



# ABA Staff Analysis: COVID-19 FAQ for Member Banks

ABA's COVID-19 FAQ contains answers that we have gathered to bankers' frequently asked questions about the coronavirus pandemic and the impact it's having on the banking industry, including:

- Branch Operations
  - Cash Handling
  - Reduced Services and Emergency Closures
- Workforce Health & Safety
  - Medical Screening of Staff
  - Americans with Disabilities Act Restrictions
- Regulatory Considerations
- Virus Epidemiology
- Environmental Management
- Procedures

This document is provided as an informational resource only and should not be considered as legal advice. If legal advice is needed, please consult your current advisors. Also please note that each bank should decide for itself what actions to take based on its own unique circumstances and the employees, customers and communities it serves.

We will update this document—which is intended for ABA members only—on a regular basis in response to member feedback and as more information becomes available.

## Update Posted 3/27/2020

### What are recommended sites and/or resources to for Coronavirus-related:

#### Executive orders/proclamations across the US

The National Governors Association's site ([NGA.org/coronavirus/#actions](https://www.nga.org/coronavirus/#actions)) includes a section that outlines actions taken by governors and state and territorial leaders to include:

- State Emergency/Public Health Emergency Declarations;
- Major Disaster Declaration;
- National Guard Activations By State;
- State Employee Restricted Travel/Restricted State Travel;
- Statewide Limits on Gatherings;
- Statewide School Closures; and
- Statewide Closure of Non- Essential Businesses

#### Federal and State Regulatory Guidance

The ABA maintains a chart of Federal [Regulator Responses to the Coronavirus Disease](#). It is available to members via the ABA COVID-19 Resource Page.

The Conference of State Bank Supervisors maintains a Glossary of State Regulatory Guidance on COVID-19. See <https://www.csbs.org/information-covid-19-coronavirus#end> for more information.



### State Health Departments

Click [here](#) to access a spreadsheet for state health departments and contact information.

*Note: A Google docs provided by a member – do not know source.*

### Can an employee refuse to come to work because of fear of infection?

Yes, if by coming to work would put the employee in imminent danger of exposure. Section 13(a) of the Occupational Safety & Health Act (1970) defines imminent danger as "... any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures otherwise provided by this Act."

Requirements. The following conditions must be met before a hazard becomes an imminent danger:

- There must be a threat of death or serious physical harm. "Serious physical harm" means that a part of the body is damaged so severely that it cannot be used or cannot be used very well.
- For a health hazard there must be a reasonable expectation that toxic substances or other health hazards are present and exposure to them will shorten life or cause substantial reduction in physical or mental efficiency. The harm caused by the health hazard does not have to happen immediately.
- The threat must be immediate or imminent. This means that you must believe that death or serious physical harm could occur within a short time, for example before OSHA could investigate the problem.

For information about employee compensation during the current pandemic, see the following:

- [Families First Coronavirus Response Act \(H.R. 6201\)](#)
- [ABA Staff Analysis: Paid Leave Provisions in "Families First Coronavirus Response Act" March 2020](#)

### What do I do if an employee is suspected or was confirmed to be COVID-19 positive?

Before sending the employee home, ask them to identify employees and vendors with whom they worked in proximity (less than six feet) within the past two weeks. Without revealing the identity of the COVID positive employee, notify those employees and vendors that they were potentially exposed and send them home to self-quarantine.

Begin cleaning procedures in accordance to the CDC's recommendations for facilities that do not house people overnight:

- It is recommended to close off areas used by the ill persons and wait as long as practical before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets. Open outside doors and windows to increase air circulation in the area. If possible, wait up to 24 hours before beginning cleaning and disinfection.
- Cleaning staff should clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the ill persons, focusing especially on frequently touched surfaces.



See the [CDC Interim Recommendations for US Community Facilities with Suspected/Confirmed Coronavirus Disease 2019](#) for details, including instructions for cleaning and disinfecting surfaces.)

### **Who should we notify if an employee is (or employees are) confirmed COVID-19 positive?**

Check with your local health department to confirm reporting requirements for your locations.

**Employees.** Without revealing the identity of the COVID positive employee, notify those employees and vendors who worked within six feet of the sick employee that they were potentially exposed and send them home to self-quarantine.

**Tenants/Building Management.** If you work in a shared office building or area, it is recommended that you inform building management (without identifying the individual) so they can take whatever precautions they deem necessary.

