOU, CHECK OUT OUR <u>RECOMMENDED LIST</u> TO GET YOU STARTED. SEE RESOURCES PAGE



RESOURCES

CORONAVIRUS IMPACT: ASKING YOUR TEAM TO WORK FROM HOME? 13 MUST-HAVE TIPS AND TOOLS FOR MANAGING REMOTE TEAMS

 HTTPS://WWW.TEAMOUTPOST.COM/BLOG/MANAGING-REMOTE-TEAMS/?__HSTC=246577179.DC16B71CB08877A941F962A8005C4F9C.1612419538303.161241 9538303.1612419538303.1&__HSSC=246577179.1.1612419538304&__HSFP=1306196919







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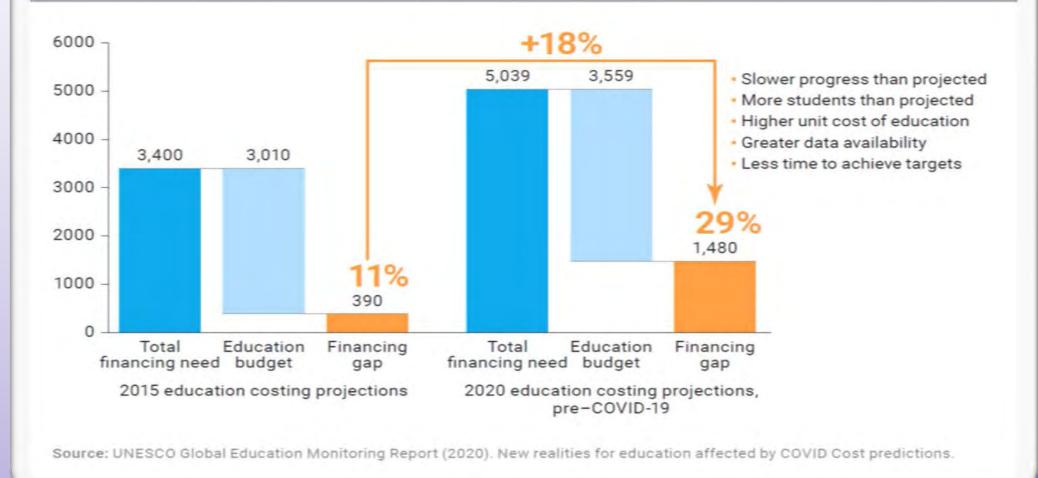
EDUCATION

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SCHOOL CLOSURES AND EDUCATION DISRUPTION

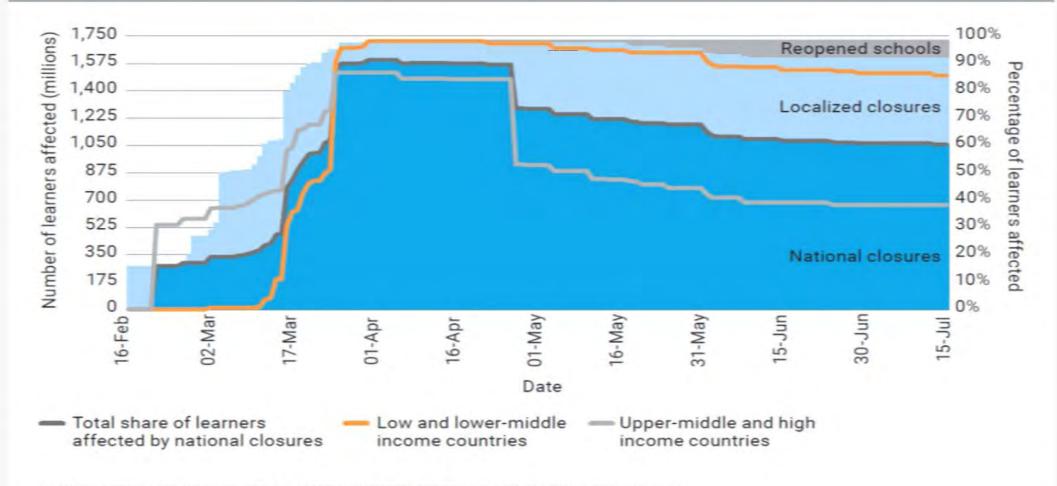
- THE COVID-19 PANDEMIC HAS CAUSED THE LARGEST DISRUPTION OF EDUCATION IN HISTORY, HAVING ALREADY HAD A NEAR UNIVERSAL IMPACT ON LEARNERS AND TEACHERS AROUND THE WORLD, FROM PRE-PRIMARY TO SECONDARY SCHOOLS, TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING (TVET) INSTITUTIONS, UNIVERSITIES, ADULT LEARNING, AND SKILLS **DEVELOPMENT ESTABLISHMENTS. BY** MID-APRIL 2020, 94 PER CENT OF LEARNERS WORLDWIDE WERE AFFECTED **BY THE PANDEMIC, REPRESENTING 1.58 BILLION CHILDREN AND YOUTH, FROM** PRE-PRIMARY TO HIGHER EDUCATION, IN 200 COUNTRIES.
- THE ABILITY TO RESPOND TO SCHOOL CLOSURES CHANGES DRAMATICALLY WITH LEVEL OF DEVELOPMENT: FOR INSTANCE, DURING THE SECOND QUARTER 2020, 86 PER CENT OF CHILDREN IN PRIMARY EDUCATION HAVE BEEN EFFECTIVELY OUT OF SCHOOL IN COUNTRIES WITH LOW HUMAN **DEVELOPMENT – COMPARED WITH JUST** 20 PER CENT IN COUNTRIES WITH VERY HIGH HUMAN DEVELOPMENT.

