



2020

PUBLIC HEALTH LAW  
**VIRTUAL  
SUMMIT**

**COVID-19 Response  
and Recovery**

September  
**16-17**

**COVID-19 and the Social  
Determinants of Health**

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# **A Pandemic Meets a Housing Crisis**

Courtney Anderson

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State University College of Law

# Housing and Health

- Housing inequities
- Health disparities
- A Pandemic Meets a Housing Crisis
  - Public Housing
  - Mortgage Forbearance
  - Rental Assistance
  - Eviction
  - Homelessness
  - Utilities
- Moving forward

# Fair Housing?

“It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.”

-Section 801 of the Fair Housing Act

# Health Disparities

- Asthma and respiratory disease
- Stress and Mental Health
- Nutritional deficiencies
- Pollutants
- Low-income workers, COVID-19 and housing

# A Pandemic Meets a Housing Crisis

- Public Housing
  - 1.25 Billion in rental assistance
  - Quality of life?
  - Structural conditions?
- Mortgage Forbearance
  - Will we be back to normal by December 2020?
- Rental Assistance
  - Late fees and rent increases



# A Pandemic Meets a Housing Crisis

- Eviction
  - What is prohibited and for how long?
- Homelessness
  - Temporary shelters
  - Compliance with CDC guidelines
- Utilities
  - Service continuity
  - Internet access

# Moving Forward - Local

- Holistic prohibition of evictions
- Ongoing and comprehensive relief for public housing tenants



# Moving Forward - State

- Good cause eviction
- Utility and broadband internet subsidization

# Moving Forward - Federal

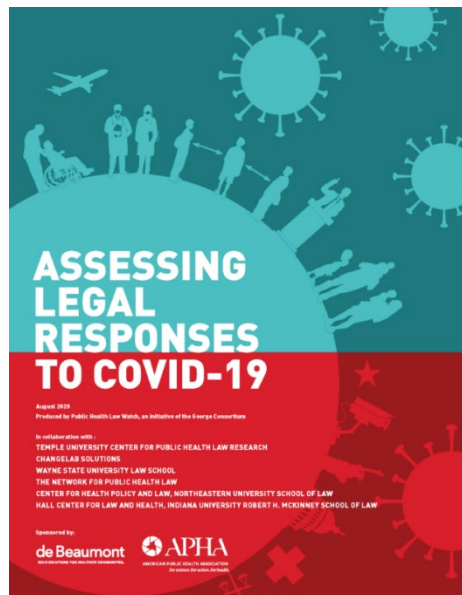
- Increase funding
- Increase access to housing
- Extend forgiveness and forbearance

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Thank you!

Please contact Courtney Anderson with questions and comments at [canderson55@gsu.edu](mailto:canderson55@gsu.edu)

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# Protecting Workers' Jobs & Income During COVID-19

