



**HAPPY VALLEY, OR**  
**EST. 1965**

**\*NEW\***  
**City of Happy Valley**  
**Emergency Small**  
**Business Grant**  
**Round 3**  
**Sept. 28<sup>th</sup>**



City of Happy Valley

# COVID-19 BUSINESS RESOURCE GUIDE

FOR EMPLOYERS, SELF-EMPLOYED AND EMPLOYEES

Sept. 17, 2020

# COVID-19 Business Resource Guide For Employers, Self-Employed and Employees

Our thoughts are with all who have been impacted by the recent outbreak of COVID-19. As business owners and leaders, it is important to remain informed and prepared as this outbreak continues to impact our local and global communities. The City of Happy Valley has compiled a list of resources now available for employers, self-employed individuals and employees who have been impacted by COVID-19.

EMPLOYER RESOURCES AND ASSISTANCE [CLICK HERE](#)

SELF-EMPLOYED RESOURCES AND ASSISTANCE [CLICK HERE](#)

EMPLOYEE RESOURCES AND ASSISTANCE [CLICK HERE](#)

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## **PUBLIC HEALTH ORDERS FOR THE STATE OF OREGON- ACTIVE UNTIL FURTHER NOTICE**

The Office of the Governor has issued a "[Stay Home, Save Lives](#)" Order, which allows some [specific types of businesses to remain open](#).

## **PUBLIC HEALTH ORDERS FOR CLACKAMAS COUNTY- ACTIVE UNTIL FURTHER NOTICE**

Clackamas County is conforming to the State "[Stay Home, Save Lives](#)" Order.

## **PUBLIC HEALTH ORDERS FOR THE CITY OF HAPPY VALLEY- ACTIVE UNTIL FURTHER NOTICE**

The City of Happy Valley is conforming to the "[Stay Home, Save Lives](#)" Order. We encourage all citizens to adhere to this directive.

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## **STAY INFORMED THROUGH LOCAL, STATE AND FEDERAL AGENCIES**

City of Happy Valley

<https://www.happyvalleyor.gov/covid-19-condensed/>

State of Oregon COVID-19 Emergency

<https://govstatus.egov.com/or-covid-19>

Clackamas County

<https://www.clackamas.us/>

Governor's Office

<https://www.oregon.gov/gov/Pages/index.aspx>

Business Oregon (State Business and Economic Development Dept.)

<https://www.oregon4biz.com/>

Center for Disease Control and Prevention

<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

## EMPLOYER RESOURCES AND ASSISTANCE

### IMMEDIATE STEPS TO TAKE

As the spread and impact of COVID-19 is still an unknown, the City recommends employers to take the following action steps:

- 1. CONTACT YOUR INSURANCE PROVIDER-** Do you have business interruption insurance? If so, you may have coverage that supplements any income or sales loss during this time.
- 2. APPLY FOR UNEMPLOYMENT-** If you have lost hours or wages due to the impact of COVID-19, we encourage you to file for unemployment benefits. Apply for unemployment [here](#).
- 3. TRACK LOSSES-** During moments of disruption it is important to track any loss your business may have incurred as programs designed to assist cash flow needs and access to capital depend on accurate counts of economic injury and production loss.
- 4. REVIEW YOUR SUPPLY CHAIN. HAS YOUR BUSINESS EXPERIENCED DISRUPTION OR CONCERN IN THE FOLLOWING AREAS?**
  - Supply chain disruption and liability
  - Questions or concerns about the implications of tariffs
  - Technology plans for setting up remote workstations for employees
  - Concerns about cash flow during disruption
  - Concerns about credit and finance issues
  - Concerns about force majeure

### SBDC NO-COST EXPERT BUSINESS CONSULTING

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#### BUSINESS CONSULTING

Clackamas County SBDC offers no-cost business consulting in every area of business need. Please call their Business Resource Hotline to schedule an appointment 503-594-0738 or website link [here](#).

### STATE OF OREGON EMPLOYMENT DEPARTMENT PROGRAMS AND BENEFITS

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#### WORK SHARING PROGRAM

This ED program allows employers to seek an alternative to layoffs - retaining their trained employees by reducing their hours and wages that can be partially offset with UI benefits. Visit the [Work Sharing Program](#) to learn more about its benefits for employers and employees, and how to apply. For layoffs of more than 50 workers, businesses should contact John Asher to file a [Worker Adjustment and Retraining Notification \(WARN\)](#).

#### UNEMPLOYMENT BENEFITS

If you have lost hours or wages due to the impact of COVID-19, we encourage you to file for unemployment benefits. The Federal CARES Act (Stimulus) increases the premium over the usual rates of unemployment insurance and extends the length of unemployment benefit terms. The Act provides an additional \$600 increase over an applicant's approved weekly benefit through July 31, 2020. Additionally, unemployment benefits have been extended for a period of 39 weeks. Apply for unemployment [here](#). You can also call 1-877-FILE-4-UI (1-877-345-3484).

#### PAID FAMILY LEAVE EMPLOYER REQUIREMENTS

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for reasons related to COVID-19 beginning April 1, 2020 through December 31, 2020. For more information visit the Department of Labor's [website](#).

## TAX FILING EXTENSIONS

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### PAYROLL TAX FILING EXTENSION

Current provision allows employers statewide directly affected by COVID-19 may request up to a 60-day extension to file their state payroll reports and/or deposit payroll taxes without a penalty or interest. For more information please visit [Department of Revenue website](#). **NOTE: The CARES Act allows businesses to delay the payment of 2020 payroll taxes until 2021 and 2022. More information to follow.**

### STATE EXTENSION FILING PERSONAL AND BUSINESS TAXES

The Department of Revenue announced special tax relief for Oregon taxpayers affected by the COVID-19 pandemic. Affected taxpayers are granted an extension to file 2019 Oregon tax returns and make certain payments to June 15, 2020, for all tax filings and payments due between March 15, 2020, through June 15, 2020. For more information please visit the [Department of Revenue website](#).

### FEDERAL EXTENSION FILING PERSONAL AND BUSINESS TAXES

Taxpayers can defer federal income tax payments due on April 15, 2020, to July 15, 2020, without penalties and interest, regardless of the amount owed. This deferment applies to all taxpayers, including individuals, trusts and estates, corporations and other non-corporate tax filers as well as those who pay self-employment tax. Taxpayers do not need to file any additional forms or call the IRS to qualify for this automatic federal tax filing and payment relief. For more information please visit the [IRS website](#).

## COMMERCIAL EVICTION MORATORIUM

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### 90-DAY MORATORIUM ON COMMERCIAL EVICTIONS

Governor Brown announced a moratorium on commercial evictions. Landlords are not allowed to terminate any tenant's lease for nonpayment during the moratorium period. For more information, please visit this [link](#).

## BUSINESS DISRUPTION LOANS

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### SBA ECONOMIC INJURY DISASTER LOANS (EIDL)

The U.S. Small Business Administration offers low-interest federal disaster loans for working capital to small businesses suffering substantial economic injury as a result of the Coronavirus (COVID-19). Under the CARES act, the existing loan has been expanded. Key features include:

- Up to \$2,000,000, up to 30-year terms, 2.75% for nonprofits, 3.75% for all other businesses, including independent contractors, self-employed.
- No restrictions on types of non-profit firms eligible (though final guidance pending).
- Waives personal guarantees and requirement for at least one year in business for applications of less than \$200,000
- Includes provision for an up-front payment of a \$10,000 grant for successful applicants.

Applicants may apply [online](#). Applicants may also call (800) 659-2955 or [email](#) [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov). Individuals who are deaf or hard-of-hearing may call (800) 877-8339. Completed applications should be mailed to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**NOTE: THE FILING DEADLINE FOR ECONOMIC INJURY LOANS IS [DECEMBER 16, 2020](#).**

**ADDITIONALLY, THE SBA HAS IMPLEMENTED AUTOMATIC DEFERMENT ON EXISTING SBA DISASTER LOANS THROUGH THE END OF 2020. IF YOU HAVE AN EXISITING SBA LOAN YOU DO NOT NEED TO REQUEST DEFERMENT. (SEE ATTACHED SBA FACT SHEETS FOR MORE INFORMATION)**

## PAYCHECK PROTECTION PROGRAM (PPP)

This SBA loan program may be accessed through any bank that currently issues SBA 7(a) guarantee loans. Check with your local bank to see if they are an approved lender. The new loan program will be available retroactive from Feb. 15, 2020, so employers can rehire their recently laid-off employees through June 30, 2020. **NOTE: For more information please visit the [SBA website](#).**

### KEY FEATURES OF PPP:

1. Eligible businesses: All small businesses, including non-profits, Veterans organizations, Tribal concerns, sole proprietorships, self-employed individuals, and independent contractors, with 500 or fewer employees, or no greater than the number of employees set by the SBA as the size standard for certain industries
2. Maximum loan amount up to \$10 million
3. Loan will be fully forgiven if proceeds are used for payroll costs and other designated business operating expenses in the 8 weeks following the date of loan origination
4. All loans under this program will have the following identical features:
  - o Interest rate of 0.5%
  - o Maturity of 2 years
  - o First payment deferred for six months
  - o 100% guarantee by SBA
  - o No collateral
  - o No personal guarantees
  - o No borrower or lender fees payable to SBA

**PPP received additional appropriations and reopened starting April 27, 2020**

[Source: SBA](#)

## CLACKAMAS COUNTY WORKFORCE PARTNERSHIP FUNDS

Clackamas Workforce Partnership has made funds available to help businesses avoid layoffs and/or closure due to COVID-19. Funds are limited, with project budgets averaging \$5,000. Clackamas County businesses with 50 employees or less will receive priority for project funds. [Apply here](#).

## ADDITIONAL RESOURCES FOR EMPLOYERS

### CITY OF HAPPY VALLEY EMERGENCY SMALL BUSINESS GRANT - \*\*\*ROUND 3\*\*\*

The City of Happy Valley previously issued two rounds of grant assistance to local businesses. Through additional funds provided by the State of Oregon, the City is offering a third round of grants. To fill gaps not reached by other programs, these state funds are directed to adversely affected businesses with 25 or fewer employees, and only those that have been unable to receive federal CARES Act funding, including the Small Business Administration's Paycheck Protection Program, Economic Injury Disaster Loan Emergency Advance program, or other federal programs for emergency pandemic funding to date. The program is in effect starting **September 28 at 8:00am** and throughout the City of Happy Valley's declared state of emergency, or until program funds are exhausted. [Apply here](#)

## GREATER PORTLAND INC. COVID-19 Business Resources

Greater Portland Inc. (GPI) has accumulated a lot of business assistance information on their website for employees and employers impacted by COVID-19. Visit their [website](#) for more information.

## BUSINESS OREGON SMALL BUSINESS RESOURCE NAVIGATOR

Business Oregon, alongside the Oregon Employment Department, the Oregon Secretary of State, and the Oregon Department of Consumer and Business Services, compiled the below information to assist Oregon small businesses dealing with the impacts of COVID-19. Visit their [website](#) for more information.

## SBA COVID-19 BUSINESS GUIDE

The SBA has released a comprehensive guide to help businesses plan and respond to the current COVID-19 threat. Visit the [SBA website](#) for more information.

## RECOMENDATIONS FOR EMPLOYERS TO TAKE NOW

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**Note:** This information is not intended to be used as medical advice. Please contact your local health professional or visit the [CDC website](#) for further information.

### **Actively encourage sick employees to stay home:**

Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick.

Ensure that your sick leave policies are flexible and consistent with public health guidance and that employees are aware of these policies.

Talk with companies that provide your business with contract or temporary employees about the importance of sick employees staying home and encourage them to develop non-punitive leave policies.

Do not require a healthcare provider's note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.

Employers should maintain flexible policies that permit employees to stay home to care for a sick family member. Employers should be aware that more employees may need to stay at home to care for sick children or other sick family members than is usual.

### **Separate sick employees:**

CDC recommends that employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day should be separated from other employees and be sent home immediately. Sick employees should cover their noses and mouths with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).

### **Emphasize staying home when sick, respiratory etiquette and hand hygiene by all employees:**

Place posters that encourage [staying home when sick, cough and sneeze etiquette](#), and [hand hygiene](#) at the entrance to your workplace and in other workplace areas where they are likely to be seen.

Provide tissues and no-touch disposal receptacles for use by employees.

Instruct employees to clean their hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol or wash their hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.

Provide soap and water and alcohol-based hand rubs in the workplace. Ensure that adequate supplies are maintained. Place hand rubs in multiple locations or in conference rooms to encourage hand hygiene. Visit the [coughing and sneezing etiquette](#) and [clean hands webpage](#) for more information.

**Perform routine environmental cleaning:**

Routinely clean all frequently touched surfaces in the workplace, such as workstations, counter tops, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. No additional disinfection beyond routine cleaning is recommended at this time. Provide disposable wipes so that commonly used surfaces (for example, doorknobs, keyboards, remote controls, desks) can be wiped down by employees before each use.