FIGURE 1: PRE-COVID-19 FINANCING GAP TO REACH SDG 4 (millions of dollars)



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FIGURE 2: NUMBER OF CHILDREN AFFECTED BY SCHOOL CLOSURES GLOBALLY



Source: https://en.unesco.org/covid19/educationresponse and authors' calculations.

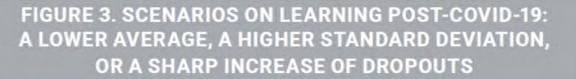
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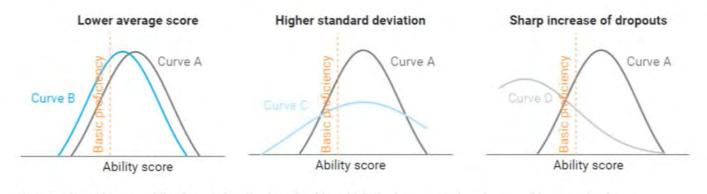
ALL LEVELS OF EDUCATION AND TRAINING AFFECTED

THE DISRUPTIONS CAUSED BY COVID-19 TO EVERYDAY LIFE MEANT THAT AS MANY AS 40 MILLION CHILDREN WORLDWIDE HAVE MISSED OUT ON EARLY CHILDHOOD EDUCATION IN THEIR CRITICAL PRE-SCHOOL YEAR.**13** THEY THUS MISSED A STIMULATING AND ENRICHING ENVIRONMENT, LEARNING OPPORTUNITIES, SOCIAL INTERACTION AND IN SOME CASES ADEQUATE NUTRITION. THIS IS LIKELY TO COMPROMISE THEIR LONGER-TERM HEALTHY DEVELOPMENT, ESPECIALLY THOSE CHILDREN FROM POOR AND DISADVANTAGED FAMILIES

AN EXACERBATION OF DISPARITIES IN LEARNING OPPORTUNITIES

 AN ESTIMATED 40 PER CENT OF THE POOREST COUNTRIES FAILED TO SUPPORT LEARNERS AT RISK DURING THE COVID-19 CRISIS, 15 AND PAST EXPERIENCES SHOW THAT BOTH EDUCATION AND GENDER INEQUALITIES TEND TO BE NEGLECTED IN **RESPONSES TO DISEASE OUTBREAKS.16 DOMESTIC** CHORES, ESPECIALLY FOR GIRLS, AND THE WORK **REQUIRED TO RUN HOUSEHOLDS OR FARMS, CAN** ALSO PREVENT CHILDREN FROM GETTING SUFFICIENT LEARNING TIME, CHILDREN WITH DISABILITIES WHO WERE ALREADY MARGINALIZED **BEFORE THE OUTBREAK ARE NOT ALWAYS** INCLUDED IN STRATEGIES OF DISTANCE LEARNING.





