



Israel Practice

# COVID-19 INSIGHTS UPDATE

## Holland & Knight COVID-19 Insights

July 2, 2020

We trust you and your families are all well, safe and in good health. Holland & Knight in partnership with the Israel-America Chamber of Commerce keeps you updated on pertinent American-Israeli topics relating to legal considerations and federal funding opportunities in connection with the coronavirus (COVID-19).

We invite you to read the Alerts below and reach out to us to discuss your thoughts or any questions you may have on this issue.

More information is available on our [COVID-19 Response Team page](#).

### Relevant Insights:

- [OSHA Issues Reopening Guidance for Non-Essential Businesses](#)

This Holland & Knight alert addresses the key components of the OSHA guidance. The Occupational Safety and Health Administration (OSHA) has issued new reopening guidance for non-essential businesses. This guidance provides suggestions to employers that are reopening workplaces on how to implement certain policies and procedures as applied to social



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distancing, hygiene, hazard assessment, workplace controls, and other health and safety issues. This new OSHA guidance supplements previous guidance released by OSHA in March 2020.

- [Reduction of Property Tax in Light of the COVID-19 Pandemic](#)

Tax Attorney Maria Kamila Pineda published an article calling for a reduction in property taxes in light of the effects of the COVID-19 pandemic. Typically, these taxes are calculated based on the value of a property on January 1. However, many property values have dramatically decreased since the onset of the pandemic. In her article, Ms. Pineda explains why a reduction is necessary and what legal steps should be taken to implement it.

- [OMB Extends Relief for Federal Grant Recipients Impacted by COVID-19](#)

The U.S. Office of Management and Budget (OMB) released M-20-26, Extension of Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to Loss of Operations — the fourth in a series of OMB memoranda. The recently issued additional guidance is designed to allow federal grant recipients: 1) to charge employee costs to federal awards for additional work related to COVID-19 interruptions or 2) to delay their single audit submission by up to six months. The memorandum extends two of the short-term administrative relief flexibilities previously provided under M-20-17, the second OMB memorandum related to federal financial assistance, and also imposes a requirement for recipients and subrecipients with regard to the Schedules of Expenditures.

- [OCC Identifies Key Risks and Supervisory Expectations for Banks in the COVID-19 Environment](#)

The Office of the Comptroller of the Currency (OCC) has issued its Semiannual Risk Perspective (Report), which sets forth the OCC's views on the economy, as well as key supervisory and compliance risks that the nation's top banking regulator has identified for heightened concern by its regulated institutions. The majority of the Report provides a review and analysis of the substantial downturn in the U.S. economy due to the COVID-19 pandemic, and the OCC appears to expect that the operational and credit challenges that have surfaced will continue into the remainder of 2020. Given the OCC's observations and guidance set forth in the Report, banks should expect increased examiner scrutiny over risk management and internal audit functions to ensure that existing policies and procedures are still being followed, and that any adjustments to a bank's operations to allow for pandemic-related flexibility do not ignore risk. In addition to other compliance areas, the OCC is particularly focused on the cybersecurity, data integrity



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and fraud risks posed by the increased reliance on telebanking and bank employees working remotely

- [Navigating Artificial Intelligence and Consumer Protection Laws in Wake of the COVID-19 Pandemic](#)

Attorneys Kwamina Thomas Williford, Anthony DiResta and Esther Clovis co-authored an article analyzing a statement from the Federal Trade Commission (FTC) reaffirming that consumer protection laws, traditionally applied to human activities or decision-making technologies, equally apply to artificial intelligence (AI). The article breaks down the statement, addressing topics including Section 5 of the FTC Act's prohibition against unfair and deceptive acts, equal protection laws, and laws affecting consumer access to credit, employment and insurance. The authors also discuss key principles for managing consumer protection risks presented by AI.

- [Creating Certainty in Uncertain Times](#)

Senior Counsel Heidi Nadel wrote an article published by Family Business United offering guidance for family businesses during the coronavirus pandemic. The article includes five tips focused on forging a path forward while establishing some certainty for businesses and their employees. She emphasizes the importance of maintaining employees' health and safety, discusses ways to reinvent and/or adapt one's business, and outlines potential sources of financial relief, among other topics.

#### **Holland & Knight Webinars:**

- [Managing Litigation During COVID-19](#)

Date/Time: July 7<sup>th</sup> at 4pm PT

Partners Shannon Armstrong, Kristin Asai and Matt Donohue will host a webinar with the Association of Corporate Counsel's Oregon Chapter on managing litigation risks during COVID-19. Topics will include increased business disputes arising from COVID-19, what to expect with court reopenings and updated information on litigation risks and resolution strategies.

- [HR Toolkit: Focusing on HR Fundamentals to Minimize Employment Law Liability in Uncertain Times](#)

Date/Time: July 8<sup>th</sup> at 12pm ET

Holland & Knight's HR Toolkit Series highlights fundamental HR best practices that are critical to help minimize employment law liability. During these unprecedented and challenging times, a renewed focus on the basics is critical for the success of every employer's HR function.

- [COVID-Related Disruptions: A Comprehensive Approach to Contract Adjustments](#)

Date/Time: July 8<sup>th</sup> at 3pm ET

Holland & Knight's live roundtable discussion will detail a framework for recovery of prime and subcontract costs and delays caused by contract performance disruptions related to COVID-19. The presentation also will address specific requirements under the U.S. Department of Defense's (DOD) "Implementation Guidance for Section 3610 of the Coronavirus Aid, Relief, and Economic Security Act."

### **About Our Israel Practice:**

Holland & Knight is a U.S.-based global law firm with a strong commitment to the state of Israel. With an intimate understanding of the Israeli economic, political and social environment, members of Holland & Knight's **Israel Practice Team** provide a wide array of legal services to both Israeli clients operating abroad and companies and investors doing business in Israel. With more than 1,400 professionals in 28 offices, we are highly experienced in all the interdisciplinary areas necessary to guide entrepreneurs, investors, and startup or established companies through the opportunities and challenges that arise throughout the business or investment life cycles. Areas of legal guidance that are typically provided to our Israel Practice clients include real estate, mergers and acquisitions, private equity, international tax, cross border and customs, Internet privacy and cybersecurity, intellectual property, government lobbying, regulations and compliance, U.S. Foreign Corrupt Practices Act (FCPA), U.S. Foreign Account Tax Compliance Act (FATCA), and litigation and dispute resolution.

**DISCLAIMER:** Please note that the situation surrounding COVID-19 is evolving and that the subject matter discussed in these publications may change on a daily basis. Please contact your responsible Holland & Knight lawyer or the authors of these alerts for timely advice.

The information provided herein presents general information and should not be relied on as legal advice when analyzing and resolving a specific legal issue. If you have specific questions regarding a particular fact situation, please consult with competent legal counsel about the facts and laws that apply.

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