**Customers.** *We are currently not aware of any Federal or industry requirements regarding customer notification; however, a member did report that their local regulator asked if the bank kept a list of customer appointments in case they needed to track down customers and notify them of suspected or confirmed exposure. Recommendation is to check with your local regulator and health department re: their expectations for customer notifications.*

**OSHA.** OSHA recordkeeping requirements at [29 CFR Part 1904](#) mandate covered employers record certain work-related injuries and illnesses on their OSHA 300 log. COVID-19 can be a recordable illness **if a worker is infected as a result of performing their work-related duties.** However, employers are only responsible for recording cases of COVID-19 if all of the following are met:

1. The case is a confirmed case of COVID-19 (see [CDC information](#) on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
2. The case is work-related, as defined by [29 CFR 1904.5](#); and
3. The case involves one or more of the general recording criteria set forth in [29 CFR 1904.7](#) (e.g. medical treatment beyond first-aid, days away from work).

See [OSHA's COVID-19 Reporting Standards page](#) for more information.

There is no known obligation to report suspected or confirmed cases of COVID-19 to the CDC or your local health department, as healthcare providers that receive positive test results are mandated to report them.

### **Can you require an employee to get tested?**

No. That testing is not currently available in all areas. However, if you suspect the employee is symptomatic, you may ask them to leave the premises immediately and self-quarantine according to CDC guidelines. It is recommended that you follow the CDC's guidelines for Cleaning and Disinfection After Persons Suspected/Confirmed to Have COVID-19 Have Been in the Facility. (See the [CDC Interim Recommendations for US Community Facilities with Suspected/Confirmed Coronavirus Disease 2019](#).)



Per the U.S. Equal Employment Opportunity Commission, employers may require a doctor's note from the employee before they can return to work; however, doctors and other health care professionals may be too busy during and immediately after a pandemic outbreak to provide fitness-for-duty documentation. Therefore, new approaches may be necessary, such as reliance on local clinics to provide a form, a stamp, or an e-mail to certify that an individual does not have the pandemic virus. ([Source](#): What You Should Know About the ADA, the Rehabilitation Action, and COVID-19)



## ITEMS BELOW WERE PART OF ORIGINAL FAQ

### Branch Operations

#### *Cash Handling*

- **Are there any cash disinfection procedures that banks should follow to ensure the cash they distribute is safe?**

This question has been asked multiple times. Unfortunately, we have been told that there are no recommended procedures at this time. We believe this question has been submitted to the CDC and an answer is under development. As soon as any guidance is provided, ABA will distribute it widely.

- **Is the virus transmissible through cash and currency?**

Currently, there are no known findings from studies on the survivability and transmissibility of the virus on and/or through cash and currency. Per the [CDC's statement](#) on the spread of the virus from contact with contaminated surfaces or objects:

Depending on the type of surface, the virus can stay on surfaces for a few hours or up to several days, according to the WHO. A [recent study by scientists in the U.S.](#) found that viable virus could be detected up to three hours later in the air, up to four hours on copper, up to 24 hours on cardboard and up to two to three days on plastic and stainless steel. Viruses can survive on hard surfaces like coins for days in some cases. U.S. dollars, a blend of fabric and paper, are harder for viruses to stick to. (Source: [USAToday](#)) Meanwhile, the WHO says it is very unlikely that the virus will persist on a surface after being moved, traveled and exposed to different conditions and temperatures.

It is possible to become infected if you touch your face after touching a surface or object that has the virus on it, according to the CDC. But scientists don't think surfaces are the main way that the virus spreads; the most common form of infection is from respiratory droplets spread by a person's cough or sneeze, the CDC reports.

- **Do you recommend that front-line staff and tellers wear gloves when handling cash, currency, and/or documents from the public wear gloves?**

The use of gloves is most effective **if they are changed often and discarded immediately**. However, experts have warned that gloves may give users a false sense of security since they are yet another surface that can transmit the disease if the user touches their face.

Experts recommend individuals frequently and correctly wash their hands, use hand sanitizers, frequently clean and disinfect commonly touched surfaces, and avoiding touching one's face.

