COVID-19 Federal Legislative Update

Presented by Chatrane Birbal

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The United States has more confirmed cases of COVID-19 than any country in the world.

5,522,931 confirmed cases
346,873 deaths
188 countries, areas, or territories with cases
2,257,533 recovered

Top 10 countries with confirmed COVID-19 cases:
1. United States: 1,663,221
2. Brazil: 374,898
3. Russia: 362,342
4. United Kingdom: 262,547
5. Spain: 235,400
6. Italy: 230,158
7. France: 183,067
8. Germany: 180,802
9. Turkey: 157,814
10. India: 146,498

Sources: Johns Hopkins, WHO.
Slide last updated on: May 26, 2020
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COVID-19 cases have been reported in all 50 states and the District of Columbia

COVID-19 cases reported to the CDC*

CDC, AS OF MAY 25, 2020

- Total cases: 1,637,456
- New cases: +15,342
- Total deaths: 97,669
- New deaths: +620
- Total tests including CDC, public, and private labs: 14,604,942

*Data include both confirmed and presumptive positive cases of COVID-19 reported to CDC or tested at CDC since January 21, 2020, with the exception of testing results for persons repatriated to the United States from Wuhan, China and Japan. State and local public health departments are now testing and publicly reporting their cases. CDC case counts and death counts include both confirmed and probable cases and deaths.

Sources: Centers for Disease Control and Prevention, The COVID Tracking Project

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This week, the Senate pro-forma session in Washington D.C., where Senators and (limited) staff have resumed normal legislative business at the Capitol.

The House scheduled to convene on May 27 and May 28, but will continue their work virtually.

Congress is expected to soon take up additional COVID-19 relief legislation (HEROES Act).
Congress is contemplating new voting procedures during the COVID-19 outbreak

### Current procedures

**Unanimous consent**
- All members agree to a motion without voting
- One member can block the motion

**Roll call voting**
- Each member must enter the chamber and verbally or physically announce their vote
- All Senate votes take place this way

**Vote by electronic device - only in House**
- Members insert a card into devices located throughout the chamber and then press a button to vote

### Changes proposed

**Vote by proxy**
- A member of Congress allows another member to vote for them in their absence
- Currently allowed in Senate committee votes

**Remote voting**
- Voting online or by phone from any location

**Extended voting periods**
- Elongating the time allowed for voting to reduce crowding in the chambers

**Raising unanimous consent threshold**
- Requiring more than one member to object for a UC motion to be blocked
SHRM COVID-19 Legislative Timeline

March 6
Coronavirus Preparedness and Response Supplemental Appropriations Act signed into law

March 17
SHRM sends letter to Senate Leadership on consideration of the FFCRA

March 18
FFCRA signed by the President into law.

March 19
SHRM publishes analysis of the FFCRA

March 20
SHRM sent a letter to Congress requesting the inclusion of allowance of employer-sponsored high deductible health plans coupled with an HAS to cover telehealth services

March 27
CARES Act signed into law

April 15
SHRM & 165 national groups sent a letter to Congress requesting action to further fund the PPP

April 16
SHRM sent a letter to the IRS requesting clarification regarding employer-sponsored welfare plans

April 20
SHRM sent a letter to Congress requesting consideration on the impact that COVID-19 relief legislation has on employers, and employee benefits

May 5
SHRM sent a letter to Congress with all 50 SHRM State Councils and 149 Chapters Advocating for the Expansion of the Paycheck Protection Program.
The Families First Coronavirus Response Act (FFCRA)

➢ The Families First Coronavirus Response Act (FFCRA) “H.R. 6201” was signed into law on March 18th.

➢ The FFCRA requires employers with 500 or fewer employees to provide emergency paid sick leave under the Fair Labor Standards Act (FLSA) and emergency paid leave under the Family and Medical Leave Act (FMLA).

➢ SHRM FFCRA Resources:

• FAQs: The Families First Coronavirus Response Act
• SHRM’s in-depth analysis of the Families First Coronavirus Response Act
Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

➢ The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed into law on March 27th.

➢ The CARES Act includes important changes to employer-sponsored benefits including healthcare, unemployment insurance, retirement, business provisions, and education assistance.

➢ Notable CARES Act provisions:

  • Established the Paycheck Protection Program
  • Created the Pandemic Unemployment Assistance Program
  • Temporarily allows for employers to provide up to $5,250 of tax-free education assistance to be applied to an employee’s student loans, excluded from an employee’s income.

