

Good afternoon members,

Thank you all for continuing to give us ideas on ways we can support you and know that we are always looking out for the best interest of our members and our community. We know that difficult decisions are made by each of you every day. Today the Geneva Chamber Board made the tough decision to cancel the 2020 Swedish Days. A press release that is being sent to the media is **attached** for you to read. We hope you understand this decision and know it was not made lightly.

As most of you have probably heard, the SBA EIDL and PPP programs are out of funds. I am **attaching** some talking points, sent to us by Harriet Parker from the SBDC at Waubensee Community College, regarding this and a very long list of resources you may find useful. We also received word that the SBDC at Elgin Community College is available for assistance. You do not have to live in the Elgin Community College district, anyone can benefit from this [SBDC](#). **Attached** is a presentation on their resources.

The U.S. Chamber of Commerce and Illinois Chamber of Commerce are doing all they can to lobby for small businesses. Below you will find statements from leaders in both these organizations.

WEBINAR (free)

Strengthen Your Membership with Proactive Crisis Communication Strategies

Presented by ChamberMaster

April 23 @ noon

Register [HERE](#)

During a crisis situation, communicating with you membership is critical. Providing information that is relevant and doesn't waste their time is an opportunity to share key messaging, gain trust, and demonstrate value.

From U.S. Chamber of Commerce

Chamber Launches Save Small Business Initiative

It is hard enough to be a small business owner – only about half of all small businesses with employees make it to their five-year anniversary.

Add in the coronavirus and measures we have adopted to halt its spread, and you are looking at an existential threat that could wipe out millions of small businesses.

[A recent poll](#) conducted by the Chamber and MetLife found that more than half of small businesses (54%) have closed at least temporarily or will close in the next two weeks. One in four (24%) are two months or less away from permanently closing. To put that into perspective, 24% of employer firms with fewer than 500 employees is 1.4 million small businesses.

All of which makes the [Save Small Business Initiative](#) announced yesterday by the U.S. Chamber even more critical. The initiative features a four-part campaign including financial aid, resources and guidance, advocacy, polling, and a call to action for the larger business community and government to help small businesses.

As part of the initiative, the U.S. Chamber of Commerce Foundation has launched the [Save Small Business Grant Fund](#) to provide \$5,000 supplemental grants to small employers. *This is not just about what the Chamber can do, but what all of us can do together.*

It is also about what we can do over time. Implementing the Paycheck Protection Program, the Economic Injury Disaster Loan (EIDL) program, and the new Main Street Loan Facility will help stabilize many small businesses today, but then we must help them reopen, recover, and grow. The Chamber is committed for the long-term.

As our President Suzanne Clark said, “We cannot and will not allow our country’s critical small business sector to collapse.”

–Neil Bradley, Executive Vice President and Chief Policy Officer, U.S. Chamber of Commerce

From Illinois Chamber of Commerce

Hello. Many of you are aware of a massive overreach in administrative rule-making undertaken by the Illinois Workers Compensation Commission (IWCC). Just last evening, the commission voted to approve a rule that would all but guarantee workers compensation benefits for any worker who claims a COVID-19 related illness. This is an unprecedented expansion of the [Illinois Occupational Diseases Act](#). This expansion was undertaken without consultation with the employer community, is clearly beyond the statutory authority granted to the WCC, and was rushed through in clear violation of other statutes.

The Chamber is consulting closely with our partners in the business community in determining an appropriate and aggressive response to this government overreach.

Below is Executive Director of the Chamber Employment Law Council Jay Shattuck's analysis of the latest rule to help you understand how it will impact your business.

Shattuck Analysis

In yesterday's emergency meeting of the IWCC, the Commission approved changes to the emergency rule that was advanced on Monday. Yesterday's changes expand the application of the rule to additional entities not covered by Monday's version of the rule. The changes, in addition to those entities covered in Section 1 Part 12 of the [Governor's Executive Order 2020-10](#), adds parts 7, 8, 9, 10 and 11. Broadly these new parts include:

7. Healthcare and Public Health Operations;
8. Human Services Operation;
9. Essential Infrastructure
10. Essential Government Functions; and
11. Businesses Covered by this Executive Order: "any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure."

