

Sweeney Mason

LLP

Coronavirus (COVID-19) Update:

Santa Clara County to Enter Red Tier

Effective Wednesday, March 3, 2021, Santa Clara County will move into the "Red Tier" under California's [Blueprint for a Safer Economy](#). The County Health Officer urges businesses, entities, and residents to continue exercising the utmost caution even as certain restrictions are lifted by the County.

The County's [October 5th Risk Reduction Order](#), which requires everyone to follow all State orders and guidance, maintain distance, and wear face coverings as much as possible, will remain in effect. As always, businesses, entities, and individuals must follow both the State and County Health Officer Orders, and where there is a conflict between the two, the stricter rules must be followed.

All businesses are encouraged to carefully review the [summary of the order](#), and the County's guidance on the new requirements. Significant changes are highlighted below:

The following changes are effective, Wednesday, March 3:

1. All activities authorized under the State's Red Tier, including indoor dining, can resume in accordance with State capacity limits and safety protocols, including:

- Indoor dining at maximum 25% capacity or 100 people, whichever is fewer;
- Retail stores at maximum 50% capacity;
- Gyms and fitness centers at maximum 10% capacity;
- Movie theaters at maximum 25% capacity or 100 people, whichever is fewer; and
- Zoos, museums, and aquariums at 25% maximum indoor capacity.

2. Sector and activity-specific local directives will no longer be in effect.

3. Although all travelers are encouraged to continue to quarantine after travel, the Mandatory Directive on Travel will no longer be in effect.

Please note that COVID-19 continues to pose a severe risk to residents of Santa Clara County, and the Health Officer urges residents to continue taking precautions, including staying home when possible, minimizing interaction with people outside one's household, maintaining social distance, wearing face coverings, and moving as many activities outdoors as possible. Indoor dining and indoor gatherings are still considered higher-risk activities. Individuals over age 50 and those with serious underlying medical conditions are at greater risk for serious illness from COVID-19.

Sweeney Mason LLP continues to monitor the rapidly evolving situation pertaining to the COVID-19 virus and resulting legal issues. We are finding that the laws and orders released by the Federal, State, County and Local governments are, in some cases, ambiguous, vague and/or contradictory, resulting in some confusion among a broad cross-section of our clients. At this juncture, and given the fast-paced changes to the applicable orders and mandates, as well as the ambiguities inherent in the orders there is no "one-size-fits-all" approach to COVID-19-related legal matters. As a result, contracts, employment issues, ongoing lawsuits and other matters impacted by the COVID-19 outbreak should be analyzed on a case-by-case basis and with the assistance of Sweeney Mason LLP.

Sweeney Mason LLP is in daily contact with governmental offices and various trade organizations to monitor the developments surrounding the COVID-19 outbreak. While much of our personnel continues to work remotely, Sweeney Mason LLP is fully operational and will continue to assist our clients and community with their legally related issues and concerns during this uncertain time.

For more information, please contact our employment team at 408-356-3000 or via email: Roger Mason at rmason@smwb.com or Rachael Brown at reb@smwb.com.

The following links may assist you in evaluating some of the issues you may have. Stay safe!

DOL Publications:

[FFCRA FAQs](#)

[FFCRA Required Notice](#)

IRS Guidelines:

[FFCRA Tax Credits](#)

[Employee Retention Tax Credits Under CARES Act](#)

SBA Guidelines:

[PPP FAQs](#)

CDC Guidelines:

[Interim Guidance on Risk Assessment for Individuals with Possible COVID-19 Exposure](#)

[Interim Guidance for Businesses and Employers](#)

Cal/OSHA:

[Preparing Your Workplace for COVID-19](#)

[Emergency Temporary Standards](#)

[Emergency Temporary Standards FAQs](#)

California:

[Blueprint for a Safer Economy](#)

[EDD COVID-19 Overview](#)

[EDD COVID-19 FAQs](#)

Santa Clara County:

[Current Risk Reduction Order \(October 5\)](#)

[Current Guidance for Businesses](#)

[Social Distancing Protocol \(October 5\)](#)

[Public Health Department FAQs](#)

[Requirements for Businesses](#)

San Jose:

[Paid Sick Leave Ordinance](#)



The information provided in this publication is general in nature and is not intended to answer every question that may arise under different fact situations and should not be relied on in the place of professional advice in a given case. If you have specific questions, please contact Sweeney Mason LLP.

SWEENEY MASON LLP's philosophy is that by educating our clients, and other businesses, about their legal obligations, including changes in the law, we best serve our legal goal of minimizing or preventing expensive litigation.

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