➢ SHRM CARES Act Resources:

  • SHRM’s in-depth analysis of the CARES Act
Congress’s three-phase response to the coronavirus crisis and potential next steps

**Phase 1**
- Initial support and vaccine development
  - H.R. 6074 — Coronavirus Preparedness and Response Supplemental Appropriations Act
    - $8.3 billion in COVID-19 response funding for developing a vaccine and preventing further spread of the virus
    - Became law on 3/6/20

**Phase 2**
- Paid leave, unemployment, and food assistance
  - H.R. 6201 — Families First Coronavirus Response Act
    - $100 billion in worker assistance, including emergency paid sick leave, food assistance, and unemployment payments
    - Became law on 3/18/20

**Phase 3**
- Major economic stimulus package
  - H.R. 748 CARES Act
    - Major stimulus package ($2 trillion)
    - Loans and support to major industries, including airlines and small businesses
    - Direct payments to individuals and families
    - Became law on 3/27/20

**Phase 3b**
- Additional funding for small businesses/hospitals
  - S.Amdt.1580 Paycheck Protection Program and Health Care Enhancement Act
    - $310 billion for the depleted Paycheck Protection Program, additional funding for hospitals and testing
    - Became law on 4/24/20

**Phase 4 — TBD “HEROES Act”**
- House passed a $3 trillion package of priorities for the next phase of coronavirus response; however, the legislation is unlikely to pass through the GOP-controlled Senate
  - Funding for state and local government, hospitals, additional stimulus for individuals, mental health
  - Childcare for frontline workers
  - Extended unemployment timeline
  - Student loan forgiveness
  - Money for testing, treatment, data, and vaccine development
  - Subsidized COBRA benefit
  - Paycheck Protection Program (PPP) changes including expanded eligibility for non-profits
  - Extension of the date by which companies have to hire back employees by two additional months
  - Provisions to support K-12 education

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### Phase 4 (H.R. 6800): Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act

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**Total cost: $3 trillion**

#### Additional stimulus checks and unemployment support
- Issues a second round of stimulus checks for $1,200 per family member, for up to $6,000 per household
- Extends weekly $600 federal unemployment payments through Jan. 2021

#### Provisions for employees and employers
- Establishes a $200 billion Heroes’ fund to provide essential workers with hazard pay
- Requires OSHA to issue standards for workplaces to implement infection control plans and prevents employers from retaliating against workers who report infection control problems
- Provides $10 billion for COVID-19 emergency grants through the Economic Injury Disaster Loan program
- Extends PPP coverage until Dec. 2020 and modifies PPP funds to ensure they reach ‘underserved communities’

#### Health provisions
- Provides $75 billion for coronavirus testing, contact tracing, and isolation measures
- Creates a special ACA enrollment period for uninsured Americans and protects individuals who are losing their employer-provided health insurance with COBRA subsidies
- Provides almost $1 trillion to state, local, territorial and tribal governments for workers providing essential services and COVID-related expenses, such as forgone revenues
- $175 billion in funding to assist renters and homeowners with monthly rent, mortgage, and other housing-related costs
- 15% increase to maximum SNAP benefit and funding for WIC and Child Nutrition Programs
- Creates standards for mail-in voting for the Nov. 2020 election and provides at least $25 billion in funding for the US Postal Service
The HEROES Act is a $3 trillion coronavirus tax cut and spending bill.

- **$1 trillion** for state, local, and tribal governments
- **Direct payments** to individuals, up to $6,000 per family
- **$200 billion** for hazard pay for essential workers
- **$75 billion** for coronavirus testing and tracing
- **$175 billion** in housing support
- **$25 billion** for the US Postal Service
# SHRM policy priorities and the HEROES Act