Source: https://blogs.worldbank.org/education/we-should-avoid-flattening-curve-education-possible-scenarios-learning-loss-during-school.

INCREASED DROPOUT ANTICIPATED

 IN ADDITION TO THE LEARNING LOSS, THE ECONOMIC IMPACT ON HOUSEHOLDS IS LIKELY TO WIDEN THE INEQUITIES IN EDUCATION ACHIEVEMENT. SHOULD MILLIONS BE PUSHED INTO SEVERE POVERTY, EMPIRICAL EVIDENCE SHOWS THAT CHILDREN FROM HOUSEHOLDS IN THE POOREST QUINTILES ARE SIGNIFICANTLY LESS LIKELY TO COMPLETE PRIMARY AND LOWER SECONDARY EDUCATION THAN THOSE IN THE RICHEST QUINTILE;

A RIPPLE EFFECT BEYOND EDUCATION

- AS WITH PREVIOUS PANDEMICS, COVID-19 HAS SHOWN THAT EDUCATION INSTITUTION CLOSURES REPRESENT AN INCREASED RISK FOR WOMEN AND GIRLS, AS THEY ARE MORE VULNERABLE TO MULTIPLE TYPES OF ABUSE, SUCH AS DOMESTIC VIOLENCE, TRANSACTIONAL SEX, AND EARLY AND FORCED MARRIAGES.
- THE CLOSURES HAVE ALSO AFFECTED THE ABILITY OF MANY PARENTS TO WORK. A SIGNIFICANT SHARE OF WORKING PARENTS RELY ON CHILDCARE AND SCHOOLS. IN COUNTRIES SUCH AS FRANCE, GERMANY, ITALY, THE UK, AND USA, 60 PER CENT OF PARENTS HAVE BEEN UNABLE TO FIND ALTERNATIVE SOLUTIONS FOR SCHOOLS AND DAY-CARE CENTRES. A RECENT STUDY HIGHLIGHTS THAT WOMEN ARE BEARING THE GREATER SHARE OF ADDITIONAL TIME SPENT ON CHILDCARE AND HOUSEHOLD TASKS. COUPLED WITH THE PRESENT ECONOMIC DISRUPTION, THIS WILL LIKELY CONTRIBUTE TO HIGHER EARNING GAPS THUS WIDENING GENDER INEQUALITY. FURTHERMORE, STUDIES PROJECT THAT WORKING-HOUR LOSSES WILL REPRESENT UP TO 400 MILLION FULL-TIME JOBS.





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FAMILY

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STRESS AND PARENTING DURING THE GLOBAL COVID-19 PANDEMIC

• THE GLOBAL COVID-19 PANDEMIC IS A STRESSOR THAT ORIGINATED OUTSIDE OF THE FAMILY SYSTEM BUT GIVEN THE NOVELTY AND UNCERTAINTY CONCERNING THIS DISEASE, IT IS LIKELY TO BE PERCEIVED AS A SIGNIFICANT STRESSOR FOR MANY PARENTS AND CHILDREN. IN FACT, EMERGING RESEARCH HAS SHOWN THAT PARENTS' PERCEIVED IMPACT OF COVID-19 IS ASSOCIATED WITH INCREASED PARENTING STRESS AND, IN TURN, INCREASED RISK OF HARSH PARENTING

Theme	n (%)	
Stressors		<u> </u>
Loss of employment or income /inability to provide for family	52 (34.7)	
Uncertainty about the future	9 (6.0)	
Inability to see family or friends or socialize with others	25 (16.7)	
Relationship difficulties	6 (4.0)	
General stress and feeling tired	26 (17.3)	
Poor mental health (e.g., feelings of depression)	19 (12.7)	
Poor physical health (e.g., lack of physical activity, poor eating)	14 (9.3)	
Meltdowns and/or boredom from children	17 (11.3)	
Difficulties managing children's academics	22 (14.7)	
Fear of contracting the virus or hearing about people dying from the virus	16 (10.7)	
Lack of supports (e.g., childcare)	4 (2.7)	
Difficulties managing work from home	21 (14.0)	
Positive or neutral change		
More time with children and family	15 (10.0)	\bigcirc
Not much change	12 (8.0	

