

# COVID-19 EMPLOYER PROVISIONS AT A GLANCE

Provisions	Overview	Limits	Eligibility	Resources								
<b>Emergency Paid Sick Leave Act</b> <i>(tax credit)</i>	<p>Employees are eligible for paid sick leave if they are unable to work from: April 1, 2020, to September 30, 2021</p> <ul style="list-style-type: none"><li>• <b>April 1, 2020, to March 31, 2021:</b> Employers will receive a tax credit for emergency paid sick leave in the amount of the total sick gross pay + employer Medicare portion of sick pay + employer health insurance cost for employees on sick leave</li><li>• <b>April 1, 2020, to March 31, 2021:</b> Sick pay is exempt from Social Security employer tax</li><li>• <b>April 1, 2021, to September 30, 2021:</b> Employers will receive a tax credit for emergency paid sick leave in the amount of the total sick gross pay + employer <b>Social Security</b> and Medicare portion of sick pay + employer health insurance cost for employees on sick leave</li><li>• <b>April 1, 2021, to September 30, 2021:</b> Sick pay is no longer exempt from Social Security employer tax</li></ul>	<ul style="list-style-type: none"><li>• Max of 80 hours pay</li><li>• Sick pay for self-care is paid at regular pay with the following limits:<ul style="list-style-type: none"><li>• Daily limit of \$511 per employee</li><li>• Aggregate limit for:<table><tr><th>Apr. 1, 2020, to Mar. 31, 2021</th><th>Apr. 1, 2021, to Sept. 30, 2021</th></tr><tr><td>\$5,110 per employee</td><td>\$5,110 per employee</td></tr></table></li></ul></li><li>• Sick pay for care of others is paid at 2/3 of regular pay with the following limits:<ul style="list-style-type: none"><li>• Daily limit of \$200 per employee</li><li>• Aggregate limit for:<table><tr><th>Apr. 1, 2020, to Mar. 31, 2021</th><th>Apr. 1, 2021, to Sept. 30, 2021</th></tr><tr><td>\$2,000 per employee</td><td>\$2,000 per employee</td></tr></table></li></ul></li></ul>	Apr. 1, 2020, to Mar. 31, 2021	Apr. 1, 2021, to Sept. 30, 2021	\$5,110 per employee	\$5,110 per employee	Apr. 1, 2020, to Mar. 31, 2021	Apr. 1, 2021, to Sept. 30, 2021	\$2,000 per employee	\$2,000 per employee	<ul style="list-style-type: none"><li>• All employees are eligible, no matter how long they have worked for an employer</li><li>• Emergency paid sick leave and tax credits apply to employers with under 500 employees</li><li>• Employers are mandated to pay the leave in 2020 but not in 2021</li><li>• If employers choose to pay in 2021, they will receive the credits</li></ul>	<p>Viventium how to:</p> <ul style="list-style-type: none"><li>• <a href="#">COVID-19 Tax Credits Client Guide</a></li></ul> <p>More info:</p> <ul style="list-style-type: none"><li>• <a href="#">Families First Coronavirus Response Act FAQ #1</a></li><li>• <a href="#">Families First Coronavirus Response Act FAQ #2</a></li></ul>
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<b>Emergency Paid Child Care (FMLA)</b> <i>(tax credit)</i>	<p>Employees are eligible for paid family leave if they are unable to work in order to take care of a child under the age of 18 or (from April 1, 2021, to September 30, 2021) for any of the reasons that qualify for paid sick leave</p> <ul style="list-style-type: none"><li>• <b>April 1, 2020, to March 31, 2021:</b> Employers will receive a tax credit for family leave gross pay + employer Medicare portion of family leave + employer health insurance cost for employees on family leave</li><li>• <b>April 1, 2020, to March 31, 2021:</b> Family leave is exempt from Social Security employer tax</li><li>• <b>April 1, 2021, to September 30, 2021:</b> Employers will receive a tax credit for family leave gross pay + employer <b>Social Security</b> + employer Medicare portion of child care + employer health insurance cost for employees on family leave</li><li>• <b>April 1, 2021, to September 30, 2021:</b> Family leave is no longer exempt from Social Security employer tax</li></ul>	<ul style="list-style-type: none"><li>• Paid at 2/3 of regular pay with a daily limit of \$200, an aggregate limit for:<table><tr><th>Apr. 1, 2020, to Mar. 31, 2021</th><th>Apr. 1, 2021, to Sept. 30, 2021</th></tr><tr><td>\$10,000 per employee</td><td><b>\$12,000</b> per employee</td></tr></table></li></ul>	Apr. 1, 2020, to Mar. 31, 2021	Apr. 1, 2021, to Sept. 30, 2021	\$10,000 per employee	<b>\$12,000</b> per employee	<ul style="list-style-type: none"><li>• Employees who have been employed for at least 30 calendar days regardless of the number of hours worked</li><li>• Emergency paid sick leave and tax credits apply to employers with under 500 employees</li><li>• Employers are mandated to pay the leave in 2020 but not in 2021</li><li>• If employers choose to pay in 2021, they will receive the credits</li></ul>					
