



COVID-19 Resources

Updated: April 8, 2020

Am I exempt?

- How do I know my business is considered exempt?
 - Direct them to the governor's [20-25 Coronavirus Stay Safe-Stay Healthy](#), and [Construction Guidance Memo](#)
- My case/business isn't clear, how can I get more information?
 - Direct them the Essential Business Inquiries [website](#)
- What part of my business am I still allowed to do?
 - Most of the questions our members have had were answered during our BIAW Member Town Hall which they can watch: [Ask a Lawyer about Enforcement of the Governor Inslee's Order](#)
- Are there any activities that I can do during the order to support my business?
 - Even if you are not deemed an essential business, regular activities such as payroll are still allowed.

What financial programs are available to my business?

BIAW held a webinar with officials from the Small Business Administration and WA State Employment Security Division that answered a number of frequently asked questions. It can be viewed [here](#).

- I'm self-employed, do I qualify for any programs?
 - Yes. The Small Business Administration is accepting applications for grants and loans from self-employed persons.
 - WA State Employment Security will be taking applications for unemployment insurance mid-April from self-employed persons.

Internal Revenue Service:

In addition to extending the tax filing deadline until July 15, 2020, the IRS announced that Americans who owe federal taxes can defer their payment for 90 days from the original April deadline, interest and penalty free, up to \$1 million.

- **Tax Credits:** [COVID-19 IRS Payroll Tax Credits Available to Small & Midsized Employers »](#)
- [CARES Act Employee Retention Credit](#): The Employee Retention Credit is a fully refundable tax credit for employers equal to 50 percent of qualified wages (including allocable qualified health plan expenses) that Eligible Employers pay their employees. This Employee Retention Credit applies to qualified wages paid after March 12, 2020, and before January 1, 2021.
 - The maximum amount of qualified wages taken into account with respect to each employee for all calendar quarters is \$10,000, so that the maximum credit for an Eligible Employer for qualified wages paid to any employee is \$5,000.

Internal Revenue Service:

- Eligible employers for the purposes of the Employee Retention Credit are those that carry on a trade or business during calendar year 2020, including a tax-exempt organization, that either:
 - Fully or partially suspends operation during any calendar quarter in 2020 due to orders from an appropriate governmental authority limiting commerce, travel, or group meetings (for commercial, social, religious, or other purposes) due to COVID-19
 - Experiences a significant decline in gross receipts during the calendar quarter.

Small Business Administration:

The CARES Act, which contains \$376 billion in relief for American workers and small businesses, is accessible now for small businesses. The SBA has created robust programs that include bridge loans, debt relief, Paycheck Protection and economic injury disaster loans.

- **Paycheck Protection Program:** The Paycheck Protection Program is a loan designed to provide a direct incentive for small businesses to keep their workers on the payroll. SBA will forgive loans if all employees are kept on the payroll for eight weeks and the money is used for payroll, rent, mortgage interest, or utilities and is available until June 20, 2020.
 - [Learn more »](#)
 - [Find a qualified lender near you »](#)
- **Economic Injury Disaster Loan:** This loan advance, which does not have to be repaid, will provide up to \$10,000 of economic relief to any small business with less than 500 employees (including sole proprietorships, independent contractors and self-employed persons), private non-profit organization or 501(c)(19) veterans organizations affected by COVID-19. You do need to apply for SBA assistance, which also includes larger loans with no payments for 12 months at a rate of 3.75% for business owners. The agency has streamlined the application process and you are eligible for the \$10,000 regardless if you've been denied a loan in the past. The application is [here](#).

If you have any questions about SBA, check out their [FAQs](#) on the Paycheck Protection Program.

Washington State Department of Revenue:

- **B&O Tax:** The Washington State Department of Revenue is allowing businesses to request a one-time, 24-month penalty waiver if you have not owed a late penalty in the last 24 months. Also, businesses can request a 30-day extension of B&O taxes without payment or 30+ days with deposit. [Find out more](#)

Washington State Small Business Emergency Grant:

- Announced by Governor Inslee on April 7th, this program will award businesses with few than 10 employees, who have been in business for at least a year, up to \$10,000.
- Awards will be approved on a case-by-case basis and are dependent on the availability of funds. The objective is to support businesses through the crisis and enable them to retain as many employees as possible. To complete the application form, [click here](#)

Washington State Employment Security Division:

If you or an employee is affected by COVID-19, Employment Security has programs that may be able to help. The agency has adopted a series of emergency rules to relieve the burden of temporary layoffs, isolation, and quarantine for workers and businesses. [Learn more »](#)

Am I or are my employees eligible for unemployment? Many will also ask you if they should lay-off employees, but that is a business decision that each business owner must make for themselves. [Employment Security Department Employer, Employee, and CARE Act FAQ »](#)

- The WA State Employment Security Division has a great COVID website that is being constantly updated. You can consult this [sheet](#), which provides answers for a variety of situations: Additional information for employers is found [here](#).
- When an employee applies for benefits, they should select "laid off" as the reason for separating from an employer. Choose "Company temporarily closed" from the secondary options. This does not apply to employees who are considered essential critical infrastructure workers, as outlined by the governor.
 - Work search requirements are optional for all claimants until further notice.
 - Employees can request standby status for up to 12 weeks.
 - The one-week waiting period to be eligible for unemployment benefits is waived.

Paid Family Medical Leave (PFML)

- **Washington State - Paid Family and Medical Leave (PFML):** If an employee is sick with COVID-19, as with any other illness, a healthcare provider must certify that they are unable to work in order to qualify for Paid Family and Medical Leave. Quarantine (and school closures) are not qualifying events under this program. [Learn more »](#)
- **Federal - Family and Medical Leave Act (FMLA):** Giving all American businesses with fewer than 500 employees funds to provide employees with paid leave, either for the employee's own health needs or to care for family members. [Learn more »](#)

Other FAQs:

- I need documents notarized during the order, what can I do?
 - Governor Inslee has used an emergency order to allow for electronic notarization, passed last session, to be effective immediately. Learn more [here](#)
- How can I use technology to keep in touch during the order?
 - Review BIAW's [electronic-conferencing blog](#) for tips and suggested tools
- How do I hold my permits?
 - Refer to BIAW Blog post - <https://biaw.com/Blog?ID=101000>
- What if my employees or my family need additional help?
 - Connect people with crisis services like applying for food, child care, cash, long-term care and health care. [Get help »](#)

Communicating with Homeowners:

- Homeowners are asking us what is considered essential? Can my contractor keep working?
Can I make my contractor keep working?
 - Direct them to the governor's [20-25 Coronavirus Stay Safe-Stay Healthy](#), and [Construction Guidance Memo](#)
 - Use this sample email to homeowners:

Thank you for your email/call. For your review, I am attaching a copy of the Governor's Proclamation and Guidance documents.

As you can see he significantly narrowed the original order which allowed for "housing construction." We do not anticipate we will get further clarification from his office in the near future. His order allows for continued construction "to prevent spoliation and avoid damage or unsafe conditions, and address emergency repairs at both non-essential businesses and residential structures."

We suggest you work closely with your contractor, and if more clarification is needed you can pass along to them the phone number for the governor's office: (360) 902-4111. They may be able to assist you or your contractor or wish to hear your thoughts on this.

Lastly, additional information can be found on our Facebook page and on our website at <https://biaw.com/COVID19> - as mentioned - if this contractor is a member of a home builders association in your area, please let them know they can reach staff with their very specific questions by emailing to info@biaw.com