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Legal Aid at Work

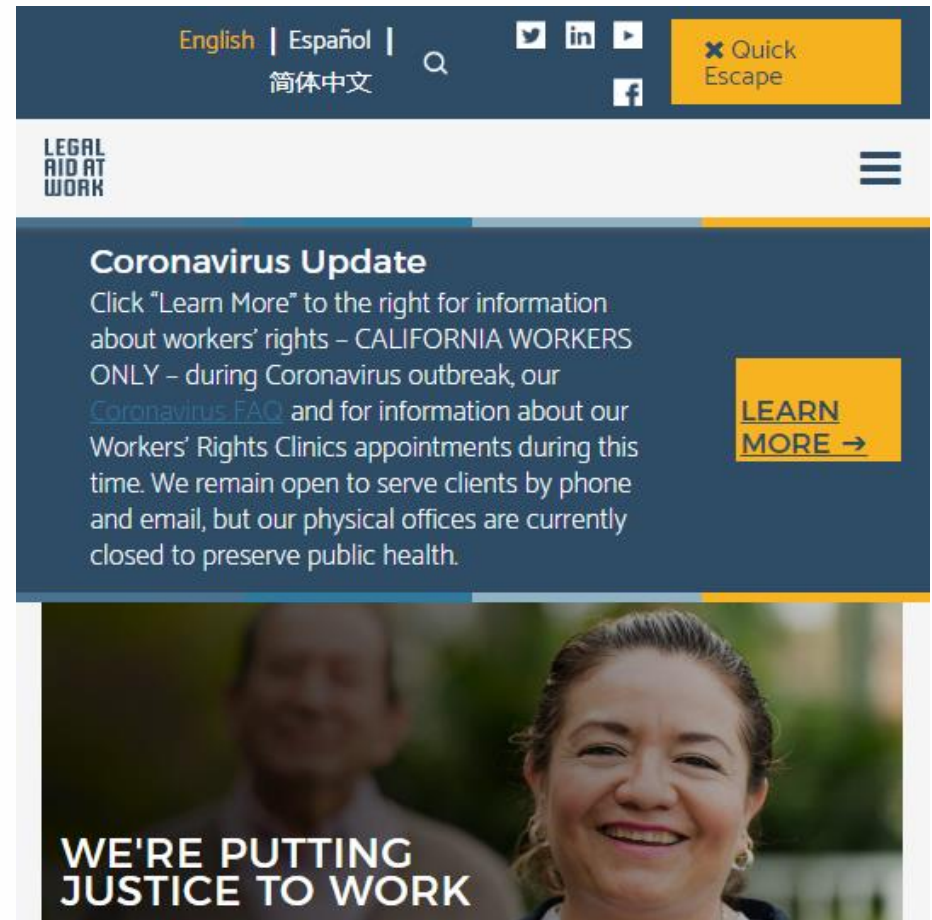
[www.legalaidatwork.org](http://www.legalaidatwork.org)

@LegalAidatWork

**LEGAL  
AID AT  
WORK**

# Legal Aid at Work

- Non-profit organization based in California founded in 1916
- Educational tools; litigation; clinics & helplines; policy advocacy; direct representation
- Work & Family; Wage Protection; Unemployment Benefits; Gender Equity & LGBTQ Rights; National Origin & Immigrants' Rights; Racial Economic Justice; Disability Rights



# Overview

- Job & Income Protection Policies Before the COVID-19 Pandemic
- Policy Responses to the Pandemic
- Assessment & Policy Recommendations

# Job & Income Protection Policies Before the COVID-19 Pandemic



# Before COVID-19: A Caregiving Crisis

Pre-COVID-19, U.S. had **ZERO** weeks of paid family & medical leave and **ZERO** paid sick days.

