



# ADVANCE ST. TAMMANY

St. Tammany Corporation's Multi-layered Outreach Strategy

# ADVANCE ST. TAMMANY OUTREACH PROGRAM

## Technical Assistance & Business Solutions

- **Provide guidance and overview of programs available on federal and state levels**
  - Economic Injury Disaster Loan Program (**EIDL**)
  - Families First Coronavirus Response Act (**FFCRA**)
  - The Coronavirus Aid, Relief, and Economic Security (CARES) Act
  - Payroll Protection Program (**PPP**)
  - CARE **Individual Provisions**
  - Louisiana Loan Portfolio Guaranty Program ("**LPGP**")
  
- **Assistance facilitating upcoming/paused business growth**
  - Business support program guidance
  - Land and sites program
  - Industry intelligence and communications
  - Partner connection and engagement
  
- **Sustainability and Resilience Programming**
  - St. Tammany Jobs Connect
  - Upcoming web series to discuss the economic landscape and your business post-coronavirus

# ADVANCE ST. TAMMANY OUTREACH PROGRAM

## Connection to Resource Partners

- **Workforce development and retention opportunities through regional and state partners**
  - Tri-Parish/Louisiana Workforce Commission --- **LAWORKS.NET**
    - Source Temporary/Replacement employees
    - Workforce Development Funding
    - Unemployment Insurance Guidance
  - Greater New Orleans, Inc. --- **GNOINC.ORG**
    - GNO PIVOT: Pivoting mission to diversify or provide coronavirus related products or activities
    - WorkNOLA.com
  
- **Small business development programming through state partners**
  - LED's Economic Gardening Program --- **OPPORTUNITYLOUISIANA.ORG**
    - Provides customized core business strategies, market research, qualified sales leads and improved internet and technology tailored to your growing needs
  
- **Parish and Governmental Entities**
- **St. Tammany Chamber of Commerce**
- **SBA/Small Business Development Center**

# ADVANCE ST. TAMMANY OUTREACH PROGRAM

## Industry Intelligence & Communications

- Webinars focused on resources available to keep business up and running in the short term and longer-term sustainability and resilience planning
- Latest information from local, regional, and national sources through weekly newsletter, email blasts, and social media outlets

## Follow Us



[www.sttammanycorp.org](http://www.sttammanycorp.org)



@StTammanyCorporation



@StTammanyCorp

# We Are Here To Help!

Kate Moore  
Director of Economic Development  
[kmoore@sttammanycorp.org](mailto:kmoore@sttammanycorp.org)  
(985) 867-6395

Todd Whalley  
Director of Existing Business and Industry  
[twhalley@sttammanycorp.org](mailto:twhalley@sttammanycorp.org)  
(985) 867-6398

Jake Nickens  
Incentives Coordinator  
[jnickens@sttammanycorp.org](mailto:jnickens@sttammanycorp.org)  
(985) 590-0207



[sttammanycorp.org](http://sttammanycorp.org)



@StTammanyCorporation



@StTammanyCorp

# **Legal Updates & HR Best Practices surrounding COVID-19**

**Presented by**





Cecilia "Cece" Boudreaux, SHRM-CP, PHR  
NSHRM President,  
HR Director, STOA Group



Michael F. Weiner, J.D., SHRM-SCP  
NSHRM Legislative Director  
Michael F. Weiner, Attorney at Law



Gretchen McKinney, SHRM-SCP, SPHR  
NSHRM Newsletter Coordinator  
Owner and Principal Consultant  
inchReiment, LLC



Corianne Green, SHRM-SCP  
NSHRM Programming Director  
Corianne Green, SHRM-SCP  
HR Manager, Thomas Pump

# Our Agenda

- General Overview & Background
- Current Legislations
  - Families First Coronavirus Response Act (FFCRA)
  - Coronavirus Aid, Relief, and Economic Security Act (CARE)
- Compliance Questions



We are providing this information to you in our capacity as consultants with knowledge and experience in the Human Resources industry and not as legal or tax advice. The issues addressed may have legal or tax implications to you, and we recommend you speak with your legal council and/or tax advisor before choosing a course of action based on any information contained herein. Changes to factual circumstances or to any rules or other guidance relied upon may affect the accuracy of the information provided.

# Timeline

Governor issues State-wide Shelter In place Order -

Families First Coronavirus Response Act (FFCRA)

Effective 4/1/2020

Coronavirus Aid, Relief, and Economic Security Act (CARE) -

Effective 4/1/2020

President extends Social Distancing Order until April 30<sup>th</sup>

La. Governor extends State-wide Shelter In place Order until April 30<sup>th</sup>.

# How does the FFCRA (H.R. 6201) impact employers?

- Provides Paid Sick Leave
- Expands FMLA

## Emergency Paid Sick Leave – EPSL

Employers are required to provide 80 hours of fully paid sick leave to full-time employees (pro rated for part-time) on top of any other existing paid leave program of the employer.

## Expanded FMLA – EFMLA

Leave would cover employees who are unable to work (or telework) because the employee is caring for their child due to school closure or childcare providers unavailable due to a public health emergency.

# Brief Non-Enforcement Period

The DOL won't bring enforcement actions against employers for violations of the FFCRA through April 17, 2020, provided that the employer has made reasonable, good faith efforts to comply with the Act.

The following must be true:

- The employer remedies any violations as soon as possible, including making all affected employees whole as soon as practicable;
- The violations of the Act were not “willful” (you could have paid but chose not to); and
- The Department receives a written commitment from the employer to comply with the Act in the future.

Model Notice:

[https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf](https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)

# Emergency Paid Sick Leave

**Eligibility** – All Employees of covered employers, unable to work or telework are eligible for 2 weeks of paid sick for specific reasons.

REASON FOR LEAVE	Definition of Pay Rate
1. Employee is subject to a Federal, State, or Local quarantine order related to COVID-19*	FFCRA Paid 100% rate for up to 80 hours (max \$511 per day, capped at \$5,110)
2. Employee has been advised by a healthcare provider to self-quarantine related to COVID-19.	
3. Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.	
4. Employee is caring for an individual subject to an order described in (1) or (2) above.	FFCRA paid 2/3 rate for up to 80 hours (max \$200 per day, capped at \$2,000)
5. Employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.	
6. Employee is experiencing other substantially-similar condition specified by Secretary of Health & Human Services.	

Based on new DOL clarifications – Stay at home order DOES qualify for reason 1.

# Expanded Family Medical Leave (EFMLA)

Eligibility – Employees employed for at least 30 days

An Employee who is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19.

First 2 weeks (10 day) are unpaid, unless employee requests to use emergency sick leave (paid at 2/3 regular rate of pay) or personal vacation bank. Additional 10 weeks paid 2/3 rate (max \$200 per day, capped at \$10,000)

# Exemption from Childcare Leave (EFMLA)

Employers with fewer than 50 employees may be eligible for an exemption from the childcare leave provisions if at least one of the three statements below are true:

- Providing leave would result in the small business's expenses and **financial obligations exceeding available business revenues** and cause it to cease operating at a **minimal capacity**;
- The absence of the employee or employees requesting leave would entail a substantial risk to the financial health or operational capabilities of the small business because of their **specialized skills, knowledge of the business, or responsibilities**; or
- There are **not sufficient workers** who are able, willing and qualified, and who will not be available at the time and place needed, and these labor or services are needed for the small business to operate at a **minimal capacity**.

# Exempt Health Care Workers

Anyone employed at doctors office, hospital, health care center, clinic, post secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity.

This includes any individual employed by an entity that contracts with any of the above to provide services or to maintain the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in making COVID-19 related medical equipment, test, drugs, vaccines, diagnostic vehicles, or treatments.

**To minimize the spread of the virus associated with COVID-19, the DOL encourages employers to be judicious when using this definition to exempt health care providers from the provisions of the FFCRA.**



# EFMLA Compliance- How do I know if my company must comply?

Employers with less than 500 Employees

– FMLA Integrated Employer Test

While no one factor determines coverage, entities are more likely to be deemed a single integrated employer if they share:

1. Common management
2. Interrelation between operations
3. Centralized control of labor relations
4. A degree of common ownership

**Poll**

# The CARES Act

- Paycheck Protection Program
- Employee Retention Credit Program
- Temporary Pandemic Unemployment Assistance Program

# The CARES Act – Paycheck Protection Program

<b>Loan Period</b>	<b>May 15, 2020 through June 30, 2020</b>
Eligible Entities	Business, Nonprofits, Tribal Business and Veterans Organizations
Entity Size	500 or less employees (with limited exceptions for certain industries)
Qualifying Criteria	Employers must maintain their pre-crisis level of full-time equivalent employees or else face a reduction in forgiveness proportional for the reduction in headcount
Loan Amount	2.5 x ER average monthly payroll costs (approx. 10 weeks of payroll expenses to a max of \$10 million) New business measurement period is January 1 – February 29, 2020 SBA Expenses Loans increased from \$350,000 to \$1 million through 12/31/20
Loan Features	Six months to one year of deferred repayment, fee waivers and streamlined application requirements
Payment Deferrals	Qualified borrowers will be provided with no less than 6-months and not more than 1-year payment deferrals
Loan Forgiveness	Equivalent to the sum spent on covered expenses during the eight-week period after the loan is originated
What it covers	Payroll, Health Care Benefits, Mortgage Interest, Rent, Utility payments, Interest on debt incurred prior to 2/15/2020

# Employee Retention Credit Program

- Eligible employers may receive a refundable payroll tax credit equal to 50% of qualified paid wages.
- The maximum eligible wages for each employee is \$10,000 resulting in a max credit of \$5,000 per employee.
- Wages also includes the amount of the employer's health plan expenses that are properly allocable to relevant wages as determined by Treasury.

Applies to wages paid from 3/13 – 12/31/20

# Chamber of Commerce Tool

Prepared by the U.S. CHAMBER OF COMMERCE

## CORONAVIRUS EMERGENCY LOANS

### Small Business Guide and Checklist

The Coronavirus Aid, Relief, and Economic Security (CARES) Act allocated \$350 billion to help small businesses keep workers employed amid the pandemic and economic downturn. Known as the Paycheck Protection Program, the initiative provides 100% federally guaranteed loans to small businesses.

Importantly, these loans may be forgiven if borrowers maintain their payrolls during the crisis or restore their payrolls afterward.

The administration soon will release more details including the list of lenders offering loans under the program. In the meantime, the U.S. Chamber of Commerce has issued this guide to help small businesses and self-employed individuals prepare to file for a loan.



Here are the questions you may be asking—and what you need to know.

### 1 Am I ELIGIBLE?

You are eligible if you are:

- A small business with fewer than 500 employees
- A small business that otherwise meets the SBA's size standard
- A 501(c)(3) with fewer than 500 employees
- An individual who operates as a sole proprietor
- An individual who operates as an independent contractor
- An individual who is self-employed who regularly carries on any trade or business
- A Tribal business concern that meets the SBA size standard
- A 501(c)(7) Veterans Organization that meets the SBA size standard

In addition, some special rules may make you eligible:

- If you are in the accommodation and food services sector (NAICS 72), the 500-employee rule is applied on a per physical location basis.
- If you are operating as a franchise or receive financial assistance from an approved Small Business Investment Company the normal affiliation rules do not apply.

**REMEMBER:** The 500-employee threshold includes all employees full-time, part-time, and any other status.

### 2 What will lenders be LOOKING FOR?

In evaluating eligibility, lenders are directed to consider whether the borrower was in operation before February 15, 2020 and had employees for whom they paid salaries and payroll taxes or paid independent contractors.

Lenders will also ask you for a good faith certification that:

1. The uncertainty of current economic conditions makes the loan request necessary to support ongoing operations
2. The borrower will use the loan proceeds to retain workers and maintain payroll or make mortgage, lease, and utility payments
3. Borrower does not have an application pending for a loan duplicative of the purpose and amounts applied for here
4. From Feb. 15, 2020 to Dec. 31, 2020, the borrower has not received a loan duplicative of the purpose and amounts applied for here **Note:** There is an opportunity to fold emergency loans made between Jan. 31, 2020 and the date this loan program becomes available into a new loan.

If you are an independent contractor, sole proprietor, or self-employed individual, lenders will also be looking for certain documents. Final requirements will be announced by the government such as payroll tax filings, Forms 1099-MISC, and income and expenses from the sole proprietorship.

Prepared by the U.S. CHAMBER OF COMMERCE



### What lenders will NOT LOOK FOR

- That the borrower sought and was unable to obtain credit elsewhere.
- A personal guarantee is not required for the loan.
- No collateral is required for the loan.