<p>| Program                                      | Summary                                                                                                                                                                                                 | SHRM Action                                                                                                         |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|________________________________________________________________________________________________________________|
| The Paycheck Protection Program              | The bill doesn’t add more money for the PPP for small businesses since $310 billion was allocated for the program on April 22. It does extend the program from June 30 to December 31, 2020. The proposal expands PPP eligibility to include all nonprofits, including 501(c)(6) organizations. | SHRM sent a letter to Congress on May 5 urging the expansion of PPP eligibility to include 501(c)(6) organizations. The letter was signed by all 50 State Councils and 149 Chapters. |
| Extension of expanded unemployment insurance | The CARES Act expanded unemployment insurance by $600 per week until the end of July and made more people, including independent contractors and the self-employed, eligible. This bill would extend expanded benefits through January 31, 2021 and put in a so-called “soft cutoff” to ensure some individuals could get benefits through March 2021. | SHRM advocated in our April 20 letter to Congress for additional funding to states to offset increased expenses of unemployment benefits. |
| Health Flexible Spending Arrangements (FSAs) | The bill would allow taxpayers to carry up to $2,750 in unused benefits or contributions forward into 2021. In addition, it allows participants to make one-time elections for any reason to a health FSA between the date of enactment and December 31, 2020 and provides an extension of the grace period for the 2020 plan year to 12 months after the end of the 2020 plan year. | SHRM advocated in our April 20 letter to Congress for flexibly of FSA accounts, including increasing the carryover amount. |</p>
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<td>Dependent Care Flexible Spending Arrangements (DCFSAs)</td>
<td>This bill would allow participants to make changes to elections and carry over up to the annual maximum amount of unused dependent care assistance benefits or contributions from 2020 to 2021. Like health FSAs, provides an extension of the grace period to allow benefits or contributions from DCFSAs to be used for expenses incurred up to 12 months after the end of the plan year.</td>
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<td>Family and Medical Leave Act</td>
<td>This bill amends the Family and Medical Leave Act (FMLA) by temporarily suspending, until December 31, 2022, the current 1,250 hour eligibility requirement and reduces the tenure eligibility requirement from 12 months to 90 days under nonemergency Family and Medical Leave Act (FMLA). The bill also clarifies that public agencies are covered under the FMLA, regardless of the number of employees. The bill also clarifies that an employee shall have access to both 12-weeks of non-emergency FMLA and 12-weeks of Emergency Paid Family and Medical Leave Act (EPFMLA) in a calendar year while EPFMLA is in effect.</td>
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<td>Emergency Paid Family and Medical Leave Expansion Act</td>
<td>The bill extends the availability of Emergency Family and Medical Leave benefits from December 31, 2020 to December 31, 2021. The bill also amends the Families First Coronavirus Response Act (FFCRA) by removing the 500 employee threshold – leave requirements will apply to all employers regardless of size while removing exemptions for small businesses and healthcare providers.</td>
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## SHRM policy priorities and the HEROES Act

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<td>Intermittent Leave</td>
<td>The bill clarifies that employees can take leave intermittently or on a reduced work schedule, regardless of a previous agreement between an employer and employee.</td>
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<td>Emergency Paid Sick Leave</td>
<td>This bill extends the availability of emergency paid sick leave from December 31, 2020 to December 31, 2021. Allows eligible employees to use paid sick leave for the uses allowed under the emergency FMLA (see above). For each 12-month period, entitles eligible full-time employees to two workweeks (80 hours) of emergency paid sick leave. For each 12-month period, eligible part-time employees are entitled to the hours of emergency paid sick leave that equals the typical number of hours that they work in a typical two-week period. Ensures employees receive emergency paid sick leave in addition to any existing employer provided paid leave. Allows employers to require requests for paid sick leave to be supported by basic documentation, but not before 7 days after the employee has returned to work. Requires employees to provide their employers with notice of need to take leave as soon as is practicable.</td>
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<td>COBRA subsidies</td>
<td>The bill funds approximately nine months of full premium subsidies for the existing health insurance program COBRA, which allows laid-off or furloughed employees to stay on their health insurance plans. COBRA is typically prohibitively expensive; this bill would make it much more affordable for workers losing their health insurance along with lost jobs.</td>
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# SHRM policy priorities and the HEROES Act

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<td>More money for small businesses</td>
<td>The bill includes $10 billion for grants for small businesses that haven’t received funds from the Paycheck Protection Program.</td>
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<td>Payroll credit for certain fixed expenses of employers subject to closure by reason of COVID-19</td>
<td>Provides a 50% refundable payroll tax credit for qualified fixed costs. Qualified fixed costs include covered rent obligations, covered mortgage obligations, and covered utility payments. This credit is limited to employers with no more than 1,500 full-time equivalent employees or no more than $41,500,000 in gross receipts in 2019. Additionally, employers must be subject to a full or partial suspension due to a COVID-19 government order or have a decline in gross receipts of at least 20% compared to the same calendar quarter of the preceding year. This credit is phased in for employers with a decline in gross receipts between 10% and 50%.</td>
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<tr>
<td>Credits for paid sick leave and family leave</td>
<td>Extends the refundable payroll tax credits for paid sick and family leave, enacted in the Families First Coronavirus Response Act, through the end of 2021. The bill makes a number of changes to paid sick and family leave credits including increasing the rate for caregivers of individuals subject to a coronavirus related stay at home order and parents providing for children affected by a coronavirus related school closure and allowing employers to claim up to $12,000 in refundable payroll tax credits, rather than $10,000, among other changes.</td>
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### SHRM policy priorities and the HEROES Act

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<tr>
<td>Retirement Related Provisions</td>
<td>Several retirement provisions are included in the bill, including further relief from required minimum distributions (RMDs) and aid for struggling multiemployer pension plans. The bill would waive required minimum distributions from defined contribution plans and IRAs for 2019; waives the 60-Day Rule in case of Rollover of Otherwise Required Minimum Distributions in 2019 and 2020. This provision further expands the 2020 RMD relief in the CARES Act.</td>
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### SHRM Priority Issues to Congress

- **Small Businesses** – Congress should authorize additional funding for the Paycheck Protection Program and expand to include all nonprofit organizations.

