

COVID-19 EMPLOYER PROVISIONS AT A GLANCE

Provisions	Overview	Limits	Eligibility	Resources								
Emergency Paid Sick Leave Act <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"> April 1, 2020, to March 31, 2021: 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 April 1, 2020, to March 31, 2021: Sick pay is exempt from Social Security employer tax April 1, 2021, to September 30, 2021: Employers will receive a tax credit for emergency paid sick leave in the amount of the total sick gross pay + employer Social Security and Medicare portion of sick pay + employer health insurance cost for employees on sick leave April 1, 2021, to September 30, 2021: Sick pay is no longer exempt from Social Security employer tax 	<ul style="list-style-type: none"> Max of 80 hours pay Sick pay for self-care is paid at regular pay with the following limits: <ul style="list-style-type: none"> Daily limit of \$511 per employee Aggregate limit for: <table border="1"> <tr> <td>Apr. 1, 2020, to Mar. 31, 2021</td> <td>Apr. 1, 2021, to Sept. 30, 2021</td> </tr> <tr> <td>\$5,110 per employee</td> <td>\$5,110 per employee</td> </tr> </table> Sick pay for care of others is paid at 2/3 of regular pay with the following limits: <ul style="list-style-type: none"> Daily limit of \$200 per employee Aggregate limit for: <table border="1"> <tr> <td>Apr. 1, 2020, to Mar. 31, 2021</td> <td>Apr. 1, 2021, to Sept. 30, 2021</td> </tr> <tr> <td>\$2,000 per employee</td> <td>\$2,000 per employee</td> </tr> </table> 	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"> All employees are eligible, no matter how long they have worked for an employer Emergency paid sick leave and tax credits apply to employers with under 500 employees Employers are mandated to pay the leave in 2020 but not in 2021 If employers choose to pay in 2021, they will receive the credits 	<p>More info:</p> <ul style="list-style-type: none"> Families First Coronavirus Response Act FAQ #1 Families First Coronavirus Response Act FAQ #2
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Emergency Paid Child Care (FMLA) <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"> April 1, 2020, to March 31, 2021: 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 April 1, 2020, to March 31, 2021: Family leave is exempt from Social Security employer tax April 1, 2021, to September 30, 2021: Employers will receive a tax credit for family leave gross pay + employer Social Security + employer Medicare portion of child care + employer health insurance cost for employees on family leave April 1, 2021, to September 30, 2021: Family leave is no longer exempt from Social Security employer tax 	<ul style="list-style-type: none"> Paid at 2/3 of regular pay with a daily limit of \$200, an aggregate limit for: <table border="1"> <tr> <td>Apr. 1, 2020, to Mar. 31, 2021</td> <td>Apr. 1, 2021, to Sept. 30, 2021</td> </tr> <tr> <td>\$10,000 per employee</td> <td>\$12,000 per employee</td> </tr> </table> 	Apr. 1, 2020, to Mar. 31, 2021	Apr. 1, 2021, to Sept. 30, 2021	\$10,000 per employee	\$12,000 per employee	<ul style="list-style-type: none"> Employees who have been employed for at least 30 calendar days regardless of the number of hours worked Emergency paid sick leave and tax credits apply to employers with under 500 employees Employers are mandated to pay the leave in 2020 but not in 2021 If employers choose to pay in 2021, they will receive the credits 					
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Employee Retention Credit <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"> 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 Tax credit equals 50%/70% of gross pay + employer health insurance cost 	<ul style="list-style-type: none"> Limit of \$5,000 tax credit per employee for 2020 and \$10,000 per employee per quarter for 2021 	<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"> Employers with < or = 100 employees are eligible for the credit on all employee wages in 2020; the threshold is 500 employees in 2021 Employers with >100 (500 in 2021) employees are eligible for the credit on wages paid for employees who aren't working due to COVID-19 	<p>More info:</p> <ul style="list-style-type: none"> IRS FAQ 								
Social Security Employer Tax Deferral <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>									
SBA Loan <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"> 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 	<ul style="list-style-type: none"> Up to 2.5 times average monthly payroll + EIDL 	<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>More info:</p> <ul style="list-style-type: none"> SBA Loan Fact Sheet U.S. Small Business Administration 								
Dependent-Care Benefits <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"> \$10,500 	<p>Employers with qualifying DCAP plans</p>	<p>ARPA webinar</p>								
COBRA Subsidy <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"> 100% of the AEI's COBRA premium from April 1 to September 30, 2021 	<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 https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/cobra-premium-subsidy</p>								