#### *Reduced Services and Emergency Closures*

- **What are options for reducing the exposure to branch staff and customers? Should we move to drive-thru operations and close the lobby?**

We are aware of a large number of banks that have moved to drive-thru operations to reduce risks to both customers and employees. We consider this a best practice, but local market conditions should drive the decision. Here are some factors that should be considered as part of the decision-making process:



- Is there a triggering event in your local area by government officials that indicates your local area is at an increased risk? This can include things such as states of emergency declarations, school closures, government announcements regarding restrictions on the number of people gathering, etc.
- Have you set up alternative access to allow accomplishment of transactions that require personal interaction, such as those requiring notarization or real estate closings? Several banks have moved to a drive-thru model with reduced lobby hours or only allowing in-person transactions by appointment only.
- Have you considered the needs of CDC-designated vulnerable populations and how you can maintain service to them? Some banks that have developed “Golden Hours” that restrict lobby access to vulnerable populations, allowing increased social distancing and reduced risks for these populations. If this type of strategy is implemented, it would be best to have these hours after the lobby has been cleaned—likely first thing in the morning, to reduce the risk of residual contamination—but each bank must make the determination for the approach that works best for their local market conditions.

Banks should promote online and mobile services, such as remote deposits to reduce the need for in-person visits. Once a bank has developed a risk mitigation strategy, it should be documented, and both customers and regulators should be notified.



- **Are we required to notify our primary regulator when we temporarily close the branch or reduce services due to exposure or to reduce the risk of exposure to COVID-19?**

Per [OCC Bulletin 2020-15](#):

The OCC understands that banks may need to temporarily close or otherwise reduce access to a facility because of staffing challenges or to take precautionary measures. The OCC encourages banks to reduce disruptions to their customers, provide alternative service options when practical, and reopen affected facilities when it is safe to do so. *Affected banks are encouraged to notify their OCC supervisory office and their customers of temporary closure of a bank's facilities and the availability of any alternative service options as soon as practical.*

Per the [FDIC Statement on Financial Institutions Working with Customers Affected by the Coronavirus and Regulatory and Supervisory Assistance](#):

The FDIC understands that financial institutions may need to temporarily close a facility due to staffing challenges or to take precautionary measures. For example, some institutions may wish to limit foot traffic within a branch and provide services only through the drive-through lanes. The FDIC encourages financial institutions to reduce disruptions to their customers, provide alternative service options when practical, and reopen affected facilities when it is safe to do so. *Affected financial institutions are encouraged to notify their primary federal or state regulator and their customers of temporary closure of an institution's facilities and the availability of any alternative service options as soon as practical.* In such case in which operational challenges persist, the FDIC, working with the state authority, will expedite, as appropriate, any request to operate temporary facilities to provide more convenient availability of services. In most cases, a telephone notice to the FDIC or state authority will suffice to start the approval process, with the necessary written notification being submitted shortly thereafter.

- **Are we required to notify customers if we temporarily close a branch or reduce services due to exposure?**

Please see the FDIC and OCC guidance. Both encourage notifications to customers as soon as practical.

- **What type of communication do you recommend to customers regarding the bank's response efforts?**

ABA highly recommends that banks communicate to their customers regarding their efforts to protect them, their accounts, and staff. This can be a prime opportunity to remind customers of any remote banking activities that you offer and how they can access them. It is also an appropriate time to share any specific assistance programs you may be offering to customers directly affected by the pandemic. Don't forget to remind consumers how scammers and fraudsters may try to leverage the pandemic to take advantage of them. Reiterate that the safest place to keep your money is in your bank, where it is secure and federally insured.

Leverage all channels (website, email, social media, etc.) to reach the broadest base of customers regarding your current efforts and, especially, any changes to service hours and/or availability. If your branch is closed outside of regular or special hours, provide customers with the address of the closest operational location. You should also emphasize that banks are never truly closed; thanks to digital and online platforms, customers can make transactions at all hours remotely.

If you want to share information with staff and customers about COVID-19, use only trusted sources such as your local public health department. The CDC has free handouts and posters that provide



facts and tips for preventing the spread of germs, identifying symptoms and more. [Access the CDC communication resources.](#)

- **Do you have any recommendations around customers coming into branches with masks?**

Customers wearing masks in branches may hinder a bank employee's ability to properly identify customers; they can also serve as a disguise for robbers. However, there are legitimate medical reasons why a customer might wear a mask, including depressed immunity from chemotherapy treatments and environmental pollutants (dust, smoke, allergens). Asking a customer to remove the mask, therefore, may result in more risk to the customer, as well as reputational harm.

A bank must decide its own policy and educate and train all staff on it.