The result of the revised emergency rule is that any Illinois employer, private, public for-profit or non-profit, whose worker is exposed to COVID-19 now has the burden shifted upon it to prove that the COVID-19 injury, disease, or incapacity did not occur at the workplace.

Other concerns are:

Arising Out of & in the Course of Employment: The original provision to create the rebuttable presumption has a couple of clarifications but continues to provide that "if the petitioner's injury, occupational disease, or period of incapacity resulted from exposure to the COVID-19 virus during the [Gubernatorial Disaster Proclamation 2020-38](#) and any subsequent COVID-19 disaster proclamations, the exposure will be rebuttably presumed to have arisen out of and in the course of the petitioner's COVID-19 First Responder or Front-Line Worker employment"

Causal Connection: The emergency rule goes on to provide that the petitioner "will be rebuttably presumed to be causally connected to the hazards or exposures of the petitioner's COVID-19 First Responder or Front Line Worker employment.

Rule Attacks "Increased Risk" Doctrine: Our read is that the emergency rule will result in undermining Illinois' long standing application of the law's doctrine of "increased risk" which states a workers' compensation claimant must show that they were at greater risk of injury than the public because of the requirements of their job. Replacing this doctrine would be "positional risk," a standard where an employee is entitled to workers' compensation benefits if his or her job was responsible for him or her being at the location of the accident.

IWCC Exceeds Its Authority with Emergency Rule: Illinois current law provides a rebuttable presumption already for first responders. Subsection (f) of Section 6 of the Workers' Compensation Act ([820 ILCS 305/6](#)) provides a rebuttable presumption to firefighters, emergency medical technicians, emergency medical technician-intermediates, advanced emergency medical technicians, or paramedics for any bloodborne pathogen, lung or respiratory disease or condition, heart or vascular disease or condition, hypertension, tuberculosis, or cancer resulting in any disability (temporary, permanent, total, or partial). It also provides a presumption for these workers for any hernia or hearing loss. A similar provision is provided in the Occupational Diseases Act ([820 ILCS 310/1](#)). The Commission is exceeding its authority by expanding the scope of the rebuttable presumption to workers who are not identified under the statute.

While current statute may provide workers' compensation or occupational disease benefits based on the facts of the claim of the petitioner regardless of their profession, trade or worker classification, the statute does not provide a rebuttable presumption to workers other than those delineated in the statute.

This issue is clearly in flux, but we will keep you informed on regular basis of important developments.

Todd Maisch, President and CEO

Loan Offer from member ARF Financial – Megan Pavone

Need Bridge or Supplemental Capital for your hospitality business? Worried PPP won't give you enough capital to get you back up and running? Concerned about loan payments as your business is ramping back up after the COVID closures? ARF Financial is STILL lending and we can offer you funding up to \$150K with no payments until mid-June!

And if you refer someone to the program, you get 3% of every loan funded capping at \$14K. You then get a residual 3% EVERY time that customer refinances, takes more money, takes another loan, etc. This is over the course of 3 years!

Who is eligible?

- Fast casual, fast food, quick service, drive thru hospitality businesses still open and offering takeout and delivery.
- Must have a FICO score of at least 651 and be in business at least 3 years. Applying does NOT affect your credit—soft pull and you will get funding in 5-7 days tops.
- Annual sales must be at least \$750K.
- We will also be looking at grocery stores, liquor stores, pharmacies, vets, and doctors' offices. At this time, we have suspending lending to dentists, fine dining restaurants, night clubs, spas, retailers and cosmetic surgeons.

We might be able to lend to auto repair, and retailers that sell fitness equipment and/or bikes. Case by case scenario

Please contact Megan Pavone, Vice President of Sales, ILLINOIS at 224.545.2044 or mpavone@arffinancial.com

Sincerely,

Paula Schmidt
President, Geneva Chamber of Commerce