iDonate.

Seeking Forgiveness for a Paycheck Protection Program Loan

With Updates as of July 22, 2020 Continue to Check SBA's Website

#NPQCovid



This information is provided for general informational and educational purposes only and does not constitute legal, accounting or financial advice. Please note guidance is changing regularly. We encourage you to check with the SBA and your lender for updated guidance and check our FMA toolkit for updated materials.

Q&A Controls



NOTE: All attendees are muted. You can change your speaker or audio output by clicking on "Audio Settings ^"

Q&A

- Ask your questions using the Q&A
- Your name will be displayed along with your question – select "Ask Anonymously" to remove your name prior to submitting your question.
- Can "upvote" someone else's question.
- Click the Q&A icon to see all asked questions.
- Feel free to submit comments. These are visible to all panelists and attendees.



What are we covering today?

- 1) What should we expect from the Forgiveness Application and related process?
- 2) What are the differences between the standard application and EZ form?
- 3) What do we need to Collect, Calculate, and Complete for each section of the application?



Background - Check out *Managing Your Loan* Guidance

- 1) Details of Eligible Expenses for Forgiveness
- 2) Details of Expense Timing(Paid and Incurred)
- 3) Covered PeriodDefinitions and 8 vs.24 Weeks



Paycheck Protection Program 202: How Nonprofits Can Manage Their Loans & Forgiveness

With Updates as of June 17, 2020 Following Congressional Passage of the PPP Flexibility Act

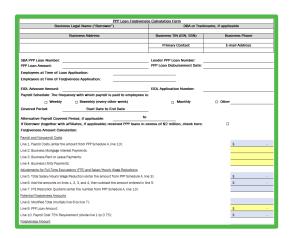
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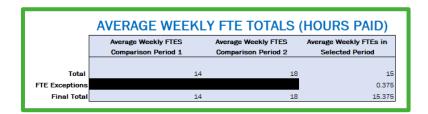
https://fmaonline.net/ppptoolbox/



Lots of Tools Available for You on Forgiveness!



Forgiveness Application Simulator and Estimator (Excel)



FTE Estimator (Excel)

Guidance on Estimating FTEs to Determine PPP Loan Forgiveness Amount

As of July 13, 2020

This Guidance addresses estimating FTEs as part of determining loan forgiveness under the Paycheck Protection Program (PPP). FMA's companion piece, Average Weekly FTE Estimator, is a tool to help in making these estimates.

The areas covered in this Guidance include:

- . Background on the Use of FTEs in the PPP
- Basics of Calculating Average Weekly FTEs
- Hours Paid Method of Calculation of Average Weekly FTEs (aka Mathematical)
- Simplified Method of Calculation of Average Weekly FTEs
- Exceptions to the Rules for Calculating FTEs: Adding FTEs Back in
- Safe Harbors in the PPP: How to Handle FTEs
- Where Do I Start? What Steps Should I Take?

Guidance on Estimating FTEs



FAQs



https://fmaonline.net/ppptoolbox/

What should we expect from the Forgiveness Application and related process?

What are the steps for getting forgiveness?

Sample Process You Might See After Your Forgiveness Period Ends.

You Have Up to 10 Months to Submit Your Application:

Gather
Documents &
Complete
Application
(May Be
Online Portal)

Submit
Forgiveness
Application &
Documents to
Your Lender

Lender
Verifies Info
& May Have
Questions

Lender Has
60 Days to
Send to SBA
and SBA
Reviews

SBA Has 90
Days to
Review &
Lender
Notifies You of
Result

Consider Pre-Filling Out the Standard SBA PDF Application, Understanding

Lenders May

Customize

Follow
Lender's
Instructions
Carefully

Be Patient and Responsive

Be Patient and Responsive

More
Information
Coming on
Appeal
Process



Forgiveness Application: Two Options

Standard Application

Paycheck Protection Program OM Loan Forgiveness Application Revised June 16, 2020 PPP Loan Forgiveness Calculation Form		MB Control Number 3245-0407 Expiration Date: 10/31/2020		
Business Legal Name ("Borrower")		DBA or Tradename, if applicable		
-				
Business Address		Business Phone		
		() -		
	Primary Contact	E-mail Address		
SBA PPP Loan Number: Lender PPP Loan Number: PPP Loan Amount: PPP Loan Disbursement Date:				

Form EZ

	Paycheck Protection Program PPP Loan Forgiveness Application Form 3508EZ		
Business Legal Name ("Borrower")		DBA or Tradename, if applicable	
Business Address		Business TIN (EIN, SSN)	Business Phone
			() -
		Primary Contact	E-mail Address
SBA PPP Loan Number: Lender PPP Loan Number:			
PPP Loan Amount:	PPP Loan Disbursement Date:		
Employees at Time of Loan Application: Employees at Time of Forgiveness Application:			ntion:

Each has an accompanying set of instructions.

Take a breath. You've probably filled out more cumbersome grant applications. Or your own taxes. We're here to break it all down.

https://home.treasury.gov/policy-issues/cares/assistance-for-small-businesses

Can I Use Form EZ?