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HEALTHY WAYS TO COPE WITH STRESS TAKE BREAKS FROM WATCHING, READING, OR LISTENING TO NEWS STORIES, INCLUDING THOSE ON SOCIAL MEDIA. IT'S GOOD TO BE INFORMED, BUT HEARING ABOUT THE PANDEMIC CONSTANTLY CAN BE UPSETTING. CONSIDER LIMITING NEWS TO JUST A COUPLE TIMES A DAY AND DISCONNECTING FROM PHONE, TV, AND COMPUTER SCREENS FOR A WHILE.

TAKE CARE OF YOUR BODY.

TAKE DEEP BREATHS, STRETCH, OR <u>MEDITATEEXTERNAL ICON</u>. TRY TO EAT HEALTHY, WELL-BALANCED MEALS.

EXERCISE REGULARLY

GET PLENTY OF SLEEP

AVOID EXCESSIVE ALCOHOL, TOBACCO, AND SUBSTANCE USE.

CONTINUE WITH ROUTINE PREVENTIVE MEASURES (SUCH AS VACCINATIONS, CANCER SCREENINGS, ETC.) AS RECOMMENDED BY YOUR HEALTHCARE PROVIDER.

GET VACCINATED WITH A COVID-19 VACCINE WHEN AVAILABLE.

MAKE TIME TO UNWIND. TRY TO DO SOME OTHER ACTIVITIES YOU ENJOY.

CONNECT WITH OTHERS. TALK WITH PEOPLEEXTERNAL ICON YOU TRUST ABOUT YOUR CONCERNS AND HOW YOU ARE FEELING.

CONNECT WITH YOUR COMMUNITY- OR FAITH-BASED ORGANIZATIONS. WHILE SOCIAL DISTANCING MEASURES ARE IN PLACE, TRY CONNECTING ONLINE, THROUGH SOCIAL MEDIA, OR BY PHONE OR MAIL.





SILVER LININGS



SPENDING MORE TIME TOGETHER HAS STRENGTHENED BONDS

13 THINGS TO BE GRATEFUL TO COVID-19 FOR

- 1. A BREAK IN ROUTINE, TIME TO RESTRUCTURE LIFE
- 2. WE'VE LEARNED THE IMPORTANCE OF PERSONAL HYGIENE
- 3. FOCUS ON, AND APPRECIATION, FOR OUR ESSENTIAL WORKERS
- 4. GENEROSITY AND COMMUNITY MINDEDNESS IS SPIKING
- 5. CHANGES IN WORKING HABITS
- 6. WE'RE LEVERAGING TECHNOLOGY TO MAINTAIN OUR HEALTH AND KEEP US CONNECTED
- 7. FREE STUFF
- 8. POLLUTION IS DOWN
- 9. THE PETS OF THE WORLD ARE VERY, VERY HAPPY
- 10. HOBBIES, HOBBIES, HOBBIES
- 11. PEOPLE ARE SLEEPING BETTER
- 12. PEOPLE ARE MORE IN TOUCH WITH FRIEND AND FAMILY

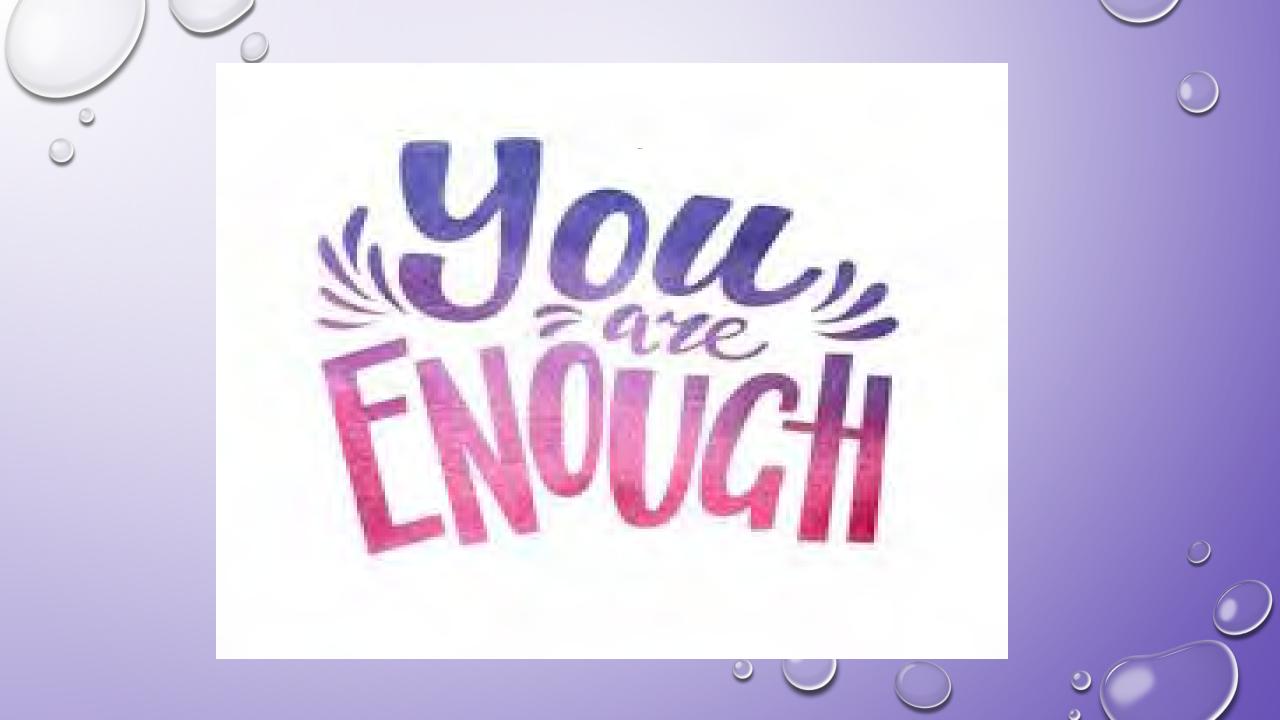




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BOUNDRIES

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SETTING BOUNDARIES DURING COVID-19: O HOW TO DO IT AND WHY IT MATTERS

SOME EXAMPLES OF BOUNDARIES:

- SAYING HOW YOU FEEL, EVEN IN UNCOMFORTABLE SITUATIONS
- STATING YOUR NEEDS
- ASKING FOR HELP
- REMINDING YOURSELF THAT OTHERS ARE RESPONSIBLE FOR THEIR OWN FEELINGS
- SAYING NO WITHOUT GUILT
- TEACHING OTHER PEOPLE HOW YOU WANT AND DESERVE TO BE TREATED
- MAKING TIME TO RECHARGE ON YOUR OWN

EXAMPLES OF COVID-19 SPECIFIC BOUNDARIES:

NO COVID TALK IN THE EVENINGS

SCROLLING SOCIAL MEDIA LESS TO MINIMIZE STRESS

ASKING OTHERS TO WEAR MASKS AROUND YOU OR TO MAINTAIN DISTANCE

DWC CONFERENCE: WOMEN IN LAW AND BUSINESS YES, 2020 REALLY HAPPENED. NOW WHAT?

PRESENTATION BY: NIKKI MEHRPOO-JACOBSON

2019 DWC CONFERENCE

IF THEY WON'T GIVE YOU A SEAT AT THE TABLE, PULL UP A FOLDING CHAIR

2020 DWC CONFERENCE

A SEAT AT THE TABLE IS NOT ENOUGH. BE BOLD AND PROCEED.

>2021 DWC CONFERENCE

LET'S RESET THE TABLE, OUR WAY.

2020...

Catastrophe...

New Laws... New Laws... New Laws...

Now What?

- Reinvent Yourself, Again
- Take Action
- You Are Not Alone
- Supplement Your Income
- Resources

CATASTROPHE







Labor Law Cal/OSHA - Safety & Health

Workers' Comp

Self Insurance Appre

Cal/OSHA COVID-19 Infection Prevention Requirements

COVID-19 Infection Prevention Requirements (AB 685) Enhanced Enforcement and Employer Reporting Requirements

Updated 11/13/2020

Assembly Bill 685 (Reyes) enhances Cal/OSHA's enforcement of COVID-19 infection prevention requirements by allowing for Orders Prohibiting Use and citations for serious violations related to COVID-19 to be issued more quickly. The law also requires employers to notify all employees who were at a worksite of all potential exposures to COVID-19 and notify the local public health agency of outbreaks.

1. What did Assembly Bill 685 change?

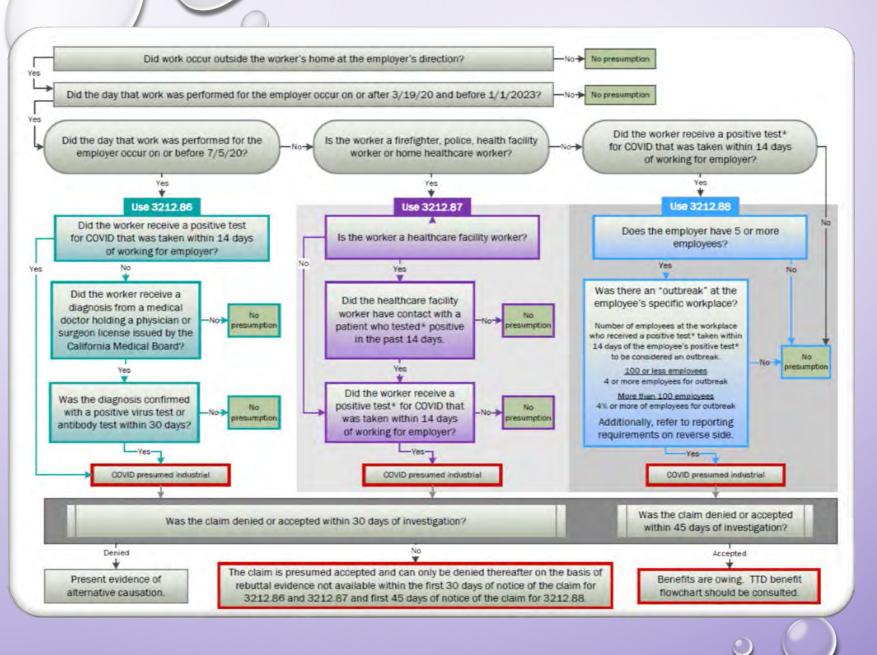
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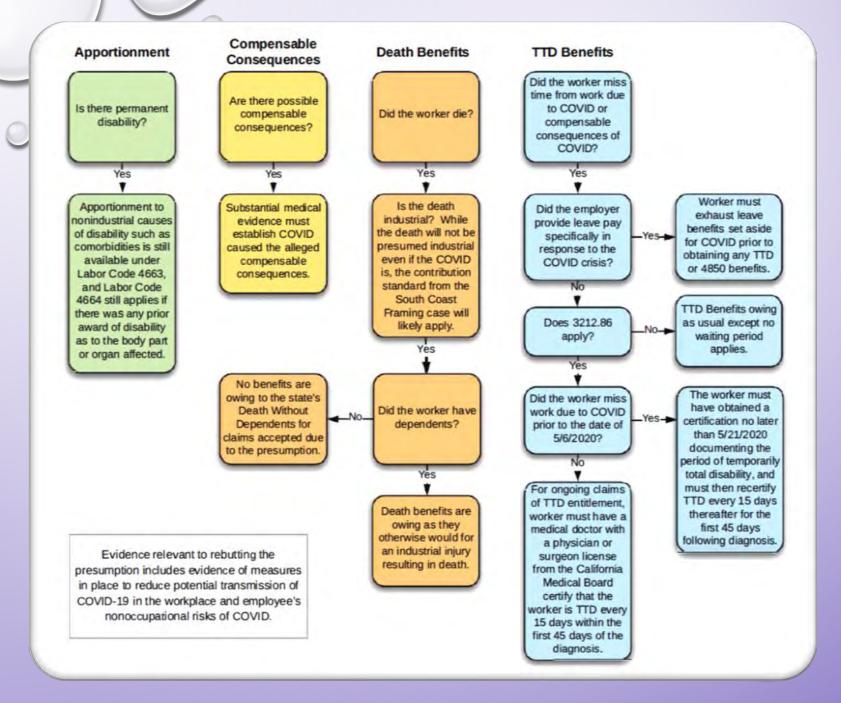
Assembly Bill 685 made permanent and temporary changes, that include:

- Employers are required to notify all employees at a worksite of potential exposures, COVID-19-related benefits
 and protections, and disinfection and safety measures that will be taken at the worksite in response to the
 potential exposure.
- Employers are required to notify local public health agencies of all workplace outbreaks, which are defined as three or more laboratory-confirmed cases of COVID-19 among employees who live in different households within a two-week period.
- From January 1, 2021 until January 1, 2023, Cal/OSHA can issue an Order Prohibiting Use (OPU) to shut down
 an entire worksite or a specific worksite area that exposes employees to an imminent hazard related to COVID-

NEW LAWS: NEW REPORTING REQUIREMENTS







NEW LAWS: LABOR CODE §3212.86, §3212.87, §3212.87, §3212.88 COVID CLAIM PRESUMPTIONS (CONTINUED)

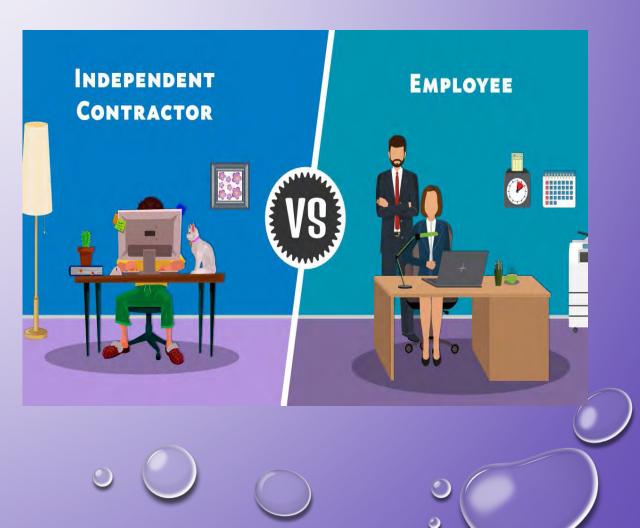
SIGNIFICANT CHANGES TO CALIFORNIA'S WORKER <u>CLASSIFICATION</u> LAWS: AB 5, AB 2257, PROPOSITION 22

AB 5 and the "ABC" Test

- California Legislature Amends AB 5 by Enacting AB 2257
 - AB 2257 includes more exemptions than AB 5 from the Dynamex decision and includes more definitions.

Proposition 22 Carves Out Additional Exemption for App-Based Transportation Companies

 In November 2020, California voters approved Proposition 22, App-Based Drivers as Contractors and Labor Policies Initiative, which further increased the number of workers in the state who are not considered to be employees. Specifically, it defined app-based transportation and delivery drivers, such as those who work for DoorDash, Lyft, and Uber, as independent contractors.



RECAP TO CHANGES TO CALIFORNIA'S WORKER <u>CLASSIFICATION</u> LAWS: INDEPENDENT CONTRACTORS

Borello Multi Factor Test

1989

The Borello Test—From 1989 to 2018, the independent contractor test was "the Borello Test" based on a California Supreme Court decision, Borello & Sons, Inc. v. Department of Industrial Relations (1989). Under Borello, the employer had to use a multi-factor test to assess whether the contractor was free from direction and control of the employer, among other factors. The full Borello Test is outlined below.