- **Health Care Benefits** – Congress should grant employers an additional 60-90 days following the date of the end of the national, state, and local emergencies to respond to IRS 226-J notifications.

- **Flexible Spending Accounts (FSAs)** – Congress should ensure maximum flexibility for FSAs.

- **Paid Leave** – SHRM urges policymakers to avoid imposing additional paid leave requirements that may inadvertently force employers to reduce employment at a time when financial stability is needed most.

- **Job Share Programs** – Congress should seek to implement a federal framework replicating successful state job-sharing programs to ensure employees have financial stability and access to healthcare during this crisis.

- **Unemployment Insurance (UI)** – Congress should build on the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act by authorizing stimulus support to states to offset increased expenses of unemployment benefits.
Paycheck Protection Program in Alaska

Approximately $130 billion in Paycheck Protection Program (PPP) funding available for small businesses. The program distributes forgivable loans to small businesses for payroll, and companies can also use a portion of the funds to pay rent, interest on mortgages or utilities.

As of May 1, 8,700 PPP loans have been approved for Alaska businesses, totaling nearly $1.3 billion.

Average loan amounts are about $86,000.

PPP loans revised for Alaska’s seasonal businesses. A rule change by the Treasury Department will allow Alaska’s hundreds of seasonal businesses to choose a different 12-week expense period when applying for a PPP loan — a period that more accurately reflects their operating payroll.

Under Treasury’s interim final rule, seasonal employers, such as tourism companies and guides, can choose any consecutive 12-week base payroll period between May 1 and Sept. 15, 2019 to determine their PPP loan amount.

The final day to apply for and receive a PPP loan remains June 30, 2020.
Expanding the Paycheck Protection Program (PPP)

➢ The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) extends financial assistance to 501(c)(3) nonprofit organizations through the Paycheck Protection Program (PPP). However, some SHRM Chapters and State Councils are 501(c)(6) organizations and not eligible to participate in the PPP.

➢ Congress is expected to consider future COVID-19 emergency assistance legislation this month. It is likely that lawmakers could amend the CARES Act and expand eligibility requirements for the PPP program at that time.

➢ SHRM is advocating for all nonprofits, including 501(c)(6) organizations such as SHRM Chapters and State Councils, be included in emergency assistance legislation.
50 State Councils + 149 Chapters signed onto SHRM letter in support of PPP expansion.

Thank you!!

Alaska SHRM State Council
CONGRESS:
HELP THOSE WHO HELP OTHERS

Include 501(c)(6) Nonprofits in Emergency Assistance

SHRM’s 556 affiliated Chapters and 50 State Councils provide invaluable services to employers and workers:

- Help for small- and medium-sized businesses
- Resume and job-search support
- Skills development and training

shrm.org/protect-chapters

Take action TODAY by visiting, shrm.org/protect-chapters.
The number of seasonally adjusted initial unemployment claims over the past eight weeks is over 36 million.
Putting coronavirus job loss numbers in historical context

Initial unemployment insurance weekly claims, seasonally adjusted

JANUARY 1968 – MAY 2020

Sources: Department of Labor.

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Unemployment claims as a percentage of state civilian workforces

AS OF MAY 14, 2020, TAX FOUNDATION

Slide last updated on: May 19, 2020

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State actions pertaining to work search requirements

AS OF MAY 14, 2020, NATIONAL CONFERENCE OF STATE LEGISLATURES

- Work search requirements waived
- Work search requirements waived conditionally
- No action

Sources: National Conference of State Legislatures.

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### CDC reopening guidance for workplaces

**Workplaces are guided to meet all requirements in each stage before advancing**

#### Should you consider reopening?
- Is reopening consistent with state and local orders?
- Are there protections for higher-risk employees?