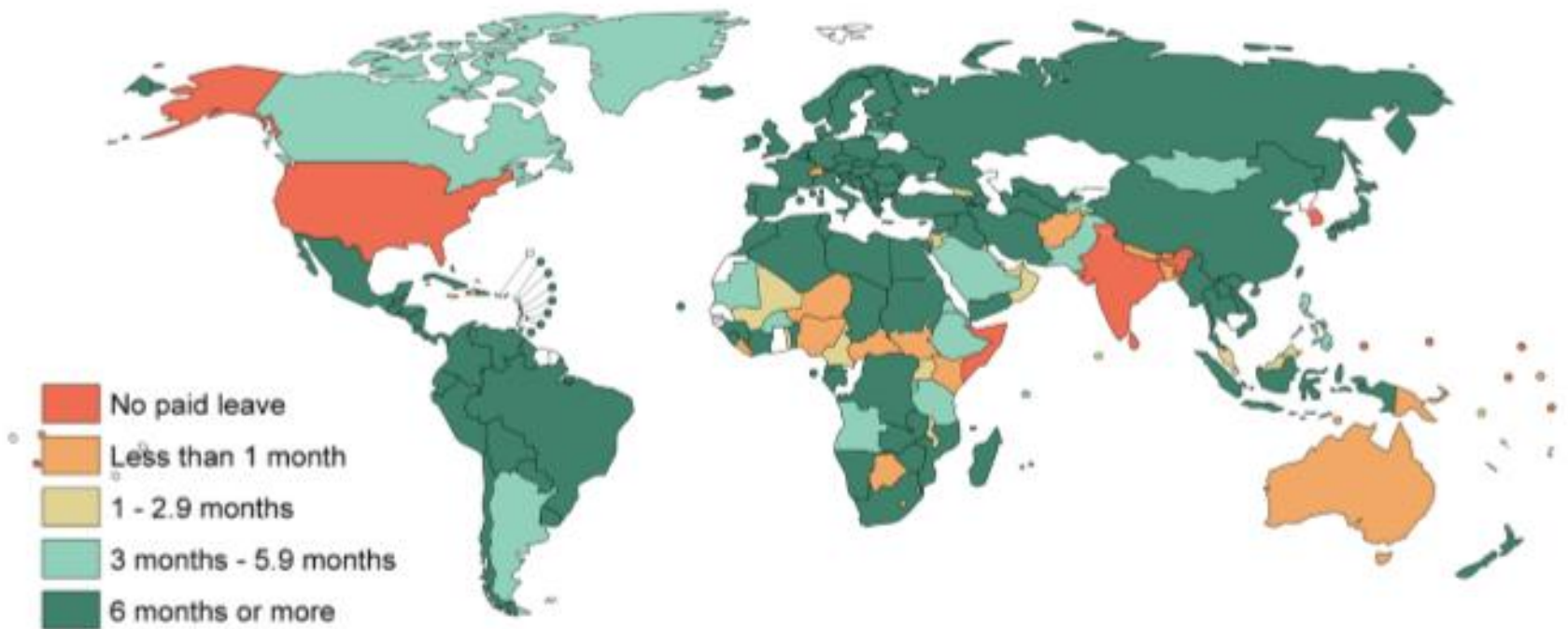


Figure 28.1. For how long are workers guaranteed paid sick leave? Source: WORLD Policy Analysis Center, 2019, [www.worldpolicycenter.org](http://www.worldpolicycenter.org)

# Before COVID-19: Paid Leave Gaps & Barriers

- FMLA leaves out over 40% of workforce, and disproportionately excludes low-wage workers and workers of color.
- Low-wage workers and workers of color disproportionately lack access to employer-provided paid leave.
- Administrative and language barriers, inadequate investment in outreach/education, impede access to state/local paid leave laws.

# Before COVID-19: Unemployment Insurance (UI)

- Temporary, partial wage replacement if unemployed or underemployed through no fault of your own.
- Requires sufficient earnings in base period.
- Requires valid work authorization during base period and at time of application.

# Before COVID-19: UI Gaps & Barriers

- Excludes undocumented workers, new entrants to workforce, self-employed.
- Benefits are too low. Most generous jurisdictions cover only 50% of a worker's prior wages.
- Antiquated systems, confusing forms, language barriers.

# Policy Responses to the COVID-19 Pandemic

# Families First Coronavirus Response Act (FFCRA)

- **Covers:** Employers with < 500 employees; expires Dec. 31, 2020
- **Purposes:**
  - **2 weeks paid sick leave** if subject to quarantine/isolation order, advised to quarantine, symptoms of COVID-19/seeking diagnosis, caring for someone in quarantine, or caring for a child whose school is closed or care is unavailable.
  - **12 weeks paid school closure leave**
- **Pay Rate:**
  - Worker's own health: 100% up to \$511/day
  - Caring for others – 2/3 pay up to \$200/day
  - Paid by employer who can receive 100% reimbursement
- **Exemptions:**
  - Health care providers/emergency responders may claim exemption
  - School closure leave: businesses w/ < 50 employees may claim exemption if would jeopardize viability.

# CARES Act: Expanded Unemployment Benefits

- **Pandemic Unemployment Assistance (PUA)** – new program covering people not eligible for state UI, i.e. self-employed and people without sufficient prior earnings, until Dec. 31, 2020.
- **Pandemic Unemployment Compensation (PUC)** – extra \$600 per week to anyone receiving unemployment benefits, including PUA, from Mar. 29, 2020 through end of July 2020.
- **Pandemic Emergency Unemployment Compensation (PEUC)** – extra 13 weeks of benefits tacked onto end of state UI, until Dec. 31, 2020.