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<b>Employee Retention Credit</b> <i>(tax credit)</i>	<p>Designed to encourage eligible employers to keep employees on their payroll despite economic hardship</p> <ul style="list-style-type: none"><li>• Eligible employers can receive a 50% payroll tax credit for wages paid after March 12, 2020, through December 31, 2020, and a 70% payroll tax credit for wages paid in 2021</li><li>• Tax credit equals 50%/70% of gross pay + employer health insurance cost</li></ul>	<ul style="list-style-type: none"><li>• Limit of \$5,000 tax credit per employee for 2020 and \$10,000 per employee per quarter for 2021</li></ul>	<p>Employers are now eligible for this even if they took the SBA Loan, but wages used for PPP loan forgiveness are not eligible for ERC</p> <ul style="list-style-type: none"><li>• Employers with &lt; or = 100 employees are eligible for the credit on all employee wages in 2020; the threshold is 500 employees in 2021</li><li>• Employers with &gt;100 (500 in 2021) employees are eligible for the credit on wages paid for employees who aren't working due to COVID-19</li></ul>	<p>Viventium how to:</p> <ul style="list-style-type: none"><li>• <a href="#">COVID-19 Tax Credits Client Guide</a></li></ul> <p>More info:</p> <ul style="list-style-type: none"><li>• <a href="#">IRS FAQ</a></li></ul>								
<b>Social Security Employer Tax Deferral</b> <i>(tax deferral)</i>	<p>Social Security employer tax payments to the IRS in 2020 were allowed to be deferred to two equal installments due 1/3/2022 and 1/3/2023</p>	N/A	<p>Employers who received a PPP loan are still eligible for this deferral</p>	<p>Complete <a href="#">SSER Tax Deferral Request</a> and access <a href="#">Relief from Penalty for Failure to Deposit Employment Taxes</a></p>								
<b>SBA Loan</b> <i>(small business loan for employers with 500 or less employees)</i>	<p>A provision for small businesses affected by COVID to apply for a forgivable loan through banks or other lending institutions to finance their payroll and other expenses</p> <ul style="list-style-type: none"><li>• A portion (or all) of the loan will be forgiven if at least 60% is used to cover payroll, the remainder is used for mortgage, rent, etc., and qualifying payroll levels are maintained</li></ul>	<ul style="list-style-type: none"><li>• Up to 2.5 times average monthly payroll + EIDL</li></ul>	<p>Determining eligibility and applying for loans is out of Viventium's scope: consult your lending institution; second draw loans are also available for qualified employers who have used up their first draw funds</p>	<p>Viventium how to:</p> <ul style="list-style-type: none"><li>• <a href="#">SBA Loan Payroll Report</a></li></ul> <p>More info:</p> <ul style="list-style-type: none"><li>• <a href="#">SBA Loan Fact Sheet</a></li><li>• <a href="#">U.S. Small Business Administration</a></li></ul>								
<b>Dependent-Care Benefits</b> <i>(tax-free employee benefit)</i>	<p>ARPA allows employers to provide up to \$10,500 in tax-free dependent care benefits to employees in 2021 (previously was \$5,000)</p>	<ul style="list-style-type: none"><li>• \$10,500</li></ul>	<p>Employers with qualifying DCAP plans</p>	<p><a href="#">ARPA webinar</a></p>								
<b>COBRA Subsidy</b> <i>(tax credit)</i>	<p>ARPA mandates employers to pay COBRA premiums for "assistance eligible individuals" (AEIs) and their dependents from April 1, 2021, to September 30, 2021; those payments may be used by the employers to offset their payroll taxes</p>	<ul style="list-style-type: none"><li>• 100% of the AEI's COBRA premium from April 1 to September 30, 2021</li></ul>	<p>Employees whose hours have been reduced or who are terminated involuntarily (other than for gross misconduct), who make qualifying COBRA coverage elections under Federal or state COBRA-equivalent laws</p>	<p>Link to DOL FAQ and required notices <a href="https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/cobra/premium-subsidy">https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/cobra/premium-subsidy</a></p>								