The forms ask for similar information and you may not notice a major difference if your lender is using an online portal. But so you're aware:

You can use Form EZ If You Meet A and either B or C:

Wage Reduction Check

A

You did not reduce the annual salary or hourly wage of <u>any</u> employee* by more than 25% during the Covered Period (8 or 24 weeks) compared to the period between 1/1/20 and 3/31/20? (*This applies to any employees who made less than \$100k annualized on each paycheck in 2019)

+ B Or C

Workforce Reduction Check

You did not reduce the number of employees or average paid hours of employees between 1/1/20 and as of the end of the Covered Period.

(Ignore reductions that occurred during the Covered Period from the following when comparing: Inability to rehire similarly qualified employees; employees requested a reduction in hours; firings for cause; or voluntary terminations)

Health & Safety Compliance Check

You did experience reductions in "business activity" compared to prior 2/15 levels as a result of complying with health directives related to COVID-19 (e.g., social distancing, sanitation, etc.).

We're Going to Help You Get Here:



Paycheck Protection Program Loan Forgiveness Application

OMB Control Number 3245-0407 Expiration Date: 10/31/2020

PPP Loan Forgiveness Calculation Form

Covered Period: April 17, 2020 to June 11, 2020 Alternative Payroll Covered Period, if applicable: to If Borrower (together with affiliates, if applicable) received PPP loans in excess of \$2 million, check Forgiveness Amount Calculation:	c here:
Payroll and Nonpayroll Costs Line 1. Payroll Costs (enter the amount from PPP Schedule A, line 10):	36,385
Line 2. Business Mortgage Interest Payments:	0
Line 3. Business Rent or Lease Payments:	5,000
Line 4. Business Utility Payments:	3,000
Adjustments for Full-Time Equivalency (FTE) and Salary/Hourly Wage Reductions Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):	4,000
Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract the amount entered in line 5:	40,385
Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, line 13):	.825
Potential Forgiveness Amounts Line 8. Modified Total (multiply line 6 by line 7):	33,317.63
Line 9. PPP Loan Amount:	55,000
Line 10. Payroll Cost 75% Requirement (divide line 1 by 0.75):	60,641.67
Forgiveness Amount Line 11. Forgiveness Amount (enter the smallest of lines 8, 9, and 10):	33,317.63

When is the "Covered Period"?

The primary purpose of the loan is to use it on allowable expenses during the Covered Period: the 8 or 24 weeks following when you received it. The allowable spending you have during this 8 or 24 weeks is what will count for forgiveness.

How To Define the Period: 8 Weeks aka 56 Days or 24 Weeks aka 168 Days

The Covered Period starts with the loan disbursement date.

However, for administrative convenience, organizations can calculate eligible payroll costs using an Alternative Payroll Covered Period if they are on a <u>bi-weekly or more frequent</u> schedule, delaying the start of their 8 or 24-week period to the first day of their first payroll following when the loan was disbursed. This is not an option for semi-monthly or monthly payrolls.

Choices You'll Need to Make During Your Application Journey – Be Prepared

Covered Period
Starts on the Date of
Loan Disbursement

OR

Alternative Covered Period
Only for Payroll Expenses. Starts
on the Date of Your First BiWeekly or More Frequent Payroll
After Loan Disbursement.

8-Week Period

OR

24-Week Period

Standard FTE Calculation Hours Paid Per Week / 40

OR

Simplified FTE Method ≥ 40 Hours = 1 FTE

< 40 hours = .5 FTE

FTE Comparison Period Option 1 2/15/2019 - 6/30/2019

OR

FTE Comparison Period Option 2 1/1/20 - 2/29/2020

Also a third optional for seasonal employers

Questions?

What do we need to Collect, Calculate, and Complete for each section of the application?

Ultimately Here's What You Need to Calculate

Maximum Amount Eligible for Forgiveness

Payroll and Nonpayroll Costs

Line 1. Payroll Costs (enter the amount from PPP Schedule A, line 10):

Line 2. Business Mortgage Interest Payments:

Line 3. Business Rent or Lease Payments:

Line 4. Business Utility Payments:

Less Penalties

Adjustments for Full-Time Equivalency (FTE) and Salary/Hourly Wage Reductions

Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):

Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract the amount entered in line 5:

Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, line 13):

Potential Forgiveness Amounts

Line 8. Modified Total (multiply line 6 by line 7):

Line 9. PPP Loan Amount:

Line 10. Payroll Cost 60% Requirement (divide line 1 by 0.60):

Forgiveness Amount

Line 11. Forgiveness Amount (enter the smallest of lines 8, 9, and 10):

60% on Payroll Check

Forgiveness Amount

What Core Documents Do You Need to Collect First?

- Payroll reports overlapping with your covered period (paid and incurred) <u>listed by each employee</u> showing cash compensation and employer paid state/local taxes.
- Reports or statements showing employer paid benefits showing health insurance as well as retirement (both excluding employee contributions)
- ✓ Reports listed by employee showing <u>FTE count</u> or <u>number of hours worked per week</u> (i) as of January 1, 2020; during your covered period; (ii) between 2/15/19 6/30/19; (iii) between 1/1/20 2/29/20. If you already know if (ii) or (iