



COVID-19 Employer Resources

2020

BRSi has compiled a list of helpful resources and provided basic summaries for the following COVID-19 related rules and regulations:

- Families First Coronavirus Response Act (FFCRA)
- Coronavirus Aid, Relief & Economic Stability Act (CARES Act)
- COBRA, Claims & Appeals Deadlines
- IRS Guidance for Cafeteria Plans, FSAs, & DCAPs

**BRSi may update this document, as necessary, to include new COVID-19 legislation and/or helpful employer resources.*

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

Summary

- The Families First Coronavirus Response Act (FFCRA) was passed into law on March 18, 2020 and is aimed at providing paid leave for workers who have been affected by the COVID-19 outbreak.

Employer Requirements

- **Paid Emergency Sick Leave & Paid FMLA Leave**
 - Employers with **fewer than 500 employees** are required to provide Paid Emergency Sick Leave and/or Paid FMLA leave to all eligible employees (*see BRSi Compliance Alerts below for more information*).
 - The paid leave provisions of the FFCRA are only in effect until **December 31, 2020**.
- **Employer Notice**
 - Employers must post a physical copy of the Department of Labor’s FFCRA Notice to notify employees of these new leave options (*see BRSi Compliance Alerts below for more information*).
 - Offices that are currently closed may send the notice via direct mail, post the notice online (via employer website), or email a copy of the notice to all employees. **Once offices reopen, a physical copy must also be posted.**
 - i. *BRSi has posted the FFCRA Notice to all BRSi Online accounts (temporarily satisfying the Department of Labor’s notice requirements until your office reopens.)*
- **Summary Plan Description (SPD) Update**
 - Summary Plan Description (SPD) documents must be updated to include FFCRA information.
 - *Clients that use BRSi to generate and update their SPD documents will be provided with all necessary updates.*

Helpful Resources

- [Families First Coronavirus Response Act](#) (full-text)
- [Department of Labor FFCRA](#) (Helpful Information & Links to Employer Notices)
- **BRSi Compliance Alerts:**
 - [Congress Passes the Families First Coronavirus Response Act](#)
 - [FFCRA Notices Posted to BRSi Online](#)
 - [The Department of Labor Releases New Guidance on FFCRA Employer Notices for Remote Employees](#)

CORONAVIRUS AID, RELIEF & ECONOMIC STABILITY ACT (CARES Act)

Summary

- The Coronavirus Aid, Relief and Economic Stability Act (CARES Act) was passed into law on March 27, 2020 to provide aid and relief to help ease the economic burden on both workers and employers because of COVID-19. Some key provisions included in the CARES Act are:
 - Paycheck Protection Program (PPP)
 - Individual Taxpayer Credit
 - Employer Payroll Tax Credits
 - Increased healthcare coverage for FSAs, HSAs, and HRAs

Employer Requirements

- **Summary Plan Description (SPD) Update**
 - Summary Plan Description (SPD) documents must be updated to include CARES Act information related to FSAs & HRAs (if applicable).
 - *Clients that use BRSi to generate and update their SPD documents will be provided with all necessary updates.*

Helpful Resources

- [Coronavirus Aid, Relief and Economic Stability Act](#) (full-text)
- [Department of the Treasury](#) (Helpful resources for employers & employees)
- [Small Business Administration \(CARES Act\)](#)
- **BRSi Compliance Alerts:**
 - [The Coronavirus Aid, Relief and Economic Security Act](#)
 - [The CARES Act: Small Business Loan May Help Employers Maintain Payroll & Employee Health Benefits](#)
 - [Congress Increases Funding for Paycheck Protection Program](#)

COBRA, CLAIMS & APPEALS DEADLINES

Summary

- The Department of Labor released new guidance on May 4, 2020 that temporarily extended important group health plan deadlines—including COBRA and claims/appeals deadlines.

Employer Requirements

- **Summary Plan Description (SPD) Update**
 - Summary Plan Description (SPD) documents must be updated to include new group health plan deadlines related to COBRA and claims/appeals.
 - *Clients that use BRSi to generate and update their SPD documents will be provided with all necessary updates.*
- **COBRA Administration**
 - Employers must administer COBRA according to the new DOL guidance (*see BRSi Compliance Alert below for more information*).
 - *BRSi has updated its policies and procedures to comply with these new deadlines and will administer COBRA (for clients that utilize our COBRA services) accordingly.*

Helpful Resources

- [Department of Labor Guidance](#) (full-text)
- [National Emergency Proclamation](#)
- **BRSi Compliance Alerts:**
 - [Department of Labor Temporarily Extends COBRA Deadlines Due to COVID-19 National Emergency](#)

IRS GUIDANCE FOR CAFETERIA PLANS, FSAs, & DCAPs

Summary

- The IRS released guidance that provides employers with the option of allowing mid-year election changes to Cafeteria Plans, FSAs, and DCAPs for the **2020 calendar year**.
- The guidance also allows employers to amend FSA and DCAP plans to allow participants to use any unused funds through **December 31, 2020**.

Employer Requirements

- **Summary Plan Description (SPD) Update**
 - Summary Plan Description (SPD) documents must be updated to include any new plan amendments for the 2020 calendar year.
 - *Clients that use BRSi to generate and update their SPD documents will be provided with all necessary updates.*

Helpful Resources

- [IRS Guidance](#) (full-text)
- **BRSi Compliance Alerts:**
 - [IRS Releases New COVID-19 Related Guidance for Cafeteria Plans, FSAs, DCAPs, & High Deductible Health Plans \(HDHPs\)](#)

Disclaimer: This fact sheet is for informational purposes only. It is not exhaustive and is not intended to be legal or tax advice. Please consult with legal counsel or a tax professional for further guidance.

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