### Workforce Health & Safety

#### *Medical Screening of Staff*

- **What is a recordable illness?**

OSHA defines a recordable injury or illness as:

- Any work-related fatality.
- Any work-related injury or illness that results in loss of consciousness, days away from work, restricted work, or transfer to another job.
- Any work-related injury or illness requiring medical treatment beyond first aid.
- Any work-related diagnosed case of cancer, chronic irreversible diseases, fractured or cracked bones or teeth, and punctured eardrums.

There are also special recording criteria for work-related cases involving: [needlesticks and sharps injuries](#); [medical removal](#); [hearing loss](#); and [tuberculosis](#). (Source: [OSHA Recordkeeping](#))

Per OSHA's dedicated COVID-19 site, while there is no specific standard covering the disease, there are other OSHA standards and directives that may apply, and recording instances of workplace exposure is one of the them.

OSHA recordkeeping requirements at 29 CFR Part 1904 mandate covered employers record certain work-related injuries and illnesses on their OSHA 300 log.

While 29 CFR 1904.5(b)(2)(viii) exempts recording of the common cold and flu, **COVID-19 is a recordable illness when a worker is infected on the job.**

Visit OSHA's Injury and Illness Recordkeeping and Reporting Requirements page for more information.

#### *Americans with Disabilities Act Restrictions*

With limited exceptions, the Americans with Disabilities Act, which applies to all banks, prohibits an employer from inquiring about an employee's disability and requires employers to keep confidential any medical information they learn about an employee. The following FAQs address common questions about the actions banks may take to promote workforce health and safety during the coronavirus outbreak, which the World Health Organization has classified as a pandemic.





- **May a bank ask about an employee's health condition during the coronavirus pandemic?**

Yes. A bank may always ask about an employee's symptoms because the inquiry does not relate to a disability. In addition, under current pandemic conditions, a bank may be permitted to ask about an employee's disability if that disability could increase the risk that the employee contracts the coronavirus. For example, an employer may ask whether the employee's immune system is compromised. Such questions are likely to fall within the ADA's exception for inquiries made when the employee's ability to perform essential job functions will be impaired by a medical condition or the employee will pose a "direct threat" due to the condition.

- **May a bank require its employees to adopt infection-control practices, such as regular hand washing or wearing personal protective equipment (e.g., face masks, gloves, or gowns) during the coronavirus pandemic?**

Yes. Regular infection-control practices, such as regular hand washing or wearing personal protective equipment, do not implicate the ADA.

- **Does the bank have any obligations with respect to maintaining the confidentiality of employee medical information that the bank obtains during the coronavirus pandemic?**

Yes. The ADA requires that employers keep confidential any medical information they learn about an employee and limit circulation of that information only to employees who have a need to know the information. In addition, the Health Insurance Portability and Accountability Act (HIPAA) requires businesses, including banks, that maintain a health plan or health clearinghouse not to disclose medical information of plan participants. You also should determine whether any state or local laws impose confidentiality requirements that exceed those under the ADA and HIPAA.

(Source: EEOC's "[Pandemic Preparedness in the Workplace and the Americans with Disabilities Act](#)")

- **Should we ask an asymptomatic employee to self-quarantine if they have an asymptomatic spouse who was asked to self-quarantine because someone at their company has possibly been exposed? (We can easily see this impacting a great number of employees quickly.)**

CDC does not recommend testing, symptom monitoring or special management for people exposed to asymptomatic people with potential exposures to SARS-CoV-2, i.e., "contacts of contacts." These people are not considered exposed to SARS-CoV-2, which is the name of the virus that causes the COVID-19 disease. (Source: [CDC](#))<sup>1</sup>

- **How much information may an employer request from an employee who calls in sick, in order to protect the rest of its workforce during the COVID-19 pandemic?**

During a pandemic, ADA-covered employers may ask such employees if they are experiencing symptoms of the pandemic virus. For COVID-19, these include symptoms such as fever, chills, cough, shortness of breath, or sore throat. Employers must maintain all information about employee illness as a confidential medical record in compliance with the ADA.

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<sup>1</sup> Contacts of Asymptomatic People Exposed to COVID-19



- **When may an ADA-covered employer take the body temperature of employees during the COVID-19 pandemic?**

Generally, measuring an employee's body temperature is a medical examination. Because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may measure employees' body temperature. However, employers should be aware that some people with COVID-19 do not have a fever.

- **Does the ADA allow employers to require employees to stay home if they have symptoms of the COVID-19?**

Yes. The CDC states that employees who become ill with symptoms of COVID-19 should leave the workplace. The ADA does not interfere with employers following this advice.