### 3 How much can I BORROW?

Loans can be up to 2.5 x the borrower's average monthly payroll costs, not to exceed \$10 million.

#### How do I calculate my average monthly PAYROLL COSTS?

$$\text{sum of INCLUDED payroll costs} - \text{sum of EXCLUDED payroll costs} = \text{PAYROLL COSTS}$$

#### INCLUDED Payroll Cost:

1. **For Employees:** The sum of payments of any compensation with respect to employees that is a:
  - salary, wage, commission, or similar compensation;
  - payment of cash for or equivalent;
  - payment for vacation, parental, family, medical, or sick leave
  - allowance for dismissal or separation
  - payment required for the provisions of group health care benefits, including insurance premiums
  - payment of any retirement benefit;
  - payment of state or local tax assessed on the compensation of the employee
2. **For Sole Proprietors, Independent Contractors, and Self-Employed Individuals:** The sum of payments of any compensation to or income of a sole proprietor or independent contractor that is a wage, commission, income, net earnings from self-employment, or similar compensation and that is in an amount that is not more than \$100,000 in one year, as prorated for the covered period.

#### EXCLUDED Payroll Cost:

1. Compensation of an individual employee in excess of an annual salary of \$100,000, as prorated for the period February 15, to June 30, 2020
2. Payroll taxes, railroad retirement taxes, and income taxes
3. Any compensation of an employee whose principal place of residence is outside of the United States
4. Qualified sick leave wages for which a credit is allowed under section 7001 of the Families First Coronavirus Response Act (Public Law 116-127) or qualified family leave wages for which a credit is allowed under section 7003 of the Families First Coronavirus Response Act



#### NON SEASONAL EMPLOYERS:

**Maximum loan =**  
2.5 X Average total monthly payroll costs incurred during the year prior to the loan date

**For businesses not operational in 2019:**  
2.5 X Average total monthly payroll costs incurred for January and February 2020

#### SEASONAL EMPLOYERS:

**Maximum loan =**  
2.5 X Average total monthly payments for payroll costs for the 12-week period beginning February 15, 2019 or March 1, 2019 (whichever by the loan recipient) and ending June 30, 2019

# Temporary Pandemic Unemployment Assistance Program

- Payments to those who would not normally be eligible for or who have exhausted regular unemployment compensation and who are unemployed, partially unemployed, or unable to work as a direct result of the COVID-19 public health emergency.
- Increased and extended payments to individuals who are eligible for regular unemployment compensations as well as increased federal funding for state unemployment benefit programs
- State unemployment plus additional \$600 payment until 7/31/2020

# Furlough or Layoff?

- What's the difference
  - Furlough – period where an employee remains employed but is not actively working or working reduced hours
  - Different than termination which results in the end of the ER/EE relationship
- Do I have to comply with WARN during this time?



# Reducing Hours or Pay for Non-Exempt Employees

- Non-Exempt employees only need to be paid for hours worked
- Remember reporting time pay if you send people home after they've already arrived at work for the day.

# FLSA – Exemption Pay Reminders

You can implement a pay cut, either for everyone or for certain departments or types of jobs.

Employees must remain above the federal minimum salary for exempt employees (\$648/week).

No prorating. No partial day deductions.

- Exception: if they miss a full day for personal reasons (like wanting to stay home)
- Exception if they miss a full day because they are sick, do no work and offer a bona fide sick leave plan (at least 5 paid days per year)

# Other Considerations

- OSHA
- Affordable Care Act – Benefits Compliance
- Americans Disability Act (ADA)
- Confidentiality



[Home](#)

[Coronavirus \(COVID-19\) Resource Page](#)

[Meetings & Events](#)

[News](#)

[About Us](#)

[Jobs](#)

[More...](#)

### Search

This Site

[Search](#)

### SHRM Links

- + [SHRM Online Home](#)
- + [SHRM HR Jobs](#)
- + [SHRM Events](#)
- + [SHRM Store](#)
- + [SHRM Connect](#)
- + [HR Topics](#)
- + [SHRM Research & Surveys](#)
- + [SHRM Foundation](#)
- + [SHRM Talent Assessment Center](#)
- + [SHRM Certification](#)

### SHRM + YOUR LOCAL CHAPTER:

- Flex your leadership muscle
- Network with local peers
- Access critical tools and resources

[JOIN/RENEW](#)



[Home](#) > [Coronavirus \(COVID-19\) Resource Page](#)

## Coronavirus (COVID-19) Resource Page

### NSHRM UPDATE

Dear NSHRM Members!