**Any NO**

**DO NOT OPEN**

#### Are recommended health and safety actions in place?
- Promote healthy hygiene practices such as hand washing and employees wearing a cloth face covering, as feasible
- Intensify cleaning, disinfection, and ventilation
- Encourage social distancing and spacing, including through physical barriers, changing layouts, encouraging telework, staggered shifts, reduced access to communal spaces, and limiting large events as feasible
- Consider modifying travel and commuting practices
- Train employees on health and safety protocols

**Any NO**

**MEET SAFEGUARDS FIRST**

#### Is ongoing monitoring in place?
- Develop and implement procedures to check for signs and symptoms of employees upon arrival, as feasible
- Encourage people who are sick to stay home
- Develop plans for if an employee gets sick
- Communicate and monitor developments with local authorities and employees
- Monitor absences and have flexible leave policies
- Be prepared to consult with local health authorities should there be a case in the facility or an increase in cases in the surrounding area

**Any NO**

**MEET SAFEGUARDS FIRST**

**OPEN AND MONITOR**
SHRM COVID-19 Research
Mental Health of U.S. Workforce Under Severe Strain

2 out of 3 employees report experiencing symptoms of depression sometimes amid widespread lockdowns and more than 2 in 5 employees feel burned out, drained or exhausted by work.

37% of employees haven't done anything to cope with depression-related symptoms and only 7 percent have reached out to a mental health professional.

- Allowing for telehealth to be offered as a standalone benefit, enabling employers to offer this type of coverage to all employees, including part-time workers
- Eliminating state barriers to telehealth (such as video-only rules and requirements that patients have a prior relationship with the physician)
- Permit licensed providers to see patients via telehealth across state lines

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Navigating COVID-19

We’ve all been impacted by the COVID-19 crisis in some way. SHRM is here to help CEOs, policy makers, HR professionals and workers navigate what’s ahead with the latest research, insights and practical tools across 3 pivotal topics.

View resources at shrm.org/futurework and shrm.org/nextchapter.
ACA Compliance: Key Dates for 2020

**Individual tax returns for 2019 are due.**

Employers should ensure that employee census information aligns on both the individual tax returns and the 1095-C schedules. This is also a good opportunity to ensure the coverage offered to your employees is affordable. The W-2 Safe Harbor can be claimed by employers based on the Box 1 wages on employee W-2s. Organizations should know in advance if they will be utilizing the W-2 Safe Harbor. In addition, having W-2 Box 1 wages on hand will make it much easier to supply the IRS with supporting documentation in the event of an IRS inquiry.

**Form 720 (PCORI) for 2019 due from self-insured plans (includes self-insured employers).**

For calendar year plans, the 2018 calendar year is the final year for paying the assessment. The PCORI fee will not be assessed for plan years ending after Sept. 30, 2019. Applicable organizations should be mindful of their medical plan start and end dates to ensure they are paying the appropriate PCORI fees accurately and time.

**This is the typical start of individuals enrolling on the federal exchange for coverage starting on January 1 of the following year.**

Employers should take note of this time frame and be sure that all eligible full-time employees have received or will receive an offer of coverage in a timely manner. Employees electing to enroll in a government-sponsored health plan through the exchange may receive a Premium Tax Credit (PTC). Currently, the receipt of a PTC is the trigger for the issuance of IRS Letter 226J. If an employee receives a PTC, it opens the door for the IRS to investigate the employer’s ACA filings and possibly impose 4980H penalties for failing to comply with the ACA’s Employer Mandate.

Note that some state health exchanges have different open enrollment periods. Organizations should adhere to the time frames for the state health exchanges in the states in which they have operations.
The coronavirus outbreak has the potential to impact 2020 elections

**Changes to the primary schedule**
- States have postponed their presidential and congressional primary elections in the wake of the coronavirus outbreak.
- Some states have also opted to make their primaries all-mail elections.
- Although many states were able to easily decide to alter the dates, it is unlikely that the general election on Nov. 3rd will be postponed.
- Since the general election is set by federal law, Congress would have to enact legislation to change the date.

**The digital campaign trail**
- Campaigns have also had to suspend in-person rallies, fundraising events, and some organizing activities.
- In lieu of gatherings, candidates have opted to engage voters digitally.
- Joe Biden has launched a podcast.
- Congressional candidates will also have to turn to digital engagement as candidates self-quarantine and limit events.

**Voter turnout**
- Before the coronavirus outbreak, the 2020 election was expected to have a high voter turnout compared to recent elections.
- Turnout for Illinois’ primary on March 17th was lower by about 25% than the 2016 primary and Illinois did not have extensive early voting or voting by mail measures.
- Arizona’s turnout for the March 17th election increased from 2016 and has extensive early voting and vote by mail measures.

**Incumbent performance**
- The greater need for digital advertising due to lower in-person engagement is likely to favor incumbents and candidates with a financial advantage.
- Incumbents at the federal, state, and local level are also likely to be judged on how they prepared and responded to the coronavirus crisis.
State officials are beginning to consider expanding voting options for November in case COVID-19 still poses a threat.

**Existing alternatives to in-person Election Day voting**

- **No-excuse absentee (mailed) ballot voting**
  - 29 states and Washington, D.C. allow any voter who requests an absentee ballot to vote via mail without offering an excuse.
  - 5 states have all-mail elections, meaning all registered voters are sent a ballot in the mail that they can use to vote; these states still maintain some in-person polling stations.

- **Excuse-required absentee ballot voting**
  - 16 states only award absentee ballots to voters who provide an excuse, which must be one of the specific excuses delineated by state law.
  - Excuses of ten include but are not limited to: being out of the county on Election Day, having an illness or disability, or being of an elderly age.

- **Early in-person voting**
  - 40 states and Washington, D.C. will offer an early in-person voting option for the 2020 elections.
  - State law dictates early voting details, such as time, location, and duration.
  - Length of early voting periods range from 4 to 45 days; the average length across states is 19 days.

**Percent voter turnout by voting method in past general elections**

- **Election Day voting**
  - 60.4% in 2014, 51.7% in 2016, 55.8% in 2018.

- **Voting by mail**

- **Early in-person voting**
  - 10.7% in 2014, 17.2% in 2016, 17.3% in 2018.

Experts in voter turnout predict that ballots cast by mail could double in November 2020 from 2016 levels.

Sources: NCSL, Vox, The Atlantic.

Slide last updated on: April 15, 2020

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A number of states have expanded voting options for spring and summer elections due to COVID-19

Vote by mail rules for federal elections
AS OF MAY 19, 2020

- All-mail elections
- No-excuse absentee voting
- Excuse required for absentee voting
- Automatic mail-in ballots due to COVID-19
- Automatic mail-in ballot applications due to COVID-19
- Eligibility expanded to allow voters to use absentee ballots due to COVID-19

Sources: NCSL; Axios; Ballotpedia.

**MD will hold mostly all-mail elections this spring/summer, but one voting center per county will be open.**
There are many policy options that could decrease crowding on Election Day

- **For states with excuse-required absentee ballots**
  - Expanding the list of acceptable excuses for receiving a mailed ballot in states that currently require an excuse
  - Implementing no-excuse absentee ballots
  - Prepare for an increase absentee ballots, regardless of expanding availability

- **For states with early voting**
  - Increasing the length of early in-person voting periods
  - Keeping early voting locations open on Election Day
  - Expanding the dates of early voting to include voting on the weekends and expanding hours of operation

- **For all states**
  - Relaxing rules associated with absentee ballot submission (e.g. requiring notarization)
  - Consolidating polling locations to decrease the amount of poll workers needed
  - Expanding curbside voting, whereby poll workers bring a ballot or ballot-marking device to the voter's car, which is sometimes used for voters with disabilities

**Debate on elections reform**

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<th>Supporters</th>
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<td>- President Trump has argued that mailed ballots result in increased voter fraud and will ultimately harm the Republican party</td>
<td>- Democrats and elections experts point out that using mailed ballots does not cause voter fraud and officials must ensure people are able to vote safely</td>
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<td>- Other members of the GOP are more opposed to the federal government dictating elections laws and taking power away from the states, where they argue it belongs</td>
<td>- Despite comments by Trump, the RNC has mailed voters urging them to protect themselves and use mailed ballots, and GOP governors have begun increasing access to mailed ballots in their states</td>
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# 2020 Presidential Primary Schedule

**AS OF MAY 21, 2020**

- **Primary for both parties**
- **Democratic primary**
- **Republican Primary**

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**February**

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**Conventions**

- Democratic National Convention: August 17-20
- Republican National Convention: August 24-27

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**Dates and Locations**

- **February**
  - Feb. 3: IA
  - Feb. 11: NH
  - Feb. 22: NV (D)
  - Feb. 29: SC (D)

- **March**
  - March 3 - Super Tuesday: AL, American Samoa (D), AR, CA, CO, MA, ME, MN, NC, OK, TN, TX, UT, VT, VA (D), Dems Abroad (D)
  - March 10: ID, MI, MS, MO, ND, WA
  - March 12: Virgin Islands (R)
  - March 14: Guam (R), Northern Mariana (D), WY (R)
  - March 15: Northern Mariana (R)
  - March 17: AZ (D), FL, IL
  - March 18: American Samoa (R)

- **April**
  - April 7: WI
  - April 10: AK (D) by mail
  - April 17: WY (D) by mail
  - April 26: Puerto Rico (D)
  - April 28: OH

- **May**
  - May 2: KS (D), Guam (D)
  - May 9: WY (R)
  - May 12: NE
  - May 19: OR
  - May 22: HI (D) by mail