- **When employees return to work, does the ADA allow employers to require doctors' notes certifying their fitness for duty?**

Yes. Such inquiries are permitted under the ADA either because they would not be disability-related or, if the pandemic influenza were truly severe, they would be justified under the ADA standards for disability-related inquiries of employees. As a practical matter, however, doctors and other health care professionals may be too busy during and immediately after a pandemic outbreak to provide fitness-for-duty documentation. Therefore, new approaches may be necessary, such as reliance on local clinics to provide a form, a stamp, or an e-mail to certify that an individual does not have the pandemic virus.

- **If an employer is hiring, may it screen applicants for symptoms of COVID-19?**

Yes. An employer may screen job applicants for symptoms of COVID-19 after making a conditional job offer, as long as it does so for all entering employees in the same type of job. This ADA rule applies whether or not the applicant has a disability.

- **May an employer take an applicant's temperature as part of a post-offer, pre-employment medical exam?**

Yes. Any medical exams are permitted after an employer has made a conditional offer of employment. However, employers should be aware that some people with COVID-19 do not have a fever.

- **May an employer delay the start date of an applicant who has COVID-19 or symptoms associated with it?**

Yes. According to current CDC guidance, an individual who has COVID-19 or symptoms associated with it should not be in the workplace.

- **May an employer withdraw a job offer when it needs the applicant to start immediately but the individual has COVID-19 or symptoms of it?**

Based on current CDC guidance, this individual cannot safely enter the workplace, and therefore the employer may withdraw the job offer.



## Regulatory Considerations

- **How are banks handling increases in large cash withdrawals?**

Remember that fraudsters and criminals leverage current events to scam customers and businesses. It is recommended that staff be educated on current fraud trends so they may help identify the true nature of the withdrawal request. For more information about current scams associated with COVID-19, see [ABA's COVID-19 resource page for more information](#).

Customers should be reassured that the safest place for their money is in the bank. Deposits up to \$250,000 are insured by the FDIC. Once the customer leaves the bank, the funds are no longer guaranteed.

If you are concerned with the volume of large withdrawal requests that you are receiving and your ability to fulfill them, you may consider limiting the amount of funds that customers may withdraw. We asked Federal Reserve Board staff about statutory authorities allowing limited withdrawals, and they said "12 cfr 229.19(c)(4) is applicable and may provide the guidance that is needed." That section, excerpted below, appears to provide justification to limit cash withdrawals. Please remember ABA cannot give legal advice; have your counsel review this information for applicability in your particular situation and conformance with your deposit agreements.

### 12 CFR 229.19(c)(4)

(c) *Effect on policies of depositary bank.* This part does not -

(1) Prohibit a depositary bank from making funds available to a customer for withdrawal in a shorter period of time than the time required by this subpart;

(2) Affect a depositary bank's right -

(i) To accept or reject a check for deposit;

(ii) To revoke any settlement made by the depositary bank with respect to a check accepted by the bank for deposit, to charge back the customer's account for the amount of a check based on the return of the check or receipt of a notice of nonpayment of the check, or to claim a refund of such credit; and

(iii) To charge back funds made available to its customer for an electronic payment for which the bank has not received payment in actually and finally collected funds;

(3) Require a depositary bank to open or otherwise to make its facilities available for customer transactions on a given business day; or

(4) Supersede any policy of a depositary bank that limits the amount of cash a customer may withdraw from its account on any one day, if that policy -

(i) Is not dependent on the time the funds have been deposited in the account, as long as the funds have been on deposit for the time period specified in §§ 229.10, 229.12, or 229.13; and

(ii) In the case of withdrawals made in person to an employee of the depositary bank -

(A) Is applied without discrimination to all customers of the bank; and

(B) Is related to security, operating, or bonding requirements of the depositary bank.



- **Is there guidance forthcoming from the CSBS?**

As of March 9, 2020, the guidance released by the Conference of State Banking Supervisors included: [Agencies Encourage Financial Institutions to Meet Financial Needs of Customers and Members Affected by Coronavirus](#).

- **What considerations should we give to workers with Federal Reserve access/tokens as we move them to work from home?**

We have posed several Fedline operational access questions to the Federal Reserve staff. As we receive specific answers, we will post them. In the near term, please review the previously issued [Federal Reserve Financial Services update](#).

We have heard from some banks that they are allowing staff to take bank laptops preloaded with the Fedline software home and using a Fedline token; they have been able to access Fedline remotely.

- **Are banks considered “essential services” and exempt from any mandatory closure notices?**

In a public health emergency and a declared state of emergency, state and local authorities have broad discretion and almost assuredly have the authority to close down any private enterprise. These authorities vary by state so no blanket statement can be made, but it is possible that a state or local official may not exempt banks from mandatory closures. ABA therefore believes it is important for banks to engage with government officials at all levels in their state to ensure that banks be designated an essential service and exempted from any mandatory closure. This is how the situation was handled in California. ABA is actively working with the state bankers associations on strategies to ensure this message is promulgated.

- **Are onsite exams going to continue? Can we delay an exam that has begun or is scheduled to begin in the next week/month?**

The OCC, FRB and FDIC have indicated that onsite exams will be significantly reduced. Each reserves the right to perform onsite visits, but they have indicated that they will attempt to work most issues offsite. Some are proactively reaching out to banks with upcoming exams to plan strategies. If you haven't heard from your examiner but have questions about an exam that is upcoming, please discuss how it will be conducted with the examiner-in-charge.

We asked for guidance from each of the regulators surrounding exams and potential delays. The OCC and FRB were the first to respond, and their answers are provided below. We will update this section when we hear back from the FDIC.

### OCC

ABA Question: We heard from a bank that OCC had canceled all onsite exams until June. First, is that correct?

*OCC Response: No, OCC has not unilaterally canceled all onsite exams until June. But the reality is that most of our examiners are now working from offsite locations and probably will be in the near-term (duration undefined). We instructed our teams to use telework to the fullest extent possible, and staff are also following local and CDC travel advisories, etc. Additionally, with the telework and staggered staff policies most banks have now adopted, the reality is that there aren't many bankers onsite right now, so there's really no point for us to be there either.*



ABA Question: Second, does this mean the exams will continue but only in a remote/virtual manner (which we know is the plan of the Fed and FDIC), or are exams on hold until June?

*OCC Response: It depends; our examiners are making a lot of adjustments given current developments. Some targets are continuing; some have had significant adjustment in scope; some have been, or will be, deferred or canceled. Where it makes sense, we will continue to conduct work to the extent its feasible, from offsite locations. Recognizing the current state of market volatility, it would not be prudent for examiners to delay their work on a blanket basis.*

ABA Question: If exams are still proceeding, would examiners be willing, on a case-by-case basis, to impose a short delay on exam activities for those exams that are ongoing or are about to start, recognizing that banks are feverishly working to implement their pandemic business continuity plans and are reacting to local guidance surrounding social distancing, school closures, and potential restrictions on public gatherings?

*OCC Response: We would encourage banks to work directly with their examiner-in-charge and the supervisory office, as most have been doing already. We are being very mindful of the disruptions that are in play for everyone and trying not to impose any undue burden.*

*We have provided all of our EICs a standard list of the types of information that we need in order to maintain prudent monitoring of the current situation. Most of the EICs have already developed a regular cadence interacting with key bank executives to receive timely status updates.*

*Federal Reserve*

ABA Question: If exams are still proceeding, would examiners be willing, on a case-by-case basis, to impose a short delay on exam activities for those exams that are ongoing or are about to start, recognizing that banks are feverishly working to implement their pandemic business continuity plans and are reacting to local guidance surrounding social distancing, school closures, and potential restrictions on public gatherings?

*FRB Response: Yes, banks can request a delay in their exam. Banks should not hesitate to reach out to their Reserve Bank in the event the EIC doesn't reach out to the bank first.*

- **What can banks do to assist small business owners to avoid immediate and potential long-term negative impacts?**

Encourage consumers to visit the U.S. Small Business Administration (SBA) website on [Coronavirus \(COVID-19\) Small Business Guidance & Loan Resources](#).

Resources include SBA's [Lender Match](#), a free online referral tool that connects small businesses with participating SBA-approved lenders within 48 hours. Loan products available to consumers through banks are:

- **7(a) program** offers loan amounts up to \$5,000,000 and is an all-inclusive loan program deployed by lending partners for eligible small businesses within the United States and its territories. The uses of proceeds include: working capital; expansion/renovation; new construction; purchase of land or buildings; purchase of equipment, fixtures; lease-hold improvements; refinancing debt for compelling reasons; seasonal line of credit; inventory; or starting a business.
- **Express** loan program provides loans up to \$350,000 for no more than 7 years with an option to revolve. There is a turnaround time of 36 hours for approval or denial of a completed application. The uses of proceeds are the same as the standard 7(a) loan.



- **Community Advantage** loan pilot program allows mission-based lenders to assist small businesses in underserved markets with a maximum loan size of \$250,000. The uses of proceeds are the same as the standard 7(a) loan.
- **504** loan program is designed to foster economic development and job creation and/or retention. The eligible use of proceeds is limited to the acquisition or eligible refinancing of fixed assets.
- **Microloan** program involves making loans through nonprofit lending organizations to underserved markets. Authorized use of loan proceeds includes working capital, supplies, machinery & equipment, and fixtures (does not include real estate). The maximum loan amount is \$50,000 with the average loan size of \$14,000.

Also encourage consumers to look at applying for [Disaster Assistance](#). The process works as follows:

- Under revised criteria issued March 17, 2020, disaster assistance loans will be available statewide following an economic injury declaration. This will apply to current and future disaster assistance declarations related to Coronavirus.
- Once a declaration is made, the information on the application process for Economic Injury Disaster Loan assistance will be made available to affected small businesses within the state.
- These loans may be used to pay fixed debts, payroll, accounts payable and other bills that can't be paid because of the disaster's impact. The interest rate is 3.75% for small businesses. The interest rate for non-profits is 2.75%.
- SBA offers loans with long-term repayments in order to keep payments affordable, up to a maximum of 30 years. Terms are determined on a case-by-case basis, based upon each borrower's ability to repay.

### Related Congressional Action

- Senator Marco Rubio (R-Fla.) introduced the Immediate Measures to Protect Against COVID-19 Threats (IMPACT) for Small Businesses Act of 2020.
- Under the proposed bill, the SBA will receive increased flexibility to address the needs of our nation's small businesses. In particular, this legislation allows SBA to provide a 90% loan guarantee for all loans; increases the loan limit of SBA Express to \$1 million; and waives fees for all 7(a) loans for one year for both borrowers and lenders.
- This legislation will also allow 7(a) loans to be used for things like payroll support, including paid sick, medical, or family leave, and costs related to the continuation of group healthcare benefits for up to one year after the date of enactment.
- The legislation is currently working its way through Congress. Further updates will be forthcoming as they become available.

### Virus Epidemiology

- **What is the difference between the flu and COVID-19? Why the extreme measures for COVID-19?**

The COVID-19 situation is changing rapidly. Since this disease is caused by a new virus, people do not have immunity to it, and a vaccine may be many months away. Antiviral medications are currently being tested to see if they address symptoms and shorten the durations of the illness.

While both the flu and COVID-19 may be transmitted in similar ways, there is also a possible difference: COVID-19 might be spread through the airborne route, meaning that tiny droplets remaining in the air could cause disease in others even after the ill person is no longer near.





Doctors and scientists are working on estimating the mortality rate of COVID-19; at present, it is thought to be higher than that of most strains of the flu. (Source: [Johns Hopkins](#))

- **Can you become re-infected with COVID-19?**

The immune response to COVID-19 is not yet understood. While patients with a similar coronavirus infection such as MERS-CoV are unlikely to be re-infected shortly after they recover, it is not yet known whether similar immune protection will be observed for patients with COVID-19. (Source: [CDC](#))

### Environmental Management

- **What type of air filters should be used? Are High Efficiency Particulate Air Filters (HEPA), etc. helpful and how often should these be changed?**

In workplaces where they are appropriate, these types of controls reduce exposure to hazards without relying on worker behavior and can be the most cost-effective solution to implement. Engineering controls for SARS-CoV-2, the virus that causes COVID-19, include:

- Installing high-efficiency air filters.
- Increasing ventilation rates in the work environment.

Source: [OSHA](#)

- **What is PPE?**

Personal Protective Equipment. Equipment worn to minimize exposure to hazards that cause serious workplace injuries and illnesses. These injuries and illnesses may result from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards. Personal protective equipment may include items such as gloves, safety glasses and shoes, earplugs or muffs, hard hats, respirators, or coveralls, vests and full body suits. (Source: [OSHA](#))

- **Is the use of UV Lighting an effective method to kill the virus?**

UV lamps should not be used to sterilize hands or other areas of skin as UV radiation can cause skin irritation. (Source: [WHO](#))

- **What special considerations are there regarding shipping documents coming into the bank's international department received for collection or under Import Letters of Credit?**

The CDC states there is likely very low risk that COVID-19 can be spread from products or packaging shipped from China, because of poor survivability of coronaviruses on surfaces. Also, according to the CDC, there currently is no evidence to support transmission of COVID-19 associated with imported goods, and there have been no reported cases of COVID-19 in the United States associated with imported goods. (Source: [USPS](#))

- **What are the recommended cleaning practices for branches and corporate facilities?**

Based on the CDC's current knowledge about the virus, person-to-person spread happens most frequently through close contacts (within about 6 feet) via respiratory droplets. At present, there is no documented transmission of novel coronavirus to persons from surfaces and inanimate objects contaminated with the virus. But current evidence suggests that novel coronavirus may remain viable



for hours to days on surfaces made from a variety of materials. Cleaning of visibly dirty surfaces followed by disinfection using diluted household bleach solutions, alcohol solutions with at least 70% alcohol, and most common [EPA-registered household disinfectants](#) is a best practice measure for prevention of COVID-19 and other viral respiratory illnesses in community settings. See the CDC site for instructions on cleaning and disinfecting surfaces, including timing and location of cleaning specific to suspected and confirmed cases of COVID-19 in the facility.

The CDC recommends that employers work with their local and state health departments to ensure that appropriate local protocols and guidelines, such as updated/additional guidance for cleaning and disinfection, are followed, including for identification of new potential cases of COVID-19. (Source: [CDC](#))

- **What if an employee who is working onsite tests positive; what cleaning procedures do I need to follow?**

This answer depends completely on the standards your local public health office has put in place, if any. Fairfax County Public Health (a large 1M+ population county in the suburbs of Washington), for example, suggested a business could wipe down all hard surfaces with an approved cleaner (EPA published list; public health recommended Lysol) and then immediately re-open. That is one example; if it happens in your area, please make sure you check with your public health department to see if it has specific guidance. If it doesn't, there is general guidance on the CDC webpage. It is recommended that you document the circumstances of discovery, evacuation and cleaning procedures and check with counsel for any other issues prior to re-opening.

### Procedures

The following answers are based on procedures that some banks have implemented in response to the COVID-19 pandemic. They should not be considered guidance; they are examples and should be reviewed for applicability in your specific situation and in accordance with local health department requirements.

- **Has anyone created a standard statement of work for staff and/or janitorial providers outlining expectations for routine cleaning to avoid exposure? How are the processes different for suspected or confirmed exposure?**

- Level 1—Precautionary: Preventative maintenance clean without any knowledge of illness/contamination in the space.
- Level 2—Suspect: More thorough level of cleaning when it is suspected that an occupant/visitor has been exposed to the illness/virus and has occupied the space.
- Level 3—Confirmed: Most thorough decontamination level of cleaning/sanitization/disinfection of the space, after occupant has been confirmed to have the illness/virus.

- **Do you currently use or are you looking to use vendors that can certify their cleaning processes and products adhere to [OSHA](#)\* and [EPA recommendations](#)?**

*Banker Reply:* Yes, current vendors have certified to this and have switched from “green” cleaning products back to traditional products in order to meet these standards. We also have a vendor on standby who is qualified to complete hospital-grade disinfection and meet these requirements. This service was deployed once for a Level 2 event.





\* Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment. When choosing cleaning chemicals, employers should consult information on EPA-approved disinfectant labels with claims against emerging viral pathogens. Products with EPA-approved emerging viral pathogens claims are expected to be effective against SARS-CoV-2 based on data for harder to kill viruses. Follow the manufacturer's instructions for use of all cleaning and disinfection products (e.g., concentration, application method and contact time, PPE).

- **Do you have any language, policies and/or directives that you can share?**

*Banker Reply:* Mitigation response and planning applies to owned and leased sites and proactive measures in partnership with our environmental risk director and business units include:

- Review of cleaning procedures with janitorial companies
- Development of a decontamination plan with a remediation vendor
- Frequency of wipe-downs has increased in all common areas and restrooms of all sites, which includes hard surfaces such as handrails, door handles, elevator buttons, sinks/faucets, light switches, equipment controls, file drawer handles, copier and printer controls, and counter tops
- Onsite porters added to large corporate buildings to conduct continuous wipe downs and additional monitoring of rest room supplies
- Cleaning products have been switched to stronger disinfectants
- Close monitoring of services and supplies including changes to janitorial or security staffing and supplemental costs
- Signage posted in buildings reminding everyone to wash their hands for 20 seconds
- Augmented level of nightly cleaning to include using stronger disinfectant for high touch points
- Provided employee relations department with facilities contact list for distribution to branch network
- Increased cleaning frequency from three to five times per week