**Coronavirus Disease 2019 (COVID-19)** has not escaped anyone's attention and with respect to our Member programming, the Board has convened and determined that the in-person meetings will be suspended for April and possibly into future meeting dates as well.

**Chapter activities will continue!** We are actively securing alternative options for providing the valuable programming to our members through other avenues, including Webinars. Stay tuned for additional information on each of our planned events which will be provided at <https://www.nshrm.org>.

**We will continue to monitor** the situation and follow guidelines suggested by the CDC. For quick reference you can monitor the CDC recommendations here: <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

**Finally, thank you!** I welcome your direct feedback! You may contact anytime! [CBoudreaux@stoagroup.com](mailto:CBoudreaux@stoagroup.com).



Cecilia Boudreaux,  
SHRM-CP PHR  
Northshore SHRM President

Become a  
Chapter Member  
[Sign Up Today!](#)



ADVERTISEMENT

We have set-up for you a dedicated Coronavirus (COVID-19) resource page at this link:

We will continue to update this page as information becomes available. To receive notifications on added resources like and follow our social media pages on [Facebook](#) and [Linked](#).

### COV-19 Resources

[DOL FFCRA Federal Posters \(WH1422\)](#)

[DOL "Questions and Answers" on the FFCRA](#)

[IRS - Coronavirus Tax Relief Resource Page](#)

[Society of Human Resource Management COVID-19 Resources](#)

[World Health Organization](#)

SHRM EDUCATION

# Northshore SHRM's Resource Page

# Sample Employee Leave Request Form

FAMILIES FIRST CORONAVIRUS RESPONSE ACT		
EMPLOYEE LEAVE REQUEST FORM		
Employee:	Date:	
<b>EMERGENCY PAID SICK LEAVE</b>		
<b>All employees of covered employers are eligible for two weeks of paid sick time for specified reasons related to COVID-19.</b>		
Reason for Leave <i>(Documentation is Required)</i>	Enter requested start date of leave in box corresponding to reason	Definition of Pay Rate
1. Employee is subject to a Federal, State, or Local quarantine order related to COVID-19. (this is different than a stay at home order)		FFCRA paid 100% rate for up to 80 hours (max \$511 per day, capped at \$5,110)*
2. Employee has been advised by a healthcare provider to self-quarantine related to COVID-19.		
3. Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.		
4. Employee is caring for an individual subject to an order described in (1) or (2) above.		FFCRA paid 2/3 rate for up to 80 hours (max \$200 per day, capped at \$2,000)*
5. Employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.		
6. Employee is experiencing other substantially-similar condition specified by Secretary of Health & Human Services		
<b>EMERGENCY FAMILY MEDICAL LEAVE (EFMLA)</b>		
<b>Employees employed for at least 30 days are eligible for up to an additional 10 weeks of paid family leave to care for a child under certain circumstances related to COVID-19.</b>		
Reason for Leave <i>(Documentation is Required)</i>	Enter requested start date of leave in box corresponding	Definition of Pay Rate

Poll

# Contacts from today's Webinar

Cece Boudreaux 225-284-0909 [cboudreaux@stoagroup.com](mailto:cboudreaux@stoagroup.com)

Michael Weiner, 985-875-7710 [mweiner@mfweiner.com](mailto:mweiner@mfweiner.com)

Gretchen McKinney 985-640-4320 [Gretchen@incHRement.com](mailto:Gretchen@incHRement.com)

Corianne Green 985-649-3000 [HR@thomaspump.com](mailto:HR@thomaspump.com)

[northshoreshrm@gmail.com](mailto:northshoreshrm@gmail.com)



# Save the Date - Webinars



Thursday, April 9<sup>th</sup>

In conjunction with St. Tammany Corp. webinar topics such as SBA loans, accounting and HR best practices.



# NSHRM Chapter Meeting

**Ochsner presents**

Northshore's Response to COVID-19

With John J Herman

CEO Northshore Region at Ochsner Health Systems

Thursday – April 9, 2020

9:00am – 10am



**NSHRM Membership \$10 Discount  
Promo Code COVID**

**Thank you!**