- **June**
  - June 2: DC, DE, IN, MT, MD, NM, PA, RI, SD
  - June 6: Virgin Islands (D)
  - June 7: Puerto Rico (R)
  - June 9: GA, WV
  - June 23: KY, NY*

- **July**
  - July 7: NJ
  - July 11: LA
  - Aug. 11: CT

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*New York cancelled its presidential primary, but a federal judge ordered the state to move forward with the primary in June. State officials plan to appeal the decision.
Most states will hold their congressional primary in June or August

**2020 congressional primary schedule**

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*italics and bolding indicates a postponed primary due to the coronavirus pandemic*

**March 3:** AL, AK, CA, TX, NC
**March 10:** MS
**March 17:** IL
**April 28:** OH
**May 12:** NE
**May 19:** OR

**June:** DC, IA, ID, IN, MD, MT, NJ, NM, PA, SD
**June 7:** Puerto Rico
**June 9:** GA, NV, ND, SC, WV
**June 23:** NY, KY, VA
**June 30:** CO, OK, UT
**Nov. 3:** LA

**July 7:** NJ
**July 14:** ME
**Aug. 1:** Virgin Islands
**Aug. 4:** AZ, KS, MI, MO, WA
**Aug. 6:** TN
**Aug. 8:** HI
**Aug. 11:** CT, MN, VT, WI
**Aug. 18:** AK, FL, WY
**Aug. 29:** Guam
**Sept. 1:** MA
**Sept. 8:** NH, RI
**Sept. 15:** DE
**Sept. 1:** MA
**Sept. 8:** NH, RI
**Sept. 15:** DE

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Senators up for re-election in 2020

*Senators not seeking reelection in 2020

**Democrats (12)**
- Doug Jones (AL)
- Jeanne Shaheen (NH)
- Chris Coons (DE)
- Cory Booker (NJ)
- Dick Durbin (IL)
- Tom Udall (NM)*
- Ed Markey (MA)
- Jeff Merkley (OR)
- Gary Peters (MI)
- Tina Smith (MN)
- Mark Warner (VA)

**Republicans (22)**
- Dan Sullivan (AK)
- Jim Risch (ID)
- Martha McSally (AZ)
- Joni Ernst (IA)
- Tom Cotton (AR)
- Pat Roberts (KS)*
- Cory Gardner (CO)
- Mitch McConnell (KY)
- David Perdue (GA)
- Bill Cassidy (LA)
- Kelly Loeffler (GA)
- Susan Collins (ME)
- David Perdue (GA)
- Bill Cassidy (LA)
- Jeff Merkley (OR)
- Tim Kaine (VA)
- Cory Gardner (CO)
- Mitch McConnell (KY)
- David Perdue (GA)
- Bill Cassidy (LA)
- Jeff Merkley (OR)

Sources: United States Senate: Class II Roster

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2020 presidential candidates

President
Donald Trump

Background:
- 45th president of the United States
- Received a BS degree from Penn’s Wharton School of Business
- Born and raised in New York City
- Appointed president of his family’s real estate business in 1971; made his fortune from building and renovating skyscrapers, hotels, casinos, and golf courses as well as brand licensing
- Starred in the reality TV competition, The Apprentice from 2003-15
- Managed The Trump Organization until his presidential inauguration
- Birthday: 6/14/46

Former Vice President
Joe Biden

Background:
- Served as vice president to Pres. Obama for both terms, 2009-2017
- Received a BA from U. of Delaware and a JD from Syracuse University
- Was a key advisor to Obama and an experienced leader of the Senate
- Served as US senator for Delaware from 1973-2009
- Served as chairman of both the Judiciary and Foreign Relation Committees
- Known most widely for his work on criminal justice reform and the Violence Against Women Act
- Birthday: 11/20/42


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Health Care: 2020 presidential candidates' stances

**Viewson health care:**

**President Donald Trump**
- President Trump opposes the Affordable Care Act
- In July, President Trump signed an executive order to modernize kidney disease treatment
- Wants to give more power and flexibility to states when it comes to Medicaid
- Supports the idea of allowing people to purchase health insurance across state lines
- Expanded health savings accounts and introduced short-term limited-duration plans that circumvented ACA requirements in his first term
- Advocates for health care reform that is based on “free market principles”
- Supports using an international pricing index to help lower the cost of prescription drugs and allow for more overseas drug providers through decreased regulation

**Viewson health care:**

**Former Vice President Joe Biden**
- During his tenure as Vice President of the United States, Biden and the Obama Administration passed the Patient Protection and Affordable Care Act (ACA)
- His proposed health plan builds on the ACA by offering a new public insurance option which would compete with private insurance in the market
- The Biden Plan looks to lower drug costs by giving Medicare the authority to negotiate prices directly and tax drug makers whose prices rise above rates of inflation
- Supports the repeal of the Hyde Amendment
- His plan to control prescription drug corporations includes eliminating pharmaceutical corporations’ tax break for advertising spending and support for consumer prescription drug importation from other countries
- Founded the nonprofit Biden Cancer Initiative to build on the White House Cancer Moonshot’s goals to work at enhancing “cancer prevention, detection, diagnosis, research, and care.”