2018 Dynamex ABC Case The Dynamex Case—In 2018, the California Supreme Court adopted a new legal standard called "the ABC Test" in Dynamex Operations West v. Court (2018). Instead of applying the multi-factor Borello Test, the Court held that a worker was presumed an employee unless the employer established that A) the worker was free from control and direction, B) the work was performed outside the usual course of business, and C) the worker was engaged in an independent business. This ruling applies too all workers in California. For more information about the Dynamex case, see CAMFT's article titled "Employee or Independent Contractor" by Michael Griffin, JD.

RECAP TO CHANGES TO CALIFORNIA'S WORKER <u>CLASSIFICATION</u> LAWS: INDEPENDENT CONTRACTORS

AB 5 Legislation

2019

2020

Assembly Bill 5 Legislation—In 2019, California Assembly Bill 5 (AB 5), made the ABC Test into law and applied it to all (non-exempted) California work settings as of January 1, 2020. MFTs, as well as LPCCs and LCSWs were swept into this bill among hundreds of other professions. For further reading on AB 5, see CAMFT's article titled "AB 5 and the Independent Contractor" by Cathy Atkins, JD.

AB 2257 Business to Business Exemption Assembly Bill 2257 Legislation – In 2020, California Assembly Bill 2257 (AB 2257) revised and expanded some of the provisions set forth in AB 5, specifically exemptions related to professional services and business-to-business relationships. Deemed urgent, the bill which was signed by the Governor on September 4, 2020, went into immediate effect. CAMFT worked with the author's office to create more flexibility for psychotherapists through revisions to the business-to-business exemption. The applicable specifics of AB 2257 are discussed in this article.

MORE NEW LAWS...

- California Family Rights Act Expanded To Smaller Employers
- ► New Re-Hire Provisions Clarified
- ➢New Diversity Requirements For Boards of Public Companies
- Extended Period To File Division of Labor Standards Enforcement Complaints And Attorneys' Fees For Whistleblowers
- Expanded Successor Liability For Wage And Hour Judgments
- New Pay Data Reporting Requirements For California Employers With 100 or More Employees
- Update On Employment Arbitration Agreements





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REINVENT YOURSELF, AGAIN:



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Learn The Law... Become An Expert...



LEVEL ONE

You hear about a topic, but you know nothing about it.



LEVEL TWO

You're curious about the topic -- you Google it and read 3 articles from reputable sources .



LEVEL THREE

You identify the top 3 to 5 experts on the topic and watch their lectures on YouTube.



LEVEL FOUR

You take a Massive Open Online Course (MOOC) so that you can understand the topic's theory.



LEVEL FIVE

You read 3 to 5 books written by the experts you previously identified.



LEVEL FIVE

You read 3 to 5 books written by the experts you previously identified.



LEVEL SIX

You start a blog and publish at least 25 articles on your topic. Publish 3 articles on other blogs.

LEVEL 7

You create a project that will showcase what you've learned about the topic.

LEVEL 8

You give a lecture at a local college, a company, or a trade organization on your topic.

LEVEL 9



Create a course on your topic, sell it, and get at least 5 positive testimonials.

LEVEL 10



Get featured by three media/news organizations as an expert in your chosen topic.



TAKE ACTION

•Mentors

Organizations

•Your Boss

•Your Community

YOUR ARE NOT ALONE



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SUPPLEMENT YOUR INCOME



WOW

• WOMEN OF WORKERS' COMPENSATION

- 1. PERSONALLY & PROFESSIONALLY SUPPORT EACH OTHER
- 2. MENTOR / MENTEE
- 3. SEEK GUIDANCE
- 4. GIVE GUIDANCE
- 5. PROMOTE EACH OTHER
- 6. LEARN
- 7. IDEAS

WWW.FACEBOOK.COM/GROUPS/CALIFORNIAWO



RESOURCES

•https://lacounty.gov/wgi/



LEAN IN: THE ORGANIZATION

- LEANIN.ORG
- HELP WOMEN ACHIEVE THEIR AMBITIONS
 AND WORK TO CREATE AN EQUAL WORLD
- HELP WOMEN COME TOGETHER TO LEARN FROM EACH OTHER AND ACHIEVE THEIR GOALS
- CIRCLES: FIND A GROUP OF WOMEN FOR REAL TALK, INSPIRATION, AND SUPPORT.

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