

# COVID-19 Resource Center

McGlinchey's COVID-19 Resource Center provides insight, analysis, and recommendations from seasoned attorneys in every discipline.

Day by day, the impact of the Coronavirus pandemic is spreading and evolving, and with it, the challenges, both current and future, continue to escalate and shift. The impact is global, pervasive, and ongoing.

In this uncertain environment, McGlinchey stands ready to help. This COVID-19 Resource Center provides insight, analysis, and recommendations from seasoned attorneys in every discipline. Whether the issue is the impact of the virus on the financial services industry, employment law issues, or the validity of business interruption coverage, you'll find the information you need right here.

[visit our Guide to PPP Loan Forgiveness](#)

As a firm, McGlinchey always strives to give clients more. More than they expect, more than they anticipate, more than anyone else. In a time of unprecedented upheaval like this, that means providing both timely, actionable information, and helping clients think through not just the issues of today, but of tomorrow, and beyond. We will navigate this challenge together.

While the course of the COVID-19 crisis continues to evolve, the longer-term strategic impacts of the situation also require analysis and strategic planning. Businesses need to not only plan for the immediate effect on their employees but also on the longer-term implication on their business plans.

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## Employment Law

Employers must be ready to address the delicate balancing act that must be performed between ensuring that workers have a safe (disease-free) workplace and protecting employee rights, particularly confidentiality.

- [Alert: FAQs from Coronavirus Employment Webinar \(Part 2\) - April 2, 2020](#)
- [Webinar: Coronavirus: Bring Your Employment Questions, Part 2 - March 27, 2020](#)
- [Alert: Take-Out and Drive-Thru Only: Have Your Tipped Employees Just Become Hourly? - March 26, 2020](#)
- [Alert: FAQs from Coronavirus Employment Webinar \(Part 1\) - March 26, 2020](#)
- [Alert: What Employers Need to Know for April 1st About the Families First Coronavirus Response Act - March 25, 2020](#)

- [Webinar: Coronavirus: Bring Your Employment Questions - March 20, 2020](#)
- [Alert: Amended House Bill goes to the Senate with Significant Changes - March 18, 2020](#)
- [Alert: Clarifying Wage Payments during COVID-19 Pandemic - March 17, 2020](#)
- [Alert: House Bill may present major changes for employers - March 16, 2020](#)
- [Alert: Employers need to take swift action - March 6, 2020](#)

## Financial Services

COVID-19 has created unique regulatory considerations for the financial services industry, such as the tension between legal requirements that financial services companies conduct regulated activity only from certain authorized locations and the recommendation of having employees work from home to limit the spread of the Coronavirus. State regulatory agencies have begun to disseminate guidance granting relief from these restrictions so that personnel may work from home when necessary.

- [Alert: FCRA Enforcement and the CARES Act - April 6, 2020](#)
- [Alert: Top 11 Tips for Lenders Navigating Commercial Loan Modifications in Response to the COVID-19 Outbreak - March 24, 2020](#)
- [Alert: New York DFS Issues Guidance on Recommended COVID-19 Mitigation Measures for Mortgage Servicers - March 19, 2020](#)
- [Alert: Federal and State Regulators Issue Joint Guidance Encouraging Financial Services Companies to Responsibly Accommodate Borrowers Impacted by COVID-19 and Advising on Business Continuity Planning - March 18, 2020](#)
- [Alert: State Regulators Continue to Issue Special Guidance Allowing Financial Services Companies to Work Remotely Due to COVID-19 - March 17, 2020](#)
- [Alert: Financial Services Companies Should Review SCRA Policies and Procedures to Prepare for Possible Large Scale Activation of National Guard and Military Reserves Relating to COVID-19 Relief - March 17, 2020](#)
- [Alert: State Regulators Begin to Address Coronavirus Licensing Implications for the Financial Services Industry - March 10, 2020](#)

## Real Estate

As fears of the Coronavirus spread, it is likely that all commercial real estate may see a decline. Retail businesses may find that their regular flow of customers is substantially reduced. Service businesses may find that their hours are curtailed because employees are quarantined or because customers do not want to come to a place where they have to physically interact with employees, such as barbershops, restaurants, and beauty parlors.

Commercial property values may decline, rent rates may decrease, and the ability of tenants to make their lease payments may increase loan default rates.

- [Alert: What Should Landlords and Tenants be Doing in the Face of the COVID-19 Pandemic? - March 24, 2020](#)
- [Alert: Potential Impact on Commercial and Residential Real Estate - March 17, 2020](#)

#### Construction

- [Alert: Construction is “Essential” in Louisiana - March 30, 2020](#)
- [Alert: Your Job Site is Shut Down, Now What? Read Your Contract – Know Your Rights and Duties - March 19, 2020](#)

Have construction questions and looking for information? There is helpful information on the Association of General Contractors' website including its recently issued COVID-19 best practices for construction job sites.

- [Association of General Contractors' Coronavirus Resources](#)

#### [Coronavirus Construction Limits: State-by-State Tracker](#)

This dashboard tracks how states with a stay-at-home mandate classify Construction and Building Material Suppliers.

#### Business Disruption

Because the virus originated in China, and because of China's role in the operation of the global supply chain, the disruption of manufacturing in China ripples into the buyers around the world. Additionally, mandatory business closure orders in the United States to combat the spread of the virus are causing demand issues that additionally result in supply, operational, and loss of revenue issues. Ultimately, the closures by order could result in stifling domestic demand which may force business closures. Whether it is an interruption in the supply chain, unavailability for production, financial, or another inability to meet contractual obligations, many contractual and legal issues will arise due to the manufacturing and mandated economic disruptions. “Force Majeure” provisions exist in most commercial business contracts including supply, sales, and distribution agreements and commercial leases, in which the provisions are used to allocate risk of loss with respect to events the parties could not have foreseen or controlled. As a contractual provision between the parties, such provisions are most often upheld by courts absent specific exceptions. The governing law and venue provisions of such contracts may also come into play. Certain business interruptions may implicate insurance. Business interruptions upstream or downstream, contractual review, and moving quickly are legal issues and business concerns that come together at the forefront of this current crisis.

#### environmental

- [Alert: Environmental Due Diligence In The Wake Of COVID-19 - March 31, 2020](#)
- [Alert: Do we need to comply with EPA regulations during COVID-19? - March 30, 2020](#)

- [Alert: PHMSA Relaxes Regulations in Wake of COVID-19 Crisis to Keep Pipelines Open - March 23, 2020](#)

#### Paycheck Protection Program

Businesses are now eligible to apply for forgiveness of loans received through the federal Paycheck Protection Program (PPP) established under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. PPP loan recipients should be thoughtful in responding to information requested by lenders and the Small Business Administration (SBA).

#### [View our guide to PPP Loan Forgiveness.](#)

The links below collect PPP guidance from the U.S. Treasury Department and the most current borrower application. Please review the application and guidance carefully to ensure you are utilizing or relying on the most current information.

1. [Overview of PPP](#)
2. [PPP Information Sheet for Borrowers](#)
3. [Borrower Application](#)
4. [PPP Information Sheet for Lenders](#)
5. [Treasury Interim Final Rule for PPP](#)
6. [SBA Interim Final Rule on CARES Act and PPP](#)