

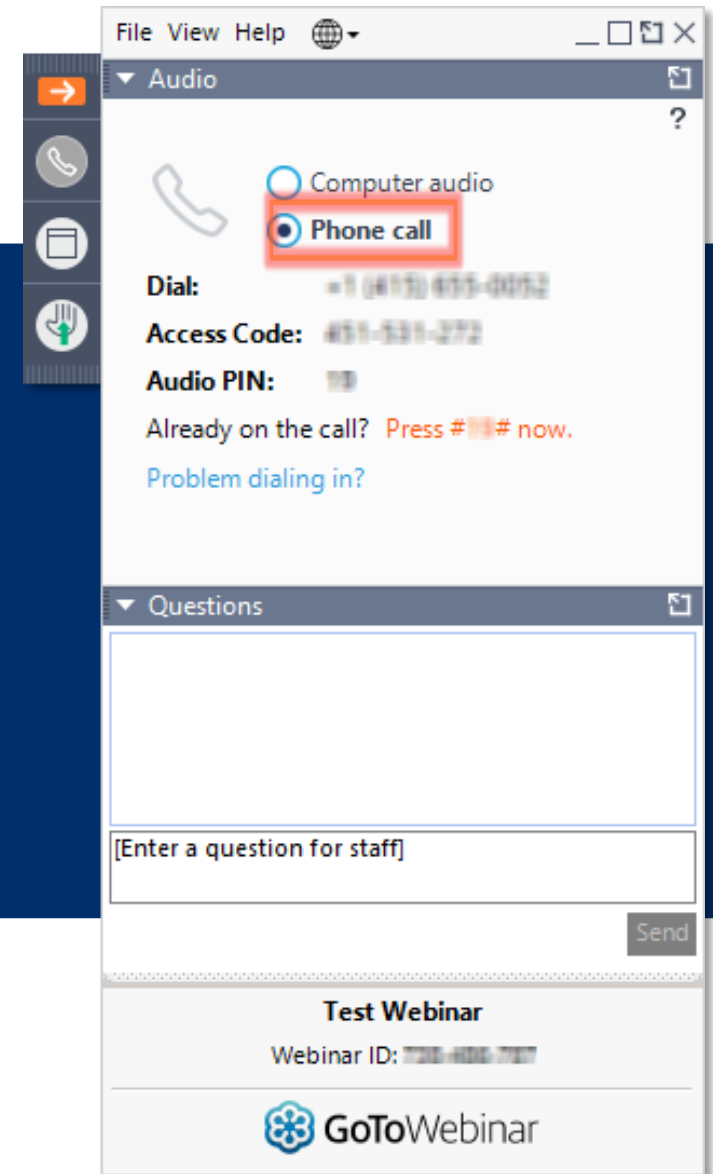


LIVE Webinar Part II

COVID-19 Challenges for Employers: How to Navigate the Ever-Changing Landscape

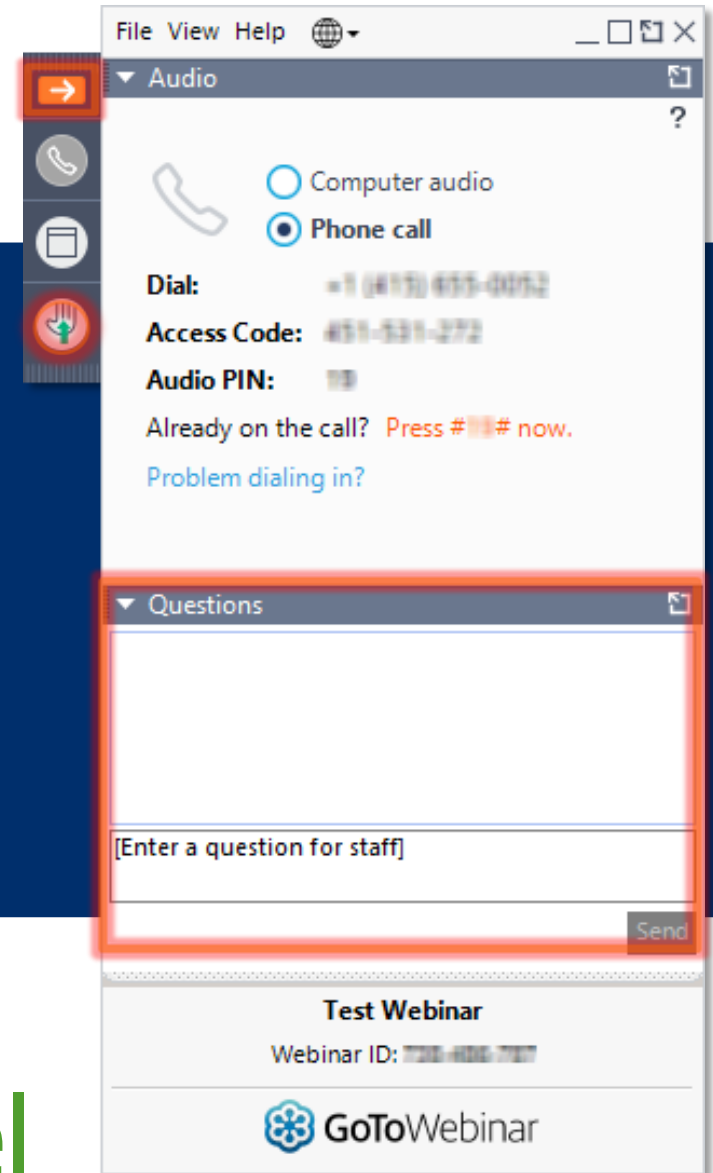
Friday,
April 3, 2020

- Select "Computer audio" to join via VOIP
- Select "Phone call" to dial in



Audio Instructions

- Grab Tab
- Handouts
- Questions



Attendee Control Panel

Objectives

- Review Families First Coronavirus Response Act (FFCRA)
- Discuss new management challenges created by COVID-19
- Review CARES Act and impact on retirement and health plans
- Review health plan considerations



Mark J. Chumley

Partner
Labor & Employment

mchumley@kmklaw.com
513.579.6563



Lisa Wintersheimer Michel

Partner
Employee Benefits & Executive Compensation

lmichel@kmklaw.com
513.579.6462



Meet the Speakers

Labor & Employment



FFCRA Resources

- DOL:
 - 59 FAQs
 - Temporary Rule
 - Webinar

(www.dol.gov)

- IRS:
 - 66 FAQs

(www.irs.gov)

FFCRA Highlights

- Intermittent Leave
- Employee Documentation
- Small Business Exemption

FFCRA – Intermittent Leave

- Default Leave increment = full day
- Intermittent Leave available only if employer agrees
 - Telework
 - Reporting to Worksite

FFCRA – Employee Documentation

- Written Request from Employee:
 - Name;
 - Date(s) of leave requested;
 - COVID-19 related reason with written support; and
 - A statement that the employee is unable to work, including by means of telework, for such reason.