# Other Policy Responses

- **FEMA Lost Wages Assistance**
- **State/local paid sick leave laws** filling the gaps in FFCRA or offering pay during quarantine.
- **Disaster relief** or hardship payments for undocumented workers excluded by unemployment benefits.
- **Right of recall** laws providing workers laid off in industries heavily impacted by COVID-19 a right to return once the employer reopens.

# Assessment & Policy Recommendations

# Assessment

- Paid sick leave is critical to stopping the spread of the virus.
  - During H1N1 pandemic, CDC estimated that 7 million people were infected and 1500 died because sick employees didn't stay home.
- UI benefits are a lifeline for tens of millions of workers who have lost their jobs due to COVID-19.
  - A May 2020 survey found that over 43% of adults said they or someone in their family had lost a job or income due to COVID-19, with disproportionate losses among low-wage and Latinx workers.
  - Extra \$600 lowered poverty rates for people of color.

# Gaps in Paid Leave and UI Harm Women and People of Color

## Paid Leave

- FFCRA excludes millions of essential workers who are disproportionately people of color, immigrants, and women.
- Only fully paid if taken for your own health, not for caregiving.
- Only provides 2 weeks for your own or another's illness, even though COVID-19 can last for much longer.
- Working parents, especially women, need more than 12 weeks.
- Enforcement and outreach inadequate.

## Unemployment Benefits

- Cutoff of extra \$600 disproportionately harms women and Black and Latinx workers.
- Administrative/language barriers, antiquated systems have dramatically impeded access.
- Undocumented workers categorically excluded.

# Summary: COVID-19 and Insufficient Federal Response Are Exacerbating Inequities.

- Emergency paid leave is inadequate and excludes millions of essential workers who are women, people of color, and immigrants earning low wages.
- Expanded unemployment benefits leave out undocumented immigrants, and key benefits have expired.
- New COVID-19-related benefits are adding complexity and overwhelming agencies and outdated systems, creating substantial administrative barriers.

# Federal Policy Recommendations

- **Pass the HEROES Act** to eliminate the exemptions to paid leave in the FFCRA and provide comprehensive emergency paid sick leave and paid family and medical leave, fully funded by the federal government.
- **Extend supplemental unemployment benefits** for the duration of the pandemic.
- **Extend unemployment benefits** to undocumented workers.

# State Policy Recommendations

- **Create and fund wage replacement programs** for undocumented workers who have lost work due to the pandemic.
- **Pass supplemental paid leave laws** with funding for robust enforcement and outreach, especially in languages other than English.
- **Increase customer service staff and language access**, simplify and translate forms, in unemployment and paid leave agencies.



# Local Policy Recommendations

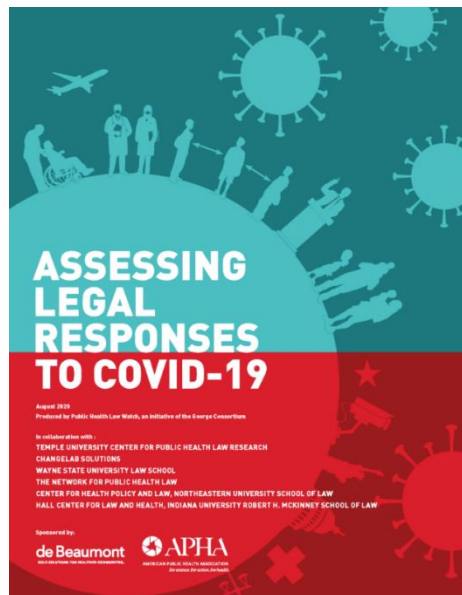
- **Pass supplemental paid leave ordinances** with local enforcement power and funding for outreach and education.
- **Pass right of recall ordinances** to ensure workers are hired back to their prior positions.
- **Fund partnerships with public health departments and legal aid organizations** to disseminate information about workplace rights at COVID-19 testing sites and via health clinics and hospitals.

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