**Advise employees before traveling to take certain steps:**

Check the CDC's Traveler's Health Notices for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from China, and information for aircrew, can be found at on the CDC website. Advise employees to check themselves for symptoms of [acute respiratory illness](#) before starting travel and notify their supervisor and stay home if they are sick.

Ensure employees who become sick while traveling or on temporary assignment understand that they should notify their supervisor and should promptly call a healthcare provider for advice if needed.

If outside the United States, sick employees should follow your company's policy for obtaining medical care or contact a healthcare provider or overseas medical assistance company to assist them with finding an appropriate healthcare provider in that country. A U.S. consular officer can help locate healthcare services. However, U.S. embassies, consulates, and military facilities do not have the legal authority, capability, and resources to evacuate or give medicines, vaccines, or medical care to private U.S. citizens overseas.

## SELF-EMPLOYED RESOURCES AND ASSISTANCE

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## **SBA COVID-19 BUSINESS GUIDE**

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current COVID-19 threat. Visit the [SBA website](#) for more information.

## RESOURCES AND ASSISTANCE FOR EMPLOYEES

### IMMEDIATE STEPS TO TAKE

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1. **APPLY FOR UNEMPLOYMENT-** If you have lost hours or wages due to the impact of COVID-19, we encourage you to file for unemployment benefits. Apply for unemployment [here](#).

**NOTE:** In addition to normal State unemployment, the CARES Act (Federal stimulus) weekly premium amounts have been increased and the period of benefits has been extended.

2. **CONTACT YOUR LANDLORD OR MORTGAGE COMPANY-** Governor Brown has announced a 90-day moratorium for all residential and commercial evictions. Here is the Governor's [order in full](#).

### STATE OF OREGON PROGRAMS AND BENEFITS

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#### UNEMPLOYMENT BENEFITS

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#### PANDEMIC UNEMPLOYMENT ASSISTANCE

As of April 28<sup>th</sup>, this program is available to Oregonians who do not qualify for, or cannot collect, benefits on a regular unemployment insurance claim. Please access the PUA application and certification forms on the CARES Act section of the [Employment Department's COVID-19 web page](#).

#### DISABILITY AND PAID FAMILY LEAVE

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for reasons related to COVID-19 beginning April 1, 2020 through December 31, 2020. Check with your employer to confirm benefit edibility if you or a member of your household has been impacted by COVID-19. For more information visit the Department of Labor's [website](#). More questions? Visit the [Department of Labor's Q & A page](#).

### TAX FILING EXTENSIONS

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## **Appendix -- Supporting Documents**

### **Paycheck Protection Program (PPP) Loan & Economic Injury Disaster Loan (EIDL) Products**

- **Comparative Matrix for the “Economic Injury Disaster Loan (EIDL)” and the “Paycheck Protection Program (PPP)” Loan Products** - National Federation of Independent Business (NFIB)
- **Paycheck Protection Program (PPP) Loan Summary** – US Department of Treasury
- **Paycheck Protection Program (PPP) Loan FAQ Sheet** – US Department of Treasury
- **Coronavirus Emergency Loans/Small Business Guide and Checklist for the Paycheck Protection Program (PPP) Loan** – US Chamber of Commerce
- **SBA Economic Injury Disaster Loan (EIDL) Summary** – SBDC Oregon
- **Paycheck Protection Program (PPP) Loan Summary** – SBDC Oregon

### **Work Share Layoff Aversion Program**

- **Work Share Oregon Layoff Aversion Program Summary** – SBDC Oregon
- **Work Share Oregon Brochure and Infographic** – State of Oregon Employment Department

### **Unemployment Insurance Benefits**

- **COVID-19 Related Business Layoffs, Closures, and Unemployment Insurance Benefits** - State of Oregon Employment Department
- **Pandemic Unemployment Assistance** – State of Oregon Employment Department

### **Additional Loan Products**

- **SBA Express Bridge Loan Pilot Program (EBL)** – SBDC Oregon

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<b>Loan Program</b>	<b>Economic Injury Disaster Loan (EIDL)</b>	<b>Paycheck Protection Program Loan (PPPL)</b>
<b>Lender</b>	Small Business Administration (SBA)	Financial institutions (commercial banks, credit unions, and other approved lenders)
<b>Program Period</b>	January 31, 2020 – December 31, 2020	February 15, 2020 – June 30, 2020 (Loan covers 8-weeks of eligible expenses within above time frame.)
<b>Eligibility</b>	<ul style="list-style-type: none"> <li>• Have 500 or fewer employees,</li> <li>• Are a sole proprietor, independent contractor, or self-employed individual.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• Been in business since January 31, 2020.</li> </ul>	<ul style="list-style-type: none"> <li>• Have 500 or fewer employees,</li> <li>• Are a sole proprietor, independent contractor, or self-employed individual,</li> <li>• A small business that meets the SBA small business industry-specific standards,</li> <li>• Operate an accommodation or food service business (NAICS Code 72) with 500 or fewer employees per location,</li> <li>• A business assigned a franchise operator code by SBA,</li> <li>• A business that receives assistance under the Small Business Investment Act.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• Been in business since February 15, 2020 and paid taxes on your employees or independent contractors.</li> </ul>
<b>Loan Amount</b>	<ul style="list-style-type: none"> <li>• The maximum loan size is \$2 million.</li> <li>• Applicants who apply for this loan may request an advance Emergency EIDL grant of up to \$10,000 from the SBA.</li> </ul>	<ul style="list-style-type: none"> <li>• 2.5x the average monthly “payroll” costs, measured over the 12 months preceding the loan origination date. Seasonal business may use the period February 15, 2019 – June 30, 2019 or March 1, 2019 – June 30, 2019 to calculate the average payroll.</li> <li>• The maximum loan size is \$10 million.</li> <li>• “Payroll” includes: <ul style="list-style-type: none"> <li>○ Salaries, commissions, tips,</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ Employee benefits (including health insurance premiums and retirement benefits),</li> <li>○ State and local taxes,</li> <li>○ Compensation to sole proprietors or independent contractors.</li> </ul> <ul style="list-style-type: none"> <li>● “Payroll” excludes: <ul style="list-style-type: none"> <li>○ Annual salary in excess of \$100,000,</li> <li>○ Foreign employees,</li> <li>○ FICA and income tax withholdings.</li> </ul> </li> </ul>
<b>Eligible Expenses</b>	<ul style="list-style-type: none"> <li>● Payroll,</li> <li>● Fixed debts (mortgage, rent, lease),</li> <li>● Accounts payable,</li> <li>● Other bills.</li> </ul>	<ul style="list-style-type: none"> <li>● Payroll costs, including benefits,</li> <li>● Interest on mortgage obligations, incurred before February 15, 2020,</li> <li>● Rent, under lease agreements in force before February 15, 2020 and</li> <li>● Utilities, for which service began before February 15, 2020.</li> </ul>
<b>Term Duration</b>	Up to 30 years	Up to 2 years
<b>Interest Rate</b>	3.75% for businesses, 2.75% for nonprofits	0.50%
<b>Forgiveness</b>	<p>No loan forgiveness</p> <p>Emergency EIDL grant of up to \$10,000 is forgiven. Grant must be used for the following expenses:</p> <ul style="list-style-type: none"> <li>○ Providing paid sick leave to employees unable to work due to the direct effect of the COVID-19,</li> <li>○ Maintaining payroll to retain employees during business disruptions or substantial slowdowns,</li> <li>○ Meeting increased costs to obtain materials unavailable from the applicant’s original source due to interrupted supply chains,</li> <li>○ Making rent or mortgage payments,</li> </ul>	<p>Eligible expenses (below) within an 8-week period from February 15, 2020 – June 30, 2020:</p> <ul style="list-style-type: none"> <li>● Payroll costs (including everything listed above),</li> <li>● Payments on mortgage interest,</li> <li>● Rent,</li> <li>● Utilities.</li> </ul> <p>***Your loan forgiveness will be reduced if you decrease the number of your full-time and/or decrease salaries and wages by more than 25% for any employee that made less than \$100,000 annualized in 2019.</p> <p>Re-Hiring: You have until June 30, 2020 to restore your full-time employment and salary levels for any changes made between February 15, 2020 and April 26, 2020.***</p>

	<ul style="list-style-type: none"> <li>○ Repaying obligations that cannot be met due to revenue losses.</li> </ul>	
<b>Repayment</b>	Further guidance needed	Payments (and interest) are deferred for 6 months
<b>Collateral Requirement</b>	No	No
<b>Personal Guarantee</b>	Not for loan less than \$200,000	No
<b>Prepayment Penalties</b>	No	No
<b>Required Documents</b>	<ul style="list-style-type: none"> <li>• <b>SBA Form 5 (Application),</b></li> <li>• <b>Credit score,</b></li> <li>• IRS Form 4506T,</li> <li>• Most recent federal income tax returns for the business,</li> <li>• SBA Form 1143 (Personal Financial Statement),</li> <li>• SBA Form 2202 or a similar schedule of liabilities listing all fixed debts.</li> </ul>	<ul style="list-style-type: none"> <li>• Two page application <a href="#">HERE</a></li> </ul>
<b>Availability</b>	Loans available now	<b>April 3, 2020</b> , small businesses and sole proprietorships, <b>April 10, 2020</b> , independent contractors and self-employed individuals

Notes: NFIB Covid-19 Small Business Resources [HERE](#)

Economic Injury Disaster Loan (and EIDL grant) application [HERE](#)

Paycheck Protection Program Loan (PPPL) Borrower information [HERE](#)

Paycheck Protection Program Loan (PPPL) Application [HERE](#)

## **PAYCHECK PROTECTION PROGRAM (PPP) INFORMATION SHEET: BORROWERS**

The Paycheck Protection Program (“PPP”) authorizes up to \$349 billion in forgivable loans to small businesses to pay their employees during the COVID-19 crisis. *All loan terms will be the same for everyone.*

The loan amounts will be forgiven as long as:

- The loan proceeds are used to cover payroll costs, and most mortgage interest, rent, and utility costs over the 8 week period after the loan is made; and
- Employee and compensation levels are maintained.

Payroll costs are capped at \$100,000 on an annualized basis for each employee. Due to likely high subscription, it is anticipated that not more than 25% of the forgiven amount may be for non-payroll costs.

Loan payments will be deferred for 6 months.

### **When can I apply?**

- Starting April 3, 2020, small businesses and sole proprietorships can apply for and receive loans to cover their payroll and other certain expenses through existing SBA lenders.
- Starting April 10, 2020, independent contractors and self-employed individuals can apply for and receive loans to cover their payroll and other certain expenses through existing SBA lenders.
- Other regulated lenders will be available to make these loans as soon as they are approved and enrolled in the program.

**Where can I apply?** You can apply through any existing SBA lender or through any federally insured depository institution, federally insured credit union, and Farm Credit System institution that is participating. Other regulated lenders will be available to make these loans once they are approved and enrolled in the program. You should consult with your local lender as to whether it is participating. Visit [www.sba.gov](http://www.sba.gov) for a list of SBA lenders.

**Who can apply?** All businesses – including nonprofits, veterans organizations, Tribal business concerns, sole proprietorships, self-employed individuals, and independent contractors – with 500 or fewer employees can apply. Businesses in certain industries can have more than 500 employees if they meet applicable SBA employee-based size standards for those industries (click [HERE](#) for additional detail).

For this program, the SBA’s affiliation standards are waived for small businesses (1) in the hotel and food services industries (click [HERE](#) for NAICS code 72 to confirm); or (2) that are franchises in the SBA’s Franchise Directory (click [HERE](#) to check); or (3) that receive financial assistance from small business investment companies licensed by the SBA. Additional guidance may be released as appropriate.

**What do I need to apply?** You will need to complete the Paycheck Protection Program loan application and submit the application with the required documentation to an approved lender that is available to process your application by June 30, 2020. Click [HERE](#) for the application.

**What other documents will I need to include in my application?** You will need to provide your lender with payroll documentation.

**Do I need to first look for other funds before applying to this program?** No. We are waiving the usual SBA requirement that you try to obtain some or all of the loan funds from other sources (i.e., we are waiving the Credit Elsewhere requirement).

**How long will this program last?** Although the program is open until June 30, 2020, we encourage you to apply as quickly as you can because there is a funding cap and lenders need time to process your loan.

**How many loans can I take out under this program?** Only one.

**What can I use these loans for?** You should use the proceeds from these loans on your:

- Payroll costs, including benefits;
- Interest on mortgage obligations, incurred before February 15, 2020;
- Rent, under lease agreements in force before February 15, 2020; and
- Utilities, for which service began before February 15, 2020.

**What counts as payroll costs?** Payroll costs include:

- Salary, wages, commissions, or tips (capped at \$100,000 on an annualized basis for each employee);
- Employee benefits including costs for vacation, parental, family, medical, or sick leave; allowance for separation or dismissal; payments required for the provisions of group health care benefits including insurance premiums; and payment of any retirement benefit;
- State and local taxes assessed on compensation; and
- For a sole proprietor or independent contractor: wages, commissions, income, or net earnings from self-employment, capped at \$100,000 on an annualized basis for each employee.

**How large can my loan be?** Loans can be for up to two months of your average monthly payroll costs from the last year plus an additional 25% of that amount. That amount is subject to a \$10 million cap. If you are a seasonal or new business, you will use different applicable time periods for your calculation. Payroll costs will be capped at \$100,000 annualized for each employee.

**How much of my loan will be forgiven?** You will owe money when your loan is due if you use the loan amount for anything other than payroll costs, mortgage interest, rent, and utilities payments over the 8 weeks after getting the loan. Due to likely high subscription, it is anticipated that not more than 25% of the forgiven amount may be for non-payroll costs.

You will also owe money if you do not maintain your staff and payroll.

- Number of Staff: Your loan forgiveness will be reduced if you decrease your full-time employee headcount.
- Level of Payroll: Your loan forgiveness will also be reduced if you decrease salaries and wages by more than 25% for any employee that made less than \$100,000 annualized in 2019.
- Re-Hiring: You have until June 30, 2020 to restore your full-time employment and salary levels for any changes made between February 15, 2020 and April 26, 2020.

**How can I request loan forgiveness?** You can submit a request to the lender that is servicing the loan. The request will include documents that verify the number of full-time equivalent employees and pay rates, as well as the payments on eligible mortgage, lease, and utility obligations. You must certify that the documents are true and that you used the forgiveness amount to keep employees and make eligible mortgage interest, rent, and utility payments. The lender must make a decision on the forgiveness within 60 days.

**What is my interest rate?** 0.50% fixed rate.

**When do I need to start paying interest on my loan?** All payments are deferred for 6 months; however, interest will continue to accrue over this period.

**When is my loan due?** In 2 years.

**Can I pay my loan earlier than 2 years?** Yes. There are no prepayment penalties or fees.

**Do I need to pledge any collateral for these loans?** No. No collateral is required.

**Do I need to personally guarantee this loan?** No. There is no personal guarantee requirement. \*\*\*However, if the proceeds are used for fraudulent purposes, the U.S. government will pursue criminal charges against you.\*\*\*

**What do I need to certify?** As part of your application, you need to certify in good faith that:

- Current economic uncertainty makes the loan necessary to support your ongoing operations.
- The funds will be used to retain workers and maintain payroll or to make mortgage, lease, and utility payments.
- You have not and will not receive another loan under this program.
- You will provide to the lender documentation that verifies the number of full-time equivalent employees on payroll and the dollar amounts of payroll costs, covered mortgage interest payments, covered rent payments, and covered utilities for the eight weeks after getting this loan.
- Loan forgiveness will be provided for the sum of documented payroll costs, covered mortgage interest payments, covered rent payments, and covered utilities. Due to likely high subscription, it is anticipated that not more than 25% of the forgiven amount may be for non-payroll costs.
- All the information you provided in your application and in all supporting documents and forms is true and accurate. Knowingly making a false statement to get a loan under this program is punishable by law.

- You acknowledge that the lender will calculate the eligible loan amount using the tax documents you submitted. You affirm that the tax documents are identical to those you submitted to the IRS. And you also understand, acknowledge, and agree that the lender can share the tax information with the SBA's authorized representatives, including authorized representatives of the SBA Office of Inspector General, for the purpose of compliance with SBA Loan Program Requirements and all SBA reviews.

As of April 6, 2020

## **PAYCHECK PROTECTION PROGRAM LOANS** Frequently Asked Questions (FAQs)

The Small Business Administration (SBA), in consultation with the Department of the Treasury, intends to provide timely additional guidance to address borrower and lender questions concerning the implementation of the Paycheck Protection Program (PPP), established by section 1102 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act or the Act). This document will be updated on a regular basis.

Borrowers and lenders may rely on the guidance provided in this document as SBA's interpretation of the CARES Act and of the Paycheck Protection Program Interim Final Rule ("PPP Interim Final Rule") ([link](#)). The U.S. government will not challenge lender PPP actions that conform to this guidance,<sup>1</sup> and to the PPP Interim Final Rule and any subsequent rulemaking in effect at the time.

1. **Question:** Paragraph 3.b.iii of the Paycheck Protection Program Interim Final Rule states that lenders must "[c]onfirm the dollar amount of average monthly payroll costs for the preceding calendar year by reviewing the payroll documentation submitted with the borrower's application." Does that require that the lender replicate every borrower's calculations?

**Answer:** No. Providing an accurate calculation of payroll costs is the responsibility of the borrower, and the borrower must attest to the accuracy of those calculations. Lenders are expected to perform a good faith review, in a reasonable time, of the borrower's calculations and supporting documents concerning average monthly payroll cost. The level of diligence by a lender should be informed by the quality of supporting documents supplied by the borrower. Minimal review of calculations based on a payroll report by a recognized third-party payroll processor, for example, would be reasonable.

If lenders identify errors in the borrower's calculation or material lack of substantiation in the borrower's supporting documents, the lender should work with the borrower to remedy the error.

2. **Question:** Are small business concerns (as defined in section 3 of the Small Business Act, 15 U.S.C. 632) required to have 500 or fewer employees to be eligible borrowers in the PPP?

**Answer:** No. Small business concerns can be eligible borrowers even if they have more than 500 employees, as long as they satisfy the existing statutory and regulatory definition of a "small business concern" under section 3 of the Small Business Act, 15 U.S.C. 632. A business can qualify if it meets the SBA employee-based or revenue-

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<sup>1</sup> This document does not carry the force and effect of law independent of the statute and regulations on which it is based.

As of April 6, 2020

based size standard corresponding to its primary industry. Go to [www.sba.gov/size](http://www.sba.gov/size) for the industry size standards.

Additionally, a business can qualify for the Paycheck Protection Program as a small business concern if it met both tests in SBA's "alternative size standard" as of March 27, 2020: (1) maximum tangible net worth of the business is not more than \$15 million; and (2) the average net income after Federal income taxes (excluding any carry-over losses) of the business for the two full fiscal years before the date of the application is not more than \$5 million.

A business that qualifies as a small business concern under section 3 of the Small Business Act, 15 U.S.C. 632, may truthfully attest to its eligibility for PPP loans on the Borrower Application Form, unless otherwise ineligible.

3. **Question:** Does my business have to qualify as a small business concern (as defined in section 3 of the Small Business Act, 15 U.S.C. 632) in order to participate in the PPP?

**Answer:** No. In addition to small business concerns, a business is eligible for a PPP loan if the business has 500 or fewer employees whose principal place of residence is in the United States, or the business meets the SBA employee-based size standards for the industry in which it operates (if applicable). Similarly, PPP loans are also available for qualifying tax-exempt nonprofit organizations described in section 501(c)(3) of the Internal Revenue Code (IRC), tax-exempt veterans organization described in section 501(c)(19) of the IRC, and Tribal business concerns described in section 31(b)(2)(C) of the Small Business Act that have 500 or fewer employees whose principal place of residence is in the United States, or meet the SBA employee-based size standards for the industry in which they operate.

4. **Question:** Are lenders required to make an independent determination regarding applicability of affiliation rules under 13 C.F.R. 121.301(f) to borrowers?

**Answer:** No. It is the responsibility of the borrower to determine which entities (if any) are its affiliates and determine the employee headcount of the borrower and its affiliates. Lenders are permitted to rely on borrowers' certifications.

5. **Question:** Are borrowers required to apply SBA's affiliation rules under 13 C.F.R. 121.301(f)?

**Answer:** Yes. Borrowers must apply the affiliation rules set forth in SBA's Interim Final Rule on Affiliation. A borrower must certify on the Borrower Application Form that the borrower is eligible to receive a PPP loan, and that certification means that the borrower is a small business concern as defined in section 3 of the Small Business Act (15 U.S.C. 632), meets the applicable SBA employee-based or revenue-based size standard, or meets the tests in SBA's alternative size standard, after applying the affiliation rules, if applicable. SBA's existing affiliation exclusions apply to the PPP, including, for example the exclusions under 13 CFR 121.103(b)(2).

As of April 6, 2020

6. **Question:** The affiliation rule based on ownership (13 C.F.R. 121.301(f)(1)) states that SBA will deem a minority shareholder in a business to control the business if the shareholder has the right to prevent a quorum or otherwise block action by the board of directors or shareholders. If a minority shareholder irrevocably gives up those rights, is it still considered to be an affiliate of the business?

**Answer:** No. If a minority shareholder in a business irrevocably waives or relinquishes any existing rights specified in 13 C.F.R. 121.301(f)(1), the minority shareholder would no longer be an affiliate of the business (assuming no other relationship that triggers the affiliation rules).

7. **Question:** The CARES Act excludes from the definition of payroll costs any employee compensation in excess of an annual salary of \$100,000. Does that exclusion apply to all employee benefits of monetary value?

**Answer:** No. The exclusion of compensation in excess of \$100,000 annually applies only to cash compensation, not to non-cash benefits, including:

- employer contributions to defined-benefit or defined-contribution retirement plans;
- payment for the provision of employee benefits consisting of group health care coverage, including insurance premiums; and
- payment of state and local taxes assessed on compensation of employees.

8. **Question:** Do PPP loans cover paid sick leave?

**Answer:** Yes. PPP loans covers payroll costs, including costs for employee vacation, parental, family, medical, and sick leave. However, the CARES Act excludes qualified sick and family leave wages for which a credit is allowed under sections 7001 and 7003 of the Families First Coronavirus Response Act (Public Law 116–127). Learn more about the Paid Sick Leave Refundable Credit [here](#).

9. **Question:** My small business is a seasonal business whose activity increases from April to June. Considering activity from that period would be a more accurate reflection of my business's operations. However, my small business was not fully ramped up on February 15, 2020. Am I still eligible?

**Answer:** In evaluating a borrower's eligibility, a lender may consider whether a seasonal borrower was in operation on February 15, 2020 or for an 8-week period between February 15, 2019 and June 30, 2019.

10. **Question:** What if an eligible borrower contracts with a third-party payer such as a payroll provider or a Professional Employer Organization (PEO) to process payroll and report payroll taxes?

**Answer:** SBA recognizes that eligible borrowers that use PEOs or similar payroll providers are required under some state registration laws to report wage and other data on

As of April 6, 2020

the Employer Identification Number (EIN) of the PEO or other payroll provider. In these cases, payroll documentation provided by the payroll provider that indicates the amount of wages and payroll taxes reported to the IRS by the payroll provider for the borrower's employees will be considered acceptable PPP loan payroll documentation. Relevant information from a Schedule R (Form 941), Allocation Schedule for Aggregate Form 941 Filers, attached to the PEO's or other payroll provider's Form 941, Employer's Quarterly Federal Tax Return, should be used if it is available; otherwise, the eligible borrower should obtain a statement from the payroll provider documenting the amount of wages and payroll taxes. In addition, employees of the eligible borrower will not be considered employees of the eligible borrower's payroll provider or PEO.

11. **Question:** May lenders accept signatures from a single individual who is authorized to sign on behalf of the borrower?

**Answer:** Yes. However, the borrower should bear in mind that, as the Borrower Application Form indicates, only an authorized representative of the business seeking a loan may sign on behalf of the business. An individual's signature as an "Authorized Representative of Applicant" is a representation to the lender and to the U.S. government that the signer is authorized to make the certifications, including with respect to the applicant and each owner of 20% or more of the applicant's equity, contained in the Borrower Application Form. Lenders may rely on that representation and accept a single individual's signature on that basis.

12. **Question:** I need to request a loan to support my small business operations in light of current economic uncertainty. However, I pleaded guilty to a felony crime a very long time ago. Am I still eligible for the PPP?

**Answer:** Yes. Businesses are only ineligible if an owner of 20 percent or more of the equity of the applicant is presently incarcerated, on probation, on parole; subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction; or, within the last five years, for any felony, has been convicted; pleaded guilty; pleaded nolo contendere; been placed on pretrial diversion; or been placed on any form of parole or probation (including probation before judgment).

13. **Question:** Are lenders permitted to use their own online portals and an electronic form that they create to collect the same information and certifications as in the Borrower Application Form, in order to complete implementation of their online portals?

**Answer:** Yes. Lenders may use their own online systems and a form they establish that asks for the same information (using the same language) as the Borrower Application Form. Lenders are still required to send the data to SBA using SBA's interface.

14. **Question:** What time period should borrowers use to determine their number of employees and payroll costs to calculate their maximum loan amounts?

As of April 6, 2020

**Answer:** In general, borrowers can calculate their aggregate payroll costs using data either from the previous 12 months or from calendar year 2019. For seasonal businesses, the applicant may use average monthly payroll for the period between February 15, 2019, or March 1, 2019, and June 30, 2019. An applicant that was not in business from February 15, 2019 to June 30, 2019 may use the average monthly payroll costs for the period January 1, 2020 through February 29, 2020.

Borrowers may use their average employment over the same time periods to determine their number of employees, for the purposes of applying an employee-based size standard. Alternatively, borrowers may elect to use SBA's usual calculation: the average number of employees per pay period in the 12 completed calendar months prior to the date of the loan application (or the average number of employees for each of the pay periods that the business has been operational, if it has not been operational for 12 months).

15. **Question:** Should payments that an eligible borrower made to an independent contractor or sole proprietor be included in calculations of the eligible borrower's payroll costs?

**Answer:** No. Any amounts that an eligible borrower has paid to an independent contractor or sole proprietor should be excluded from the eligible business's payroll costs. However, an independent contractor or sole proprietor will itself be eligible for a loan under the PPP, if it satisfies the applicable requirements.

16. **Question:** How should a borrower account for federal taxes when determining its payroll costs for purposes of the maximum loan amount, allowable uses of a PPP loan, and the amount of a loan that may be forgiven?

**Answer:** Under the Act, payroll costs are calculated on a gross basis without regard to (i.e., not including subtractions or additions based on) federal taxes imposed or withheld, such as the employee's and employer's share of Federal Insurance Contributions Act (FICA) and income taxes required to be withheld from employees. As a result, payroll costs are not reduced by taxes imposed on an employee and required to be withheld by the employer, but payroll costs do not include the employer's share of payroll tax. For example, an employee who earned \$4,000 per month in gross wages, from which \$500 in federal taxes was withheld, would count as \$4,000 in payroll costs. The employee would receive \$3,500, and \$500 would be paid to the federal government. However, the employer-side federal payroll taxes imposed on the \$4,000 in wages are excluded from payroll costs under the statute.<sup>2</sup>

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<sup>2</sup> The definition of "payroll costs" in the CARES Act, 15 U.S.C. 636(a)(36)(A)(viii), excludes "taxes imposed or withheld under chapters 21, 22, or 24 of the Internal Revenue Code of 1986 during the covered period," defined as February 15, 2020, to June 30, 2020. As described above, the SBA interprets this statutory exclusion to mean that payroll costs are calculated on a gross basis, without subtracting federal taxes that are imposed on the employee or withheld from employee wages. Unlike employer-side payroll taxes, such employee-side taxes are ordinarily expressed as a reduction in employee take-home pay; their exclusion from the definition of payroll costs means payroll costs should not be reduced based on taxes imposed on the employee or withheld from employee wages. This interpretation is consistent with the text of the statute and advances the legislative purpose of ensuring workers

As of April 6, 2020

17. **Question:** I filed or approved a loan application based on the version of the PPP Interim Final Rule published on April 2, 2020. Do I need to take any action based on the updated guidance in these FAQs?

**Answer:** No. Borrowers and lenders may rely on the laws, rules, and guidance available at the time of the relevant application. However, borrowers whose previously submitted loan applications have not yet been processed may revise their applications based on clarifications reflected in these FAQs.

18. **Question:** Are PPP loans for existing customers considered new accounts for FinCEN Rule CDD purposes? Are lenders required to collect, certify, or verify beneficial ownership information in accordance with the rule requirements for existing customers?

**Answer:** If the PPP loan is being made to an existing customer and the necessary information was previously verified, you do not need to re-verify the information.

Furthermore, if federally insured depository institutions and federally insured credit unions eligible to participate in the PPP program have not yet collected beneficial ownership information on existing customers, such institutions do not need to collect and verify beneficial ownership information for those customers applying for new PPP loans, unless otherwise indicated by the lender's risk-based approach to BSA compliance.

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remain paid and employed. Further, because the reference period for determining a borrower's maximum loan amount will largely or entirely precede the period from February 15, 2020, to June 30, 2020, and the period during which borrowers will be subject to the restrictions on allowable uses of the loans may extend beyond that period, for purposes of the determination of allowable uses of loans and the amount of loan forgiveness, this statutory exclusion will apply with respect to such taxes imposed or withheld at any time, not only during such period.

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 who maintain their payroll during this emergency.

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)(19) 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.



## 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?



sum of  
**INCLUDED**  
payroll costs

-

sum of  
**EXCLUDED**  
payroll costs

=

**PAYROLL COSTS**

### **INCLUDED** Payroll Cost:

- 1. For Employers:** The sum of payments of any compensation with respect to employees that is a:
  - salary, wage, commission, or similar compensation;
  - payment of cash tip 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 pro-rated 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 116–5 127); 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 (decided by the loan recipient) and ending June 30, 2019

# 4

## Will this loan be FORGIVEN?

Borrowers are eligible to have their loans forgiven.

### How Much?

A borrower is eligible for loan forgiveness equal to the amount the borrower spent on the following items during the 8-week period beginning on the date of the origination of the loan:

- Payroll costs (using the same definition of payroll costs used to determine loan eligibility)
- Interest on the mortgage obligation incurred in the ordinary course of business
- Rent on a leasing agreement
- Payments on utilities (electricity, gas, water, transportation, telephone, or internet)
- For borrowers with tipped employees, additional wages paid to those employees

The loan forgiveness cannot exceed the principal.

### How could the forgiveness be reduced?

The amount of loan forgiveness calculated above is reduced if there is a reduction in the number of employees or a reduction of greater than 25% in wages paid to employees. Specifically:

#### Reduction based on reduction of number of employees



**PAYROLL COST**  
Calculated on page 2

**X**

Average Number of Full-Time Equivalent Employees (FTEs) Per Month for the 8-Weeks Beginning on Loan Origination

**÷**

#### Option 1:

Average number of FTEs per month from February 15, 2019 to June 30, 2019

#### Option 2:

Average number of FTEs per month from January 1, 2020 to February 29, 2020

#### For Seasonal Employers:

Average number of FTEs per month from February 15, 2019 to June 30, 2019

#### Reduction based on reduction in salaries



**PAYROLL COST**  
Calculated on page 2

**-**

For any employee who did not earn during any pay period in 2019 wages at an annualized rate more than \$100,000, the amount of any reduction in wages that is greater than 25% compared to their most recent full quarter.

### What if I bring back employees or restore wages?

Reductions in employment or wages that occur during the period beginning on February 15, 2020, and ending 30 days after enactment of the CARES Act, (as compared to February 15, 2020) shall not reduce the amount of loan forgiveness **IF** by June 30, 2020 the borrower eliminates the reduction in employees or reduction in wages.

## WHAT'S NEXT?

Look out for more information about eligible lenders and additional loan guidance.

Visit [sba.gov](https://www.sba.gov) for updates.



# SBA Economic Injury Disaster Loan (EIDL)

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**Funder Organization:** U.S. Small Business Administration (SBA)

**Program URL:** <https://www.sba.gov/funding-programs/disaster-assistance>

**Type of Fund:** Loan

**Target Audience or Geography:** Small Business Owner / Nationwide

**Estimated Time of Arrival for Public Rollout:** Currently Available since January 31, 2020

## Brief Program Description

Small businesses, non-profits, and owners of rental property are eligible to apply for economic injury disaster loans of up to \$2 Million. Applications are submitted online through the SBA website and funds come directly from the U.S. Department of the Treasury.

Applicants can request a loan advance of up to \$10,000 and it will be disbursed within three days.

Additional information is provided below under **Forgiveness Terms**.

## Eligibility Requirements

Small businesses, sole proprietorships, independent contractors, self-employed, cooperatives, ESOP, tribal small businesses, private non-profit organizations, small agricultural cooperatives, owners of rental property, small businesses engaged in aquaculture, and nurseries (only if they derive less than 50% of their annual receipts from the production and sale of ornamental plants and other nursery products). Have 500 or fewer employees and have been in business since January 31, 2020. Must be in a disaster declaration area - all parts of Oregon have been declared.

\*Under section 7(b) of the Small Business Act, SBA may not provide disaster loans to agricultural enterprises. A business may be primarily an agricultural enterprise but also have a non-agricultural, separable component. The nonagricultural venture may be eligible for a business disaster loan regardless of the "primary" activity of the overall business structure or affiliated group. To be eligible, the non-agricultural venture must be a separable operation and not just part of the agricultural enterprise, with separable and distinguishable income, operations, expenses, assets, etc.

However, if more than 50% of an Applicant's cost of goods sold (COGS) are derived from the purchase of goods from the principals' and/or affiliates' agricultural production, the Applicant is considered an adjunct activity of an agricultural enterprise (e.g. farming operation) and not eligible for EIDL assistance.

Please visit: <https://www.sba.gov/size-standards/> to find out if your business meets SBA's small business size standards.

## Ineligibility Restrictions

Owners of unimproved real estate, agricultural enterprises (If the primary activity of the business including its affiliates is as defined in Section 18(b)(1) of the Small Business Act), neither the business nor its affiliates are eligible for disaster loan assistance, businesses involved in adult entertainment, religious organizations, gambling concerns (or business with 30% or more revenue from legal gambling), cannabis businesses, and individuals convicted during the past year of a felony committed during a riot or civil disorder or other declared disaster.

\*SBA disaster assistance is available for disaster losses that are not fully compensated by insurance recoveries, grants, or other sources. If a business receives other compensation in amounts that FULLY covers eligible disaster damages a business is NOT eligible (no "double-dipping") to receive *additional* compensation by SBA. (Ref: SBA SOP 50 30 9 page 218)

\*\*By law, agricultural enterprises are not eligible for disaster assistance from SBA. The law makes SBA disaster loans available to homeowners, renters, non-farm businesses, and private non-profit organizations. The law defines ineligible agricultural enterprises as those businesses that are engaged in the production of food and fiber, ranching and raising of livestock, aquaculture (except for economic injury disaster loans), and all other farming and agricultural related industries.

\*\*SBA will likely decline applicants with federal loan defaults, IRS tax liens, outstanding child support payments, as well as suspended or debarred federal contractors. If declined, a business can re-apply in 6mos.

## Use of Funds

Working capital for operating expenses due to temporary loss of revenue or economic injury (fixed debts, payroll, mortgage, rent, lease payments), payments on short-term debt, accounts payable, and bills; not for business expansion.

**Interest Rates:** 3.75% for businesses and 2.75% for non-profits.

**Loan Term:** Amortization: up to 30 years, determined on a case-by-case basis.

**Collateral Requirements:** Required for loans amounts that exceed \$25,000. Applicants will not be declined solely on the basis of lack of collateral. SBA will require whatever collateral is available, which may include liens on real estate.

**Loan Program Payment Deferment (if any):** Up to one year payment deferral before payments need to be made.

**Forgiveness Terms (if any):** EIDL is not forgivable - *however*

Applicants for EIDL Loan can check the box on the online EIDL application to request up to \$10,000 advance to provide economic relief for temporary loss of revenue they are experiencing. The Emergency EIDL advance may be forgiven and deducted from the original EIDL loan amount.

- 10K Advance must be used for the following:
- Providing paid sick leave to employees unable to work due to the direct effect of the COVID-19;
- Maintaining payroll to retain employees during business disruptions or substantial slowdowns;
- Meeting increased costs to obtain materials unavailable from the applicant's original source due to interrupted supply chains; or
- Making rent or mortgage payments.

**Personal Guarantee:** Required for loans in excess of \$200,000.

## Application Submittal Process

The quickest and most efficient way to apply is online:

<https://www.sba.gov/funding-programs/disaster-assistance>

A supplemental PDF showing the screens that applicants navigate while completing the online application process is located in the Appendix. You will be asked to verify eligibility, provide business and owner information, and provide banking information.

Other ways of applying include completing forms and uploading to SBA's Box account, email, mail, or fax.

Information is provided below:

**Upload:** <https://www.sba.gov/disaster/apply-for-disaster-loan/index.html>

**Email:** [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)

**Mailing Address:** U.S. Small Business Administration  
Processing and Disbursement Center  
14925 Kingsport Road  
Fort Worth, TX 76155

**Fax:** (202) 481-1505

### Required Information Gathered Online or via SBA Forms:

1. SBA Form 5 – Business Loan Application - (Form 5C for Sole Props)
2. SBA Form P-019 – Economic Injury Disaster Loan supporting information

### Additional documentation *may be requested by SBA Loan Officer*:

3. SBA Form 413 – Personal Financial Statement, required by everyone with ownership of 20% or greater
4. SBA Form 2202 – Schedule of Liabilities

5. IRS Form 4506-T – Request for Transcript of Personal and Business Tax Returns, required for the applicant entity and everyone with ownership of 20% or greater
6. Most recent business tax return, with all schedules
7. Additional information upon request: (a) most recent personal & biz tax returns; (b) 2019 year-end financial statements; (c) YTD interim financial statements; (d) possibly monthly sales figures using SBA Form 1368

## Program Contact Information

**Phone:** (800) 659-2955 8AM to 8PM EDT 7 days a week; (800) 877-8339 for the deaf and hard-of-hearing.

**Program SBA Forms Online:** <https://www.sba.gov/disaster/apply-for-disaster-loan/index.html>

## Frequently Asked Questions:

**SBA:** <https://disasterloan.sba.gov/ela/Home/Questions>

**US Senate:** <https://www.sbc.senate.gov/public/index.cfm/guide-to-the-cares-act>

INFO DOC Summary Created by: **Oscar Novelo**  
Revised/Edited by: **Noah Brockman**

Date: **April 1, 2020**  
Date: **April 2, 2020**

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The Oregon SBDC Network is funded in part through a Cooperative Agreement with the U.S. Small Business Administration, the Oregon Business Development Department, and other private and public partners, with Lane Community College serving as the Network's lead host institution. Oregon SBDC services are extended to the public on a nondiscriminatory basis. Language services are available for limited English proficient individuals.



# Disaster Loan Assistance

Federal Disaster Loans for Businesses, Private Non-profits, Homeowners and Renters

## COVID-19 ECONOMIC INJURY DISASTER LOAN APPLICATION



DISCLOSURES



BUSINESS INFORMATION



BUSINESS OWNERS INFORMATION



ADDITIONAL INFORMATION



SUMMARY

### STREAMLINED PROCESS REQUIREMENTS

SBA is collecting the requested information in order to make a loan under SBA's Economic Injury Disaster Loan Program to the qualified entities listed in this application that are impacted by the Coronavirus (COVID-19). The information will be used in determining whether the applicant is eligible for an economic injury loan. If you do not submit all the information requested, your loan cannot be fully processed.

The Applicant understands that the SBA is relying upon the self-certifications contained in this application to verify that the Applicant is an eligible entity to receive the advance, and that the Applicant is providing this self-certification under penalty of perjury pursuant to 28 U.S.C. 1746 for verification purposes.

The estimated time for completing this entire application is two hours and ten minutes, although you may not need to complete all parts. You are not required to respond to this collection of information unless it displays a currently valid OMB approval number.

### ELIGIBLE ENTITY VERIFICATION

#### Choose One:

- Applicant is a business with not more than 500 employees.
- Applicant is an individual who operates under a sole proprietorship, with or without employees, or as an independent contractor.
- Applicant is a cooperative with not more than 500 employees.
- Applicant is an Employee Stock Ownership Plan (ESOP), as defined in 15 U.S.C. 632, with not more than 500 employees.
- Applicant is a tribal small business concern, as described in 15 U.S.C. 657a(b)(2)(C), with not more than 500 employees.
- Applicant is a business, including an agricultural cooperative, aquaculture enterprise, nursery, or producer cooperative, that is small under SBA Size Standards found at <https://www.sba.gov/size-standards> (<https://www.sba.gov/size-standards>).
- Applicant is a business with more than 500 employees that is small under SBA Size Standards found at <https://www.sba.gov/size-standards> (<https://www.sba.gov/size-standards>).
- Applicant is a private non-profit organization that is a non-governmental agency or entity that currently has an effective ruling letter from the IRS granting tax exemption under sections 501(c),(d), or (e) of the Internal Revenue Code of 1954, or satisfactory evidence from the State that the non-revenue producing organization or entity is a non-profit one organized or doing business under State law, or a faith-based organization.

#### Review and Check All of the Following:

Applicant must review and check all the following (If Applicant is unable to check all of the following, Applicant is not an Eligible Entity):

- Applicant is not engaged in any illegal activity (as defined by Federal guidelines)

If you have questions about this application or problems providing the required information, please contact our Customer Service Center at 1-800-659-2955 or (TTY: 1-800-877-8339) [DisasterCustomerService@sba.gov](mailto:DisasterCustomerService@sba.gov).

Continue >

# Disaster Loan Assistance

Federal Disaster Loans for Businesses, Private Non-profits, Homeowners and Renters

## COVID-19 ECONOMIC INJURY DISASTER LOAN APPLICATION



DISCLOSURES



BUSINESS INFORMATION



BUSINESS OWNERS INFORMATION



ADDITIONAL INFORMATION



SUMMARY

Step 1 of 3

### Business Information

Business Legal Name \*

Trade Name \*

EIN/SSN for Sole Proprietorship \*

Organization Type\*

Is the Applicant a Non-Profit Organization? \*

Yes  No

Is the Applicant a Franchise? \*

Yes  No

Gross Revenues for the Twelve(12) Month Prior to the Date of the Disaster (January 31, 2020) \*

Cost of Goods Sold for the Twelve(12) Month Prior to the Date of the Disaster (January 31, 2020) \*

Rental Properties (Residential and Commercial) Only - Lost Rents Due to the Disaster

Non-Profit Cost of Operation for the Twelve(12) Month Prior to the Date of the Disaster (January 31, 2020)

Combined Annual Operating Expenses for the Twelve(12) Months Prior to the Date of the Disaster (January 31, 2020) for All Secular Social Services Provided by the Faith Based Entity

List the Secular Social Services Provided by the Faith Based Entity

**Compensation From Other Sources Received as a Result of the Disaster**

**Provide Brief Description of Other Compensation Sources**

**Primary Business Address (Cannot be P.O. Box) \***

**City \***

**State \***

**County**

**Zip \***

**Business Phone \***

**Alternative Business Phone**

**Business Fax**

**Business Email \***

**Date Business Established \***

**Current Ownership Since \***

**Business Activity \***

**Detailed Business Activity\***

**Number of Employees (As of January 31, 2020) \***

Next >

# Disaster Loan Assistance

Federal Disaster Loans for Businesses, Private Non-profits, Homeowners and Renters

## COVID-19 ECONOMIC INJURY DISASTER LOAN APPLICATION



DISCLOSURES



BUSINESS INFORMATION



BUSINESS OWNERS INFORMATION



ADDITIONAL INFORMATION



SUMMARY

Step 2 of 3

### Business Owners Information

Is Your Business Owned by a Business Entity? \*

Yes  No

### Individual Owner/Agent(s)

#### Owner/Agent 1 ^

First Name \*

Last Name \*

Mobile Phone \*

Title / Office \*

Ownership Percent \*

Email \*

SSN \*

Birth Date \*

Place Of Birth \*

**U.S. Citizen \***  
 Yes  No

**Residential Street Address \***

**City \***

**State \***

**Zip \***

 [Add Additional Owner](#)

[< Back](#)

[Next >](#)

# Disaster Loan Assistance

Federal Disaster Loans for Businesses, Private Non-profits, Homeowners and Renters

## COVID-19 ECONOMIC INJURY DISASTER LOAN APPLICATION



DISCLOSURES



BUSINESS INFORMATION



BUSINESS OWNERS INFORMATION



ADDITIONAL INFORMATION



SUMMARY

Step 3 of 3

### Additional Information

In the past year, has the business or a listed owner been convicted of a criminal offense committed during and in connection with a riot or civil disorder or other declared disaster, or ever been engaged in the production or distribution of any product or service that has been determined to be obscene by a court of competent jurisdiction?  Yes  No

Is the applicant or any listed owner currently suspended or debarred from contracting with the Federal government or receiving Federal grants or loans?  Yes  No

a. Are you presently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction?  Yes  No

b. Have you been arrested in the past six months for any criminal offense?

c. For any criminal offense - other than a minor vehicle violation - have you ever been convicted, plead guilty, plead nolo contendere, been placed on pretrial diversion, or been placed on any form of parole or probation (including probation before judgment)?

**If anyone assisted you in completing this application, whether you pay a fee for this service or not, that person must enter their information below.**

**Individual Name**

**Name of Company**

**Phone Number**

**Street Address, City, State, Zip**

**Fee Charged or Agreed Upon**

I give permission for SBA to discuss any portion of this application with the representative listed above.  Yes  No

I would like to be considered for an advance of up to \$10,000.

### Where to Send Funds

Bank Name \*

Account Number \*

Routing Number \*

On behalf of the individual owners identified in this application and for the business applying for the loan:

I/We authorize my/our insurance company, bank, financial institution, or other creditors to release to SBA all records and information necessary to process this application and for the SBA to obtain credit information about the individuals completing this application.

If my/our loan is approved, additional information may be required prior to loan closing. I/We will be advised in writing what information will be required to obtain my/our loan funds. I/We hereby authorize the SBA to verify my/our past and present employment information and salary history as needed to process and service a disaster loan.

I/We authorize SBA, as required by the Privacy Act, to release any information collected in connection with this application to Federal, state, local, tribal or nonprofit organizations (e.g. Red Cross Salvation Army, Mennonite Disaster Services, SBA Resource Partners) for the purpose of assisting me with my/our SBA application, evaluating eligibility for additional assistance, or notifying me of the availability of such assistance.

I/We will not exclude from participating in or deny the benefits of, or otherwise subject to discrimination under any program or activity for which I/we receive Federal financial assistance from SBA, any person on grounds of age, color, handicap, marital status, national origin, race, religion, or sex.

I/We will report to the SBA Office of the Inspector General, Washington, DC 20416, any Federal employee who offers, in return for compensation of any kind, to help get this loan approved. I/We have not paid anyone connected with the Federal government for help in getting this loan.

**CERTIFICATION AS TO TRUTHFUL INFORMATION:** By signing this application, you certify that all information in your application and submitted with your application is true and correct to the best of your knowledge, and that you will submit truthful information in the future.

**WARNING:** Whoever wrongfully misapplies the proceeds of an SBA disaster loan shall be civilly liable to the Administrator in an amount equal to one-and-one half times the original principal amount of the loan under 15 U.S.C. 636(b). In addition, any false statement or misrepresentation to SBA may result in criminal, civil or administrative sanctions including, but not limited to: 1) fines and imprisonment, or both, under 15 U.S.C. 645, 18 U.S.C. 1001, 18 U.S.C. 1014, 18 U.S.C. 1040, 18 U.S.C. 3571, and any other applicable laws; 2) treble damages and civil penalties under the False Claims Act, 31 U.S.C. 3729; 3) double damages and civil penalties under the Program Fraud Civil Remedies Act, 31 U.S.C. 3802; and 4) suspension and/or debarment from all Federal procurement and non-procurement transactions. Statutory fines may increase if amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

I hereby certify **UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES** that the above is true and correct.

[Click for additional statements required by laws and executive orders](#)

< Back

Next >



# Paycheck Protection Program (PPP)

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**Funder Organization:** Bank funded, guaranteed by the Small Business Administration (SBA)

**Program URL:** <https://www.sba.gov/funding-programs/loans/paycheck-protection-program-ppp>

**Type of Fund:** SBA 100% Guaranteed Loan

**Target Audience or Geography:** United States (all areas)

## Estimated Time of Arrival for Public Rollout:

- Starting April 3, 2020, small businesses can apply for and receive loans to cover their payroll and other certain expenses through existing SBA lenders.
- On Wednesday, April 3rd, 2020 SBA released interim guidance for the program: <https://www.sba.gov/document/policy-guidance--ppp-interim-final-rule>

## Brief Program Description

The Paycheck Protection Program (“PPP”) authorizes up to \$349 billion in forgivable loans to small businesses to pay their employees during the COVID-19 crisis. All loan terms will be the same for everyone.

Bank Lenders (see Application Submittal Process shown below) originate the PPP loan directly to the borrower and this loan is 100% guaranteed by SBA.

Borrower does not pay any fees.

## Determining Loan Amount:

- Step 1: Aggregate payroll costs from the last twelve months for employees whose principal place of residence is the United States.
- Step 2: Subtract any compensation paid to an employee in excess of an annual salary of \$100,000 and/or any amounts paid to an independent contractor or sole proprietor in excess of \$100,000 per year.
- Step 3: Calculate average monthly payroll costs (divide the amount from Step 2 by 12).
- Step 4: Multiply the average monthly payroll costs from Step 3 by 2.5.
- Step 5: Add the outstanding amount of an Economic Injury Disaster Loan (EIDL) made between January 31, 2020 and April 3, 2020, less the amount of any “advance” under an EIDL COVID-19 loan (because the “advance” does not have to be repaid).

**New businesses:** The period shall be determined using average payroll costs from January 1, 2020 and ending February 29, 2020, and multiply the total by 2.5.

## Eligibility Requirements

Business must have been in operation as of February 15, 2020 and have paid taxes on employees (or by the independent contractors).

- A small business with fewer than 500 employees.
- A small business that otherwise meets the SBA's size standard.
- A 501(c)(3) not-for-profit charitable organization 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) (19) Veterans Organization that meets the SBA size standard.
- For a business in the hospitality, accommodation or food services sector (click [HERE](#) for NAICS code 72 to confirm), the 500-employee rule is applied on a per physical location basis.
- A business operating as a franchise in the SBA's Franchise Directory (click [HERE](#) to check);
- For a business receiving financial assistance from an approved Small Business Investment Company licensed by the SBA, the normal affiliation rules do not apply.

OR if the business has no more than 500 employees per physical location **AND** if the business has an NAICS code beginning with '72' at the time of the eligible period.

Businesses in certain industries can have more than 500 employees if they meet applicable SBA employee-based size standards for those industries (click [HERE](#) for additional detail).

The term "employee" includes individuals on a full-time, part-time, or other basis.

## Ineligibility Restrictions

- Businesses engaged in illegal activity under federal, state or local law. (Cannabis warning).
- A household employer (you have a nanny, staff, etc.)
- Any previous defaults on a federal loan in last 7 years.
- Some businesses may not be eligible businesses as determined by SBA.

## Use of Funds

- Payroll costs.
- Costs related to the continuation of group health care benefits for illness, medical or family leave, and insurance premiums.
- Employee salaries, commission, or similar compensation.
- Payments of interest on short-term and long-term debt that incurred before February 15, 2020.
- Rent including rent under a lease agreement in force before February 15, 2020.
- Utilities including telephone and internet access, for which service began before February 15, 2020.
- Refinancing an SBA EIDL loan made between January 31, 2020 and April 3, 2020.

### Determining Payroll:

The sum of payments of any compensation with respect to employees that is a:

- salary, wage, commission, or similar compensation.
- payment of cash tip 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.

### Excluded Payroll Costs:

- 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.
- Payroll taxes, railroad retirement taxes, and income taxes.
- Any compensation of an employee whose principal place of residence is outside of the United States.
- Qualified sick leave wages for which a credit is allowed under section 7001 of the Families First Coronavirus Response Act (Public Law 116– 5 127); or qualified family leave wages for which a credit is allowed under section 7003 of the Families First Coronavirus Response Act.
- Do not count independent contractors as employees for purposes of PPP loan calculations. Independent contractors have the ability to apply for a PPP loan on their own.

**Interest Rates:** 1.0%

**Loan Term:** 2 years.

**Collateral Requirements:** None (unsecured)

**Loan Program Payment Deferment (if any):** 6 months

**Forgiveness Terms (if any):** A borrower shall be eligible for forgiveness of loan in the amount equal to the sum of the following costs incurred and payments made during the covered period (known as 8 weeks from origination of the covered loan on the sum of any: payroll cost, payments of interest on any covered mortgage obligation, payment of interest on a loan, rent, and utilities.

At least 75% of the forgiven amount must have been used for payroll.

Forgiveness is based on the employer maintaining or quickly rehiring employees and maintaining salary levels. Forgiveness will be reduced if full-time headcount declines, or if salaries and wages decrease by more than 25%.

A business has until June 30, 2020 to restore full-time employment and salary levels for any changes made between February 15, 2020 and April 26, 2020.

Forgiveness will be reduced by, but not limited to: the quotient of dividing the average number of full-time employees per month employed by the borrower during the covered period, by: the average number of full-time equivalent employees per month employed by the borrower during the period of February 15, 2019 through June 30, 2019; **OR** by the average number of full-time equivalent employees per month employed by the eligible recipient during the period beginning on January 1, 2020 and ending February 29, 2020.

To request loan forgiveness a business can submit a request to the lender that is servicing the loan. The request will include documents that verify the number of full-time equivalent employees and pay rates, as well as the payments on eligible mortgage, lease, and utility obligations. It must certify that the documents are true and that it used the forgiveness amount to keep employees and make eligible mortgage interest, rent, and utility payments. The lender must make a decision on the forgiveness within 60 days.

For purposes of loan forgiveness, the borrower will have to document the proceeds used for payroll costs in order to determine the amount of forgiveness.

**Personal Guarantee:** No personal guarantee requirement. \*\*\*However, if the proceeds are used for fraudulent purposes, the U.S. government will pursue criminal charges against you.\*\*\*

**Loan Program Interaction:** If you received an EIDL loan related to COVID-19 between January 31, 2020 and April 3, 2020, you can apply for a PPP loan. If your EIDL loan was not used for payroll costs, it does not affect your eligibility for a PPP loan. If your EIDL loan was used for payroll costs, your PPP loan must be used to refinance your EIDL loan. Proceeds from any advance up to \$10,000 on the EIDL loan will be deducted from the loan forgiveness amount on the PPP loan.

**Application Submittal Process:** Contact your bank, credit union, or lender where you have an existing banking relationship that participates in the SBA 7a loan program.

**Required Forms and Documentation:** Businesses will likely be required to submit the following to the lender: SBA Form 2483 (Paycheck Protection Program Application) and payroll documentation as is necessary required by lenders to establish eligibility.

**Borrowers Required to Provide “Good Faith Certifications” to Lenders Attesting:**

- The uncertainty of current economic conditions makes the loan request necessary to support ongoing operations.
- The borrower will use the loan proceeds to retain workers and maintain payroll or make mortgage, lease, and utility payments.
- Borrower does not have an application pending for a loan duplicative of the purpose and amounts applied for here.
- 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).

## SBA Program Information Page:

<https://www.sba.gov/funding-programs/loans/paycheck-protection-program-ppp>

## SBA PPP Interim Final Rule:

<https://www.sba.gov/document/policy-guidance--ppp-interim-final-rule>

## Additional URLs:

US Treasury PPP Borrower Info Fact Sheet

<https://home.treasury.gov/system/files/136/PPP%20Borrower%20Information%20Fact%20Sheet.pdf>

## Program Forms:

PPP Loan Application Form

<https://home.treasury.gov/system/files/136/Borrower%20Paycheck%20Protection%20Program%20Application%20%28v1%29.pdf>

## Additional Information

Businesses will be required to submit to the lender documentation as is necessary to establish eligibility such as payroll processor records, payroll tax filings, or Form 1099-MISC along with your most recent IRS Form 941- Employer's Quarterly Federal Income Tax Return.

For borrowers that do not have any such documentation, the borrower must provide other supporting documentation, such as bank records, sufficient to demonstrate the qualifying payroll amount.

Sole Proprietorships will be required to submit SBA Form 2483 along with income and expenses.

In addition to the bank and SBA application materials, we recommend that the business owner prepares the following supporting information:

1. Company prepared year-end 2019 profit & loss statement along with a 12/31/19 balance sheet.
2. Current year-to-date 2020 financials (P&L and Balance Sheet) for the business.
3. A spreadsheet that details the prior 12 months of payroll costs, as defined in the Brief Program Description shown above.
4. A spreadsheet that indicates which employees/owners, if any, earn in excess of \$100,000 along with the amount of the wage/salary/commission.

INFO DOC Summary Created by: **Eric Lind**  
Revised/Edited by: **Noah Brockman**

Date: **March 31, 2020**  
Date: **April 4, 2020**

The Oregon SBDC Network is funded in part through a Cooperative Agreement with the U.S. Small Business Administration, the Oregon Business Development Department, and other private and public partners, with Lane Community College serving as the Network's lead host institution. Oregon SBDC services are extended to the public on a nondiscriminatory basis. Language services are available for limited English proficient individuals.





# Work Share Oregon

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**Funder Organization:** Federal program administered through the State of Oregon Employment Department.

**Program URL:**

Work Share Oregon home page:

<https://www.oregon.gov/employ/Businesses/WorkShare/Pages/Work%20Share%20Home%20Page.aspx>

**Type of Fund:** Unemployment insurance (UI) to subsidize a portion of lost wages.

**Target Audience or Geography:** Businesses and employees in Oregon

**Estimated Time of Arrival for Public Rollout:** Current and ongoing

## Brief Program Description

Work Share allows a business to let their employees work part time while retaining their full time job, perhaps with reduced pay. The employer pays regular wages for the hours the employee works and the Work Share program pays a portion of the remainder directly to the employee. The program allows employees to receive unemployment benefits that employers have paid in through employment taxes. Work Share Oregon lets an employee keep their job and benefits. It also allows the employer to retain skilled workers during these uncertain times.

Here is an example of how it works from the Work Share Oregon website: Jim works 5 days per week and earns \$500 per week (\$100 per day). If Jim went on unemployment he would work no days per week and would earn \$275 unemployment benefits. Through Work Share, Jim and his employer develop an alternate plan where he works 4 days a week and receives \$400 from his employer. His hours were reduced by 20% and thus he would earn 20% of the \$275 unemployment benefits he would receive for being laid off.

## Eligibility Requirements

- Employees must qualify for Oregon unemployment insurance benefits.
- The plan must cover at least three employees.
- The normal weekly hours of work and wages are reduced by at least 20%, but not more than 40%.
- Employees under the plan must have worked continuously for six months on a full-time basis, or for one year on a part-time basis before an employer can submit the Work Share plan.
- Work Share plans cannot last more than one year.
- A worker can receive up to 52 weeks of Work Share benefits under a plan. The Work Share payments a worker receives are deducted from the available maximum benefit amount on their Unemployment Insurance claim. If there is a remaining balance, the worker may be able to draw regular benefits if needed, as long as they are otherwise eligible to receive them.

## Ineligibility Restrictions

- Workers who've used all of their regular benefits or have an Unemployment Insurance claim against another state cannot receive Work Share benefits.
- Work Share benefits are not paid if the employee works more than the reduced hours that are not within the 20 to 40 percent limitation. It may be possible for a worker to qualify for regular benefits under these circumstances if their earnings are less than their weekly benefit payment amount, and they work less than 40 hours.

## Use of Funds

Direct payment benefit to employees through unemployment.

## Application Submittal Process

Employer must apply for the program by sending a written plan to the Oregon Employment Department. Employees can not apply for Work Share.

- The employer must select three or more employees with reduced work hours to participate in a Work Share program. The employer must state that the employee's work hours and wages will be cut by at least 20%, but no more than 40% per week, and that the employee's normal work week is 40 hours or less.
- To qualify, each employee must have worked full-time for six months, or part-time for 12 months just before the employer's Work Share plan was submitted. Weekly claims are submitted by the employer.

**Required forms and Documentation:** <https://www.oregon.gov/employ/Businesses/WorkShare/Pages/Program-Forms-and-Resources.aspx>

## Program Contact Information

**Email:** [OED\\_WorkShare@oregon.gov](mailto:OED_WorkShare@oregon.gov)

**Phone:** (503)-947-1800; Toll Free: (800)-436-6191

**Mailing Address:** Oregon Employment Department  
PO Box 14518  
Salem, OR 97309

### Additional URLs:

Work Share Program Brochure

<https://www.oregon.gov/employ/Businesses/WorkShare/Documents/Work-Share-Brochure.pdf>

Helpful Program Infographic

<https://www.oregon.gov/employ/Businesses/WorkShare/Documents/Work%20Share%20Infographic%202-2-17.pdf>

**Frequently Asked Questions:** <https://www.oregon.gov/employ/Businesses/WorkShare/Pages/Frequently-Asked-Questions.aspx>

**Program Fact Sheet:** [https://www.oregon.gov/employ/Businesses/WorkShare/Documents/Workshare\\_FactSheet%202-6-17.pdf](https://www.oregon.gov/employ/Businesses/WorkShare/Documents/Workshare_FactSheet%202-6-17.pdf)

INFO DOC Summary Created by: **Sean Harry**  
Revised/Edited by: **Noah Brockman**

Date: **April 1, 2020**  
Date: **April 3, 2020**

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## QUESTIONS? CONTACT US



**OregonWorkShare.org**



**503.947.1800**

TOLL FREE:

**1.800.436.6191**



**OED\_WorkShare@Oregon.gov**



The Oregon Employment Department is an equal opportunity employer/program. Auxiliary aids and services, and alternate formats are available to individuals with disabilities and language services to individuals with limited English proficiency free of cost upon request. TTY/TDD-dial 7-1-1 toll free relay service. Access free online relay service at: [www.sprintrelayonline.com](http://www.sprintrelayonline.com).

El Departamento de Empleo de Oregon es un programa que respeta la igualdad de oportunidades. Disponemos de servicios o ayudas auxiliares, formatos alternos para personas con conocimiento limitado del ingles, a pedido y sin costo. Llame al 7-1-1 para asistencia gratuita TTY/TDD para personas con dificultades auditivas. Obtenga acceso gratis en internet por medio del siguiente sitio: [www.sprintrelayonline.com](http://www.sprintrelayonline.com).

State of Oregon  
Employment Department  
UIPUB062 (1116)

**OregonWorkShare.org**



HELPING YOU STRATEGIZE  
INSTEAD OF DOWNSIZE.



**YOUR** workforce.  
future.  
business.



## WHAT IS WORK SHARE?

When times are tough, Work Share provides Oregon businesses an alternative to layoffs. This newly streamlined program allows employers to leverage unemployment insurance to subsidize a portion of lost wages for employees whose work time is reduced due to market downturns or other business stressors.

Work Share allows employers to keep skilled employees during slow times by reducing work hours as part of a Work Share plan.

## HOW DOES THE PROGRAM WORK?

Eligible staff on the plan receive a portion of their regular unemployment insurance benefits corresponding to their work week reduction.

Employees develop a Work Share plan by completing the PDF application available online. This plan reduces the normal weekly hours of work and wages of three or more employees by at least 20% and not more than 40%.

In most cases, employees must wait for a short period before receiving unemployment insurance benefits.

Employees must be available to their Work Share employer for full-time hours, even when on the reduced-hours plan.

Seasonal declines in business do not make employers eligible for Work Share.

## What are the benefits to being on a Work Share Plan?

### EMPLOYER BENEFITS

- Offers staffing options when times are tough
- Provides a way to keep valued employees during slow times
- Helps you avoid expensive re-training
- Rewards staff loyalty
- Keeps your quality and efficiency high, even when times are slow
- Enables you to be better prepared to ramp up when the market does
- Provides confidential and discreet support for your business and your employees

### EMPLOYEE BENEFITS

- Helps avoid hardships usually associated with layoffs
- Unemployment insurance benefits reduce the impact of lost wages
- No job-hunting requirements as with traditional unemployment insurance claims
- Benefits stay intact, despite not being employed full-time
- Reduction in hours, while they need to be available to work for their employer at all times, gives schedule flexibility

## CAN ANYONE PARTICIPATE?

To participate in the Work Share Program, you must have three (3) or more employees who have worked for you at least part-time for one (1) year, or full-time for six (6) months. Those who have an unemployment insurance claim against another state or have previously exhausted their unemployment insurance benefits may not be eligible to participate in your plan.



## HOW DO I APPLY?

Employers apply to the Work Share Program on behalf of their employees by submitting a Work Share Plan Application to the Oregon Employment Department. Once your plan is approved, you will submit weekly one-page certifications regarding your enrolled staff's hours to the Employment Department. Your staff are then paid a portion of the unemployment insurance benefit corresponding to the reduction in their work hours.

CHECK OUT ALL OF THE PROGRAM FORMS ONLINE:  
**OregonWorkShare.org**

Do you have **QUESTIONS** about the Work Share program?  
Do you want to see if it's a **GOOD FIT** for you and your team?  
**REACH OUT** to a program specialist to learn more.

**CALL: 503.947.1800**  
**TOLL FREE: 1.800.436.6191**

All inquiries are confidential, so contact a specialist today to find out if Work Share is right for your business, now or down the road.

## PUTTING WORK SHARE TO WORK FOR YOUR BUSINESS

Work Share provides Oregon businesses an alternative to layoffs. This newly streamlined program allows employers to leverage unemployment insurance to temporarily supplement a portion of staff's lost wages when their hours are reduced.

## WHAT PARTICIPANTS ARE SAYING ABOUT WORK SHARE:

**IT'S SO EASY TO USE.** You check off a couple boxes on a one-page form and send it to the labor department. The lack of red tape is reassuring for everyone.

Lisa Maxim | Oregon Aero Inc

We were able to keep trained, key employees during slow times rather than having to lay them off. This **MADE US MUCH MORE PRODUCTIVE** when orders picked up, than if we were to hire new, untrained employees.

Robin Drinkwater | Encore Ceramics

The Work Share program is user-friendly and allows smaller companies to **RETAIN TALENTED, TRAINED EMPLOYEES** during sluggish economic times. The work required to participate in the program is minimal and most importantly, it keeps the employees happy.

Tina Hamel | Doty Pruett Wilson PC

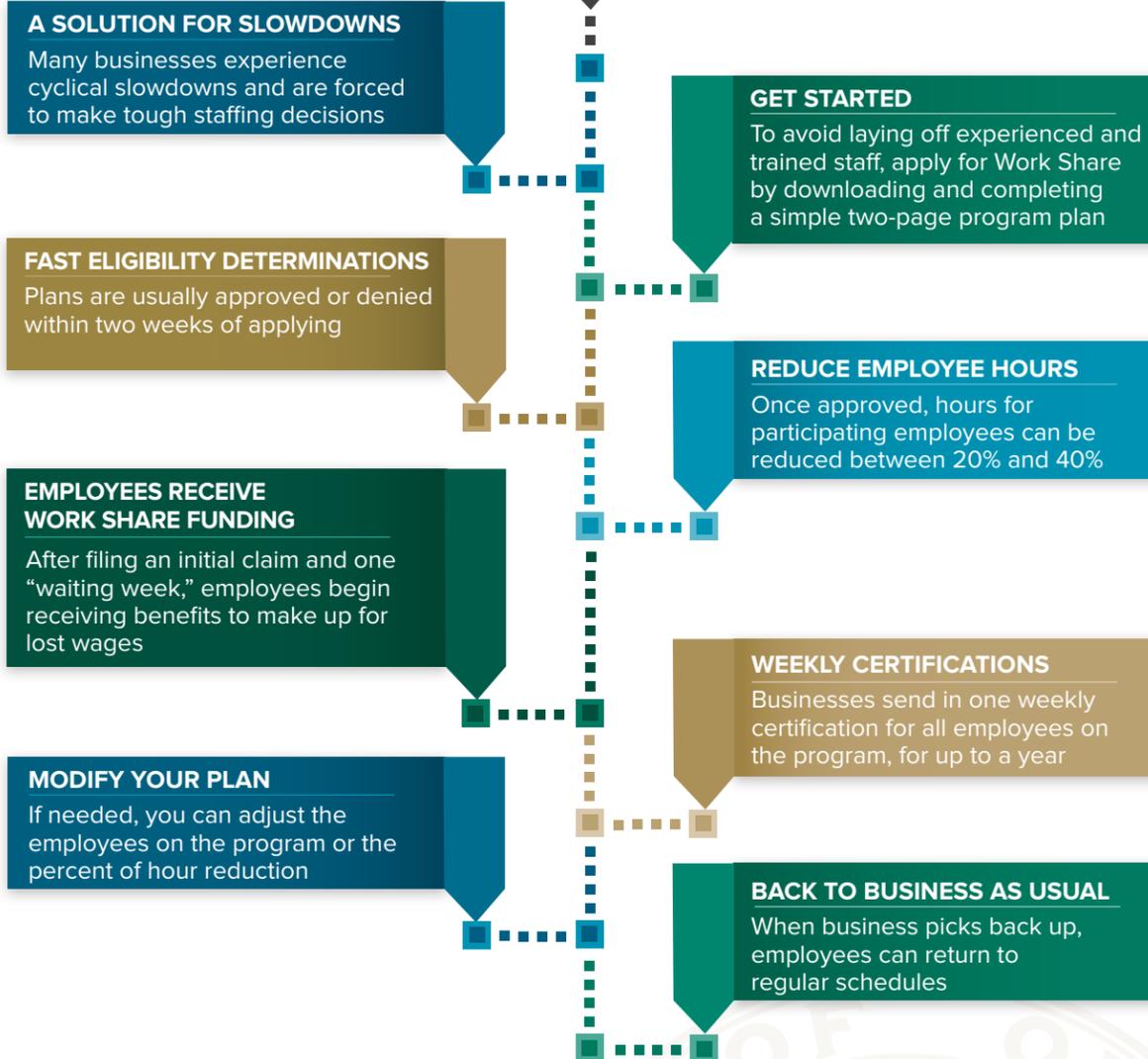
Sheldon Manufacturing has relied on Work Share primarily for employee retention. In many cases, we have employees who have been here for over 10, 15 or 20 years with a tremendous amount of **EXPERIENCE AND SKILL THAT WOULD BE VERY DIFFICULT TO REPLACE** if they were to leave.

Patrick Boileau | Sheldon Manufacturing

# WORKSHARE OREGON

HELPING YOU STRATEGIZE. INSTEAD OF DOWNSIZE.

## HOW TO AVOID LAYOFFS WITH OREGON WORK SHARE



## READY TO TAKE THE NEXT STEP?

Reach out to a program specialist for a confidential, no obligation conversation and find out if Work Share is right for your business now or down the road.



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

**503.947.1800** TOLL FREE: **1.800.436.6191**

[OED\\_WorkShare@Oregon.gov](mailto:OED_WorkShare@Oregon.gov)



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## WORK SHARE BY THE NUMBERS:

**30+ YEARS**



**20-40%**

WORK SHARE HAS HELPED Oregon businesses AVOID LAYOFFS

OF STAFF HOURS that can be reduced and supplemented by Work Share income

**3-500+**



NUMBER OF EMPLOYEES that can use the Work Share program

**1,702**

OREGON BUSINESSES that have used Work Share to avoid layoffs from 1983-2016

**\$1.2 MILLION**

Estimated new employee training COST SAVINGS for businesses using Work Share to retain skilled employees



**8,466**

OREGON JOBS SAVED through the Work Share Program as of August 2016

## WHY WORK SHARE?



### YOUR EMPLOYEES WILL THANK YOU:

Employees keep their jobs during a slowdown, maintain their benefits, receive funding to make up for lost wages and are not required to look for additional work while on the program



### SAVE MONEY:

Work Share helps you avoid costly hiring and training expenses



### LESS PAPERWORK, MORE SUPPORT:

Our streamlined processes and program experts make participation easy, so you can focus on your business.



### FLEXIBILITY:

Once enrolled, you can modify your plan throughout the year to keep pace with changing business needs



### CONFIDENTIALITY:

All program inquiries and participation are confidential

## COVID-19 Related Business Layoffs, Closures, and Unemployment Insurance Benefits

*Updated April 3, 2020*

The health and safety of workplaces is of utmost importance to the Oregon Employment Department. This summary provides general guidance to employers, workers, and job seekers who may be impacted by the COVID-19 coronavirus. This document will be updated as more information becomes available. The Oregon Employment Department is working with partner agencies nationwide and the U.S. Department of Labor to ask for additional unemployment benefits options related to COVID-19.

### **What can I do to keep my workplace safe and reduce the risk of spreading coronavirus?**

Steps each of us can take to prevent the spread of COVID-19 coronavirus are the same as those to [prevent common colds and the flu](#). The Centers for Disease Control (CDC) also gives a thorough overview of [best practices for businesses](#), including encouraging sick employees to stay home, routine cleaning of commonly used surfaces, and work travel-specific considerations.

In addition, the CDC encourages reducing workplace exposure by considering flexible worksites (e.g., telecommuting), flexible work hours such as staggered shifts, and alternatives to large group meetings where possible to increase the physical distance between people in the workplace.

## CARES Act

The CARES act was signed into law on March 27, 2020 and will expand Unemployment Insurance benefits. We are working to incorporate these new changes into our resource guides, and will issue a news release and additional online announcements about pandemic unemployment assistance and unemployment benefit extensions as we receive guidance from the U.S. Department of Labor.

If you have not already filed [an initial claim application](#), please do so. If you have filed, make sure you claim each week you want to request benefits. We will let you know your options under the federal legislation as soon as possible.

In the near future, we will provide guidance to our customers on the:

- Federal Pandemic Unemployment Compensation weekly benefit of \$600
- Benefits for self-employed individuals, including those working in the “gig” economy
- Expansion of unemployment benefits for individuals whose benefits will soon expire
- Benefits for individuals unable to start new work because of the pandemic

# Workers

The Oregon Employment Department provides Unemployment Insurance (UI) benefits to most workers who are out of work through no fault of their own. To get benefits, workers must meet some requirements. In general, to receive UI benefits for a week, you must be able to work, be available for work, and look for work you can do.

## **Can I get Unemployment Insurance benefits if I am receiving employer-paid leave, vacation or Paid Time Off (PTO)?**

No. Workers receiving those funds are not eligible for Unemployment Insurance benefits.

## **Can I get Unemployment Insurance benefits if I am receiving sick, vacation or Paid Time Off (PTO) from my employer?**

No. Workers who receive paid leave are not eligible for unemployment insurance.

## **What can I do if my workplace temporarily closes because of coronavirus?**

UI benefits may be available to those who are on a temporary layoff. These benefits occur for claimants whose employer stops operation for a short period of time, such as cleaning following a coronavirus exposure or by government requirement. Workers can get UI benefits, and do not need to seek work with other employers. You must be able to work, stay in contact with your employer, and be available to work when called back.

## **Do I have to look for other work if my employer temporarily closes because of the coronavirus?**

If your employer expects to re-open in the future, you do not actively have to look for another job to receive benefits. To get benefits, you must:

- Be able to work;
- Stay in contact with your employer; and
- Be available to work when your employer calls you back to work.

If you are not still in contact with your employer, you are currently considered to be actively seeking work if you are doing what you can to be prepared to return to new work or find new employment

- Note that when filing an [online claim](#), our systems require you to enter your work search. You can bypass this by marking the temporary layoff option.
- During your temporary layoff period, please keep a written work search log in case it is requested in the future.

## **If I am forced to remain in my home, either because I am sick or am under quarantine, will I be eligible for unemployment benefits?**

- Yes. A person will be considered available to work if they are:
- Quarantined by their health care provider, or by advice issued by public health officials to self-quarantine due to possible risk of exposure to, or spread of, the novel coronavirus, but they are not sick;
- Home sick because of the novel coronavirus or a condition with similar flu like symptoms and they have not turned down an offer of work since they began being at home due to the sickness; or
- Hospitalized, or in other institutionalized care, due to the novel coronavirus, but for less than half of the week, and they did not turn down an offer to work that week.

**What if my employer is paying me while they are closed?**

Generally, you will not be eligible for benefits if your employer is paying you to remain away from the site or as stand-by pay.

**Will I be eligible for unemployment benefits if my employer remains open but I don't want to come to work because of the risk of exposure to the coronavirus?**

You may be eligible for benefits. You can file a claim, and the Employment Department will gather information from you and your employer to see if benefits would apply.

**What if I am allowed to work from home for my job to reduce risk of getting coronavirus, and I don't want to work offsite?**

Generally you will not be eligible for unemployment benefits. You can file an [initial claim](#) to determine the possibility of receiving benefits.

**What if I can take vacation or other leave pay while my employer is closed?**

If you are getting vacation or other leave pay while your employer is closed, you generally are not able to also receive unemployment insurance benefits.

**Can employees with COVID-19 coronavirus take sick leave?**

The Oregon Bureau of Labor and Industries issues guidance related to Oregon's [sick time](#) and other leave time laws.

**What if I have COVID-19 coronavirus, and I got it at my workplace?**

Contact the Workers' Compensation Division of the Department of Consumer and Business Services for information on filing a [workers' compensation claim](#) related to coronavirus. They can also be contacted at 800-452-0288 or [workcomp.questions@oregon.gov](mailto:workcomp.questions@oregon.gov).

**Will I get unemployment benefits if I become seriously ill with COVID-19 coronavirus and I have to quit my job?**

You will generally not be eligible for unemployment benefits if you quit your job. You can file still an [initial claim](#) to find out if you can receive benefits.

**What if my employer goes out of business as a result of COVID-19 coronavirus?**

Generally, you will be eligible for unemployment benefits. To find out if you are eligible, file an [initial claim](#). We will gather information from you and your employer about your circumstances to determine your eligibility.

**Are any benefits available if I'm out of work due to the coronavirus and I'm self-employed?**

Self-employed individuals generally do not pay Unemployment Insurance taxes and are not eligible for benefits. You can still file [an application](#) for a benefits claim.

**I am a school employee and schools are closed. Can I file for unemployment benefits?**

Unemployment benefits may be available to school staff who are out of work due to the closure and are not actively seeking work with other employers. You must be able to work, stay in contact with your employer during the temporary layoff, and be available to work when called back. If your district spring break is during the closure, other provisions may apply.

### **If I am a school employee, can I get unemployment benefits during spring break?**

Generally, you will not be eligible for benefits during the normal spring break period if you are expected to return to your job after the break. You may be eligible and can [file a claim](#) for other weeks during the closure that are not part of your normal spring break.

### **I am a home healthcare worker. Can I receive unemployment benefits?**

Whether you are paid by the Department of Human Services, another agency, or an independent contractor, you can [file a claim](#) for unemployment benefits. The Employment Department will review each case and determine if you can receive benefits based on current law and the circumstances of the COVID-19 coronavirus.

## **Job Seekers**

The Oregon Employment Department provides Unemployment Insurance (UI) benefits to most workers who are out of work through no fault of their own. To get benefits, workers must meet some requirements. In general, to receive UI benefits for a week, you must be able to work, be available for work, and look for work you can do.

### **How can I look for work when there is a Stay Home, Save Lives order because of the COVID-19 pandemic?**

A person will be considered “actively seeking work” if they are willing to look for work when state and local emergency declarations related to the coronavirus expire or otherwise are no longer in effect.

### **Can I qualify for Unemployment Insurance benefits if I all I can only work part-time?**

Yes. A person will be considered “available to work” if they normally work less than full-time and are only available for less than full-time work.

### **What if I am unemployed and I am sick or quarantined with COVID-19 coronavirus?**

If you are sick due to the coronavirus, you are likely not able and available to work. That would mean you cannot receive unemployment insurance benefits. Being able to work means that you are physically and mentally able to do the work you are looking for or usually do, unless:

- You were sick or injured for less than half of the week; or
- You have a long-term condition preventing you from working, but you can still do some work.

If you had an opportunity to work, but did not because you were sick, you likely cannot receive unemployment insurance benefits for that week, but may be eligible for benefits for other weeks.

### **How can I meet my welcome process and job seeker registration or in-person meeting requirements if I am sick with coronavirus?**

Please call your [WorkSource Oregon center](#) to ask about completing your appointments by phone or Skype.

**I am looking for a job, and I have to stay home to care for a family member or my children due to lack of school or childcare. Can I still get unemployment benefits?**

Yes. If you are home because you are caring for a family member due to the effects of COVID-19, you are considered available for work and will want to report that on your weekly claim. If you are home solely because you lack childcare for your child or children due to school or daycare closure, you are considered available for work and will want to indicate that on your weekly claim.

**I am staying home by order of a medical professional or at the direction of the government. Will I be eligible for unemployment benefits?**

Generally, yes, you would be considered available for work. If you have turned down work with a new employer, that could affect your benefit eligibility. You will still need to actively seek work, unless you are temporarily away from your normal job.

**My unemployment benefits are almost done. Are benefit extensions available?**

If you have not already filed [an initial claim application](#), please do so. If you have filed, make sure you claim each week you want to request benefits. We will let you know your options under the federal CARES Act legislation as soon as possible.

**If I am trying to file a claim but I cannot get through by phone this week, can I report it next week and still get benefits for this week?**

If at all possible we encourage you to go online to file a [new claim or restart your existing claim](#). With the current climate our phone lines are busier than usual, we will check your situation and go back to the prior week when appropriate.

## **Employers**

**What is [WorkShare](#) and how can it benefit my employees and me?**

This program seeks to prevent layoffs. Employers voluntarily make an agreement with the Oregon Employment Department to temporarily reduce employee hours, and workers with reduced hours are eligible for partial unemployment.

**How does the CARES affect non-profit organizations, tribes, and local governments?**

The CARES Act provides federal funding to cover half of the costs of reimbursable benefits and provides additional flexibility for these entities to pay the other half over time. Workers for these entities are eligible for the weekly \$600 Pandemic Unemployment Compensation.

**What if I have to lay people off or temporarily close my business because of issues related to COVID-19?**

Those workers may be able to receive Unemployment Insurance benefits. UI benefits may be available to those who are on a temporary layoff. These benefits occur for claimants whose employer stops operation for a short period of time, such as cleaning following a coronavirus exposure, or by government requirement. In these cases, employees expect to be back to work in four weeks or less. Workers can get UI benefits, and do not need to seek work with other employers. They must be able to work, stay in contact with you as their employer, and be available to work when you call them back to the job.

**What if I permanently close my business because of COVID-19 coronavirus?**

The Higher Education Coordinating Commission has [rapid response services](#) to plan for job transitions needed when a business closure or mass layoff occurs, including cases of natural and other disasters. Local Rapid Response teams coordinate with employer, worker representative, Trade Act and Labor.

**I am a member of a limited liability company (LLC) and I have not requested to opt in to Unemployment Insurance. Can I file for benefits?**

Yes, anyone can file for Unemployment Insurance benefits. Currently excluded LLC members may elect coverage. Additional information is available from our Unemployment Insurance [Tax division](#).

**I am a member of a limited liability company (LLC) that has opted into Unemployment Insurance coverage, can I file for unemployment benefits?**

Yes, anyone can file for unemployment benefits. In this case LLC members could receive benefits if they meet all eligibility requirements.

**I still have questions. Who can I ask?**

The Employment Department has also created the [OED COVID19 Info@oregon.gov](mailto:OED_COVID19_Info@oregon.gov) mailbox for coronavirus questions related to employer and job seeker programs and services.

FOR IMMEDIATE RELEASE: April 28, 2020

CONTACT INFORMATION

[Gail Kiles Krumenauer](#), Communications Director

Phone: (503) 947-1268

## **Pandemic Unemployment Assistance Available in Oregon**

Starting today, the Oregon Employment Department is providing unemployment benefits through the CARES Act Pandemic Unemployment Assistance (PUA) program. In preparation, the agency has recruited and trained staff to process PUA claims.

### **Eligibility**

Oregonians who are eligible for this program include individuals who do not qualify for or cannot collect benefits on a regular unemployment insurance claim. This includes Oregonians who:

- are self-employed and not subject to unemployment insurance tax;
- perform work as an independent contractor;
- perform work not subject to unemployment insurance tax, such as agricultural workers;
- did not earn enough in wages or work enough hours to qualify for regular unemployment benefits;
- exhausted regular unemployment benefits, and are not eligible for another extension.

In addition, to be eligible, you must be unemployed, partially unemployed, or unable and unavailable for work due to the COVID-19 pandemic. Covered situations include individuals who:

- are directly caring for a member of the household diagnosed with COVID-19;
- have been diagnosed with COVID-19, or are seeking a medical diagnosis for COVID-19;
- are unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID-19 public health emergency;
- are primary caregivers for a child or person in the household who is unable to attend school or another facility closed due to COVID-19, and that attendance is required for their work;
- were scheduled to start a new job and were unable to because the business closed as a direct result of COVID-19 public health emergency; or
- owned or worked for a business that closed as a direct result of the COVID-19 pandemic.

Federal law provides that PUA benefits are retroactive to the first week a worker was impacted by a qualifying COVID-19 reason, potentially from the week starting February 2, 2020 through the week ending December 26, 2020. The PUA process can take as little as one week or several weeks, depending on the claim complexity.

### **How to Apply**

Please access the PUA application and certification forms on the [CARES Act](#) section of the Employment Department's COVID-19 web page. There are three ways to start a new application for PUA benefits.

**E-mail:** You can email [OED\\_PUA\\_INFO@oregon.gov](mailto:OED_PUA_INFO@oregon.gov) to request a secure email link, then attach your PUA application and weekly claim reports to the secure email. Please only use the secure e-mail link we send to provide personal identifying information relevant to your claim.

**Mail:** You can mail your PUA application and weekly claim reports to Oregon Employment Department at P.O. Box 14165, Salem, OR 97311.

**Fax:** We have several fax machines linked to the 503-371-2893 fax number for your PUA application and weekly claim reports.

The [CARES Act](#) page also provides information for self-employed, contract, gig, and other PUA-eligible workers who filed regular claims for unemployment benefits prior to the start of the program.

Equal Opportunity program — auxiliary aids and services available upon request to individuals with disabilities. Contact: (503) 947-1794. For people who are deaf or hard of hearing, call 711 Telecommunications Relay Services.



# SBA Express Bridge Loan Pilot Program (EBL)

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**Funder Organization:** Lenders authorized to issue U.S. Small Business Administration (SBA) Express guaranteed loans.

**Program URL:** <https://www.sba.gov/sites/default/files/2020-03/Express-Bridge-Loan-Pilot-Program-Guide-FINAL-3.25.20.pdf>

**Type of Fund:** Loan

**Target Audience or Geography:** Small Business Owner / Nationwide

**Estimated Time of Arrival for Public Rollout:** Currently available from some SBA Express Lenders

## Brief Program Description

This program modifies and eases traditional SBA 7(a) program lending criteria which in turn requires less paperwork from small business loan applicants. These modifications are limited to existing SBA Express lenders. Loans are capped at \$25,000 and borrowers are limited to one EBL loan per disaster declaration. The program ends on March 13, 2021 and EBL loans must be approved on or before this date, evidenced by issuance of an SBA loan number. Fees are limited to: (a) upfront SBA guaranty fee of 2%; (b) application fee of 2% or \$250, whichever is greater; (c) late payment fee not to exceed 5% of scheduled payment; and (d) reasonable direct costs of liquidation.

## Eligibility Requirements

SBA Express lenders may only make EBL loans to eligible small businesses with which the lender had an **existing** banking relationship on or before March 13, 2020, the date of the disaster declaration. Lenders that make EBL loans must follow their established and proven internal policies and procedures used for their similarly-sized, non-SBA guaranteed commercial loans. EBL applicants must meet all other SBA 7(a) loan eligibility requirements.

## Ineligibility Restrictions

The restrictions are the same as the traditional SBA 7(a) program and individual bank loan policies. The SBA cannot guarantee a 7(a) loan, including an EBL loan, to a small business with an associate who is:

- a) Incarcerated, on probation, on parole (an individual with a deferred prosecution is treated as if the individual is on probation or parole); or
  - b) Currently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction.
- The character evaluation process to determine eligibility begins with the applicant and associates answering the applicable questions on SBA Form 1919,

Unless waived by SBA for good cause, SBA cannot provide assistance to an EBL applicant if there is a Delinquent Federal Debt or if there has been a Prior Loss to the Government.

## Use of Funds

Funds must be used exclusively to support the survival and/or reopening of the small business. For the COVID-19 Emergency Declaration, EBL loan proceeds must be disbursed as working capital.

**Interest Rates:** Maximum of 6.5% over WSJ Prime.

**Loan Term:** EBL loans must be structured as term loans (non revolving), for a maximum repayment period of 7 years.

**Collateral Requirements:** Lenders are not required to take collateral for EBL loans.

**Loan Program Payment Deferment (if any):** None.

**Forgiveness Terms (if any):** None.

## Application Submittal Process

Determined by individual lending institution.

**Required Forms and Documentation:** Determined by individual lending institution. The lender's application material will vary from lender to lender with most asking for a loan application, personal financial statement, tax returns, and financial statements. Nevertheless, all lenders need to collect the following from applicants:

1. SBA Form 1919 – Borrower Information Form
2. IRS Form 4506-T – Request for IRS Transcript
3. SBA Form 912, if applicable (determined by responses on Form 1919)
4. SBA Form 601, if applicable (for construction costs exceeding \$10,000)

## Program Contact Information

For more information, contact your SBA Express business banker.

**Program Forms:** N/A, contact your business banker.

**Frequently Asked Questions:** N/A

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