

# **COVID – 19 Emergency Legislation**

Maine Marin Trades Association

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## Mandatory Shutdowns

- Can you even be open at all?
  - Can you safely operate?
  - Customer facing businesses
- Governor's Shutdown Order
- Federal Guidelines for "Essential Business"
  - Focus on commercial vessels
  - Then boats used for actual transportation
  - Then recreational boats

## Worker Safety?

- Can you take someone's temperature at work?
- One worker per boat
- Gloves, face masks, sanitation
- Limit face to face interaction

## Making Payroll

- Paid Leave – Families First Act
- Unemployment – Governor’s emergency powers and CARES Act
- SBA Disaster Assistance Loans – Governor’s emergency powers
- PPP Loans – CARES Act
- Employee retention tax credits

## Families First Coronavirus Response Act – Paid FMLA Leave

- Employers with 1-500 employees
- Must have been employed in the 30 days prior to the leave
- Cannot work because of childcare
- Up to 12 weeks leave
- First two weeks unpaid
- Then up to \$200 per day
- Capped at \$10,000.00
- Must make “reasonable efforts” to restore to prior position

## **Paid Sick Leave – Families First Coronavirus Response Act**

- Available to all employees regardless of time worked
- 80 hours for full-time employees
- Employees affected by COVID-19 get regular rate of pay up to \$511 per day and \$5,110 in aggregate
- Employees caring for others get 2/3 regular rate up to \$200 per day and \$2,000 in aggregate
- Employee can choose to use this or existing PTO

## Families First Tax Credits

- Employer may deduct 100% of amounts spent of qualified leave from payroll taxes
  - Social Security
  - Employer share of tax
  - Employer withholding

## **Furlough – Cutting hours but keeping people employed**

- Can still receive unemployment w/ federal enhancements
- FFCRA paid leave would still apply if they become qualified
- Can still pay for their health insurance and other benefits
- Must have some intent to bring them back
- Potential for furloughed workers to make more than working workers



## Layoff – Terminating Employees

- Eligible for unemployment w/ federal enhancements (\$600-\$986 per week)
- No expectation to return to work
- No entitlement to paid leave under FFCRA

## Paycheck Protection Program

- CARES Act
- Under 500 employees
- SBA Loan will forgive amounts spent on payroll, rent, or utilities
- 8 weeks
- Available to self-employed and 1099's
- No forgiveness for people making more than \$100,000
- Administered through private lenders

## Employee Retention Tax Credits

- Companies required to shut down, or lost 50% of their revenue
- Companies over 100 employees can take a 50% credit off their payroll taxes for any furloughed employee they are still paying
- Companies under 100 can take a 50% credit off their payroll taxes for all employees regardless of whether or not furloughed