Zachary Goldstein | Slide last updated on October 10, 2019 © 2020 SHRM. All Rights Reserved
Immigration: 2020 presidential candidates stances

President Donald Trump

Views on immigration:
• President Trump has repeatedly attempted to secure funding for a wall along the US-Mexico border; this was one of his signature campaign promises in 2016
• His administration has also taken action to terminate the Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents of Americans (DAPA) programs
• A new public charge rule with additional programs that are counted is set to go into effect October 15th; President Trump has also signed a proclamation that only allows immigrants that either have or can pay for health insurance entry into the US
• President Trump has also shown for ending chain migration and eliminating the visa lottery system


Former Vice President Joe Biden

Views on immigration:
• During his presidential campaign, Biden has been asked to answer for the deportation and family separation policies during the Obama administration while he was vice president
• Biden has also pointed to the Obama administration’s executive action to create the Deferred Action for Childhood Arrivals (DACA) program
• His immigration reform plans include ending child detention in for-profit prisons and family separation, and improving screening procedures at legal ports of entry in cooperation with Canada and Mexico
• He also plans to terminate the travel ban for individuals from Muslim-majority countries and protect undocumented members of the United States’ armed services

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Labor Policy: 2020 presidential candidates stances

**Viewson labor policy:**
- The Trump administration has initiated a variety of rule rollbacks, including the likely reduction of a proposal that would have made more than four million additional salaried employees eligible for overtime pay and several other health and safety regulations
- Both of Trump’s appointees to the Supreme Court – Neil Gorsuch and Brett Kavanaugh – have tended to side with employers over workers
- The White House’s top economic advisor, Larry Kudlow, has vocally opposed increasing the federal minimum wage. However, Trump’s position on minimum wage is unclear; in the primaries, he supported a minimum wage increase to $10
- During his 2016 campaign, Trump put forth a policy proposal for six weeks of paid maternity leave for new mothers


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**Viewson labor policy:**
- Wages: Has supported a $15/hour minimum wage since 2015, when President Obama’s official stance was $12/hour
- Paid leave: Rallied with Gov. Andrew Cuomo for New York’s paid family leave program
- Unions: Supports workers’ rights to form unions & collective bargain
- Other proposals
  - Plans to strengthen benefits for older Americans by ensuring long-run solvency for social security and implementing a minimum benefit for lifelong workers
  - Supports measures that protect workers who discuss their pay from employer retaliation and measures against wage theft
  - Supports ending misclassification of workers to avoid paying them overtime
  - Supports banning non-compete clauses
  - Was instrumental in the development of the Workforce Innovation and Opportunity Act (2014) while Vice President

Legislation supported:
- S.1306 - Protecting the Right to Organize Act of 2019
- H.R.7 - Paycheck Fairness Act

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Tax Policy: 2020 presidential candidates stances

**President Donald Trump**
- Signed into law the “Tax Cuts and Jobs Act” (TCJA), a $1.5 trillion overhaul of the US tax code, in 2017
  - The law permanently reduced corporate tax rates from 35% to 21% and temporarily decreased individual income tax rates for most brackets
- Campaigned on enacting middle class tax cuts during his 2016 presidential bid
- Proposed a “major” middle-class tax cut if Republicans win the White House and retake the House in 2020

**Former Vice President Joe Biden**
- In his tax proposal, the former Vice President says he will:
  - Increase income and payroll taxes for individuals with high incomes
  - Repeal various TCJA provisions
  - Reduce tax subsidies for certain industries (like the fossil fuel industry), and increase subsidies for investments in renewable energy
  - Tax capital gains at the rate of ordinary labor income for those earning more than $1 million
  - Ensure that earnings over $400,000 are subject to the Social Security payroll tax
  - Raise the corporate tax rate to 28% and implement a 15% corporate minimum tax
- An analysis by the Tax Policy Center found that Biden’s plan would increase federal revenues by $4 trillion over the next 10 years


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Chatrane Birbal, Director, Policy Engagement

Chatrane.Birbal@shrm.org

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