FFCRA – Employee Documentation

- Quarantine:
 - Who is ordering/advising quarantine, and,
 - Quarantined person's name and relation to the employee.
- Child Care:
 - Name and age of the child,
 - The name of the school that has closed, and
 - A representation that no other person will be providing care for the child during leave and,
 - Special circumstances requiring care for child >14 during daylight hours

FFCRA – Small Business Exception

- Employers with < 50 employees
- Any one of three reasons:
 - Financial;
 - Specialized skills, knowledge, or responsibilities;
 - Insufficient workers
- **ONLY** applies to child care provisions of FFCRA

COVID-19 Management Issues

- Independent Contractors
- State and Local Laws

Employee Benefits & Executive Compensation



CARES Act – Required Minimum Distributions

- 2020 RMD distributions are waived for defined contribution plans and IRAs
- Includes 2020 who were 70-1/2 before 2019
- Includes post-death distributions
- More guidance expected

CARES Act – Distributions and Loans

- Temporary withdrawals up to \$100,000 – OPTIONAL
- Temporary increased limit on new loans to \$100,000 or 100% of account balance limit, whichever is less – OPTIONAL
- One year extension of existing loans - REQUIRED

CARES Act – Defined Benefit Plans

- Single employer plan contributions due in 2020 now due on January 1, 2021 – will still accrue interest
- AFTAP – may use percentage from last plan year ending before January 1, 2020

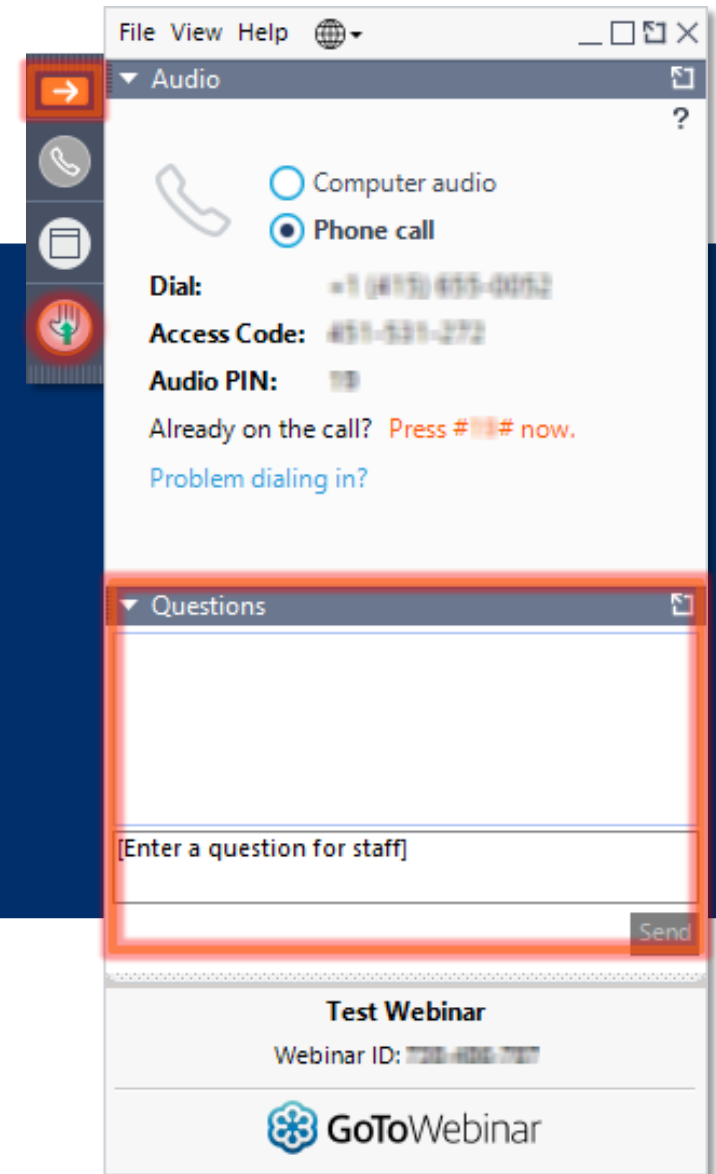
CARES Act – Health Plans COVID-19 Expenses

- FFCRA requirement to cover diagnostic tests without cost sharing extended
- Coverage without cost sharing any qualifying coronavirus preventive service

CARES Act - Other Health Plan Provisions

- Telehealth services without deductibles allowed for HDHPs without impacting HSA eligibility
- HSAs, FSAs, HRAs and Archer Medical Savings Accounts permitted to pay over-the-counter drugs without a prescription after 12/31/2019

Please type your message/question in the window pane of the attendee control panel.



Questions?



Mark J. Chumley

Partner
Labor & Employment

mchumley@kmklaw.com
513.579.6563



Lisa Wintersheimer Michel

Partner
Employee Benefits & Executive Compensation

lmichel@kmklaw.com
513.579.6462



Contact Us



Cole D. Bond
KMK Law Partner
513.579.6558
cbond@kmklaw.com

Kasey L. Bond
KMK Law Partner
513.579.6491
kbond@kmklaw.com

Melanie Cheek
KMK Law Associate
513.579.6445
mcheek@kmklaw.com

Mark J. Chumley
KMK Law Partner
513.579.6563
mchumley@kmklaw.com

John M. Milligan
KMK Law Associate
513.579.6532
jmilligan@kmklaw.com

Caroline K. Musekamp
KMK Law Associate
513.579.6571
cmusekamp@kmklaw.com

Gregory J. Robinson
KMK Law Associate
grobenson@kmklaw.com
T: 513.579.6584



Labor & Employment



Helana A. Darrow
KMK Law Partner
513.579.6452
hdarrow@kmklaw.com

Kelly E. MacDonald
KMK Law Associate
513.579.6409
kmacdonald@kmklaw.com

John F. Meisenhelder
KMK Law Partner
513.579.6462
lrichel@kmklaw.com

Antoinette L. Schindel
KMK Law Partner
513.579.6473
aschindel@kmklaw.com

Lisa Wintersheimer Michel
KMK Law Partner
513.579.6462
lrichel@kmklaw.com



Employee Benefits &
Executive Compensation



LIVE Webinar Part II

COVID-19 Challenges for Employers: How to Navigate the Ever-Changing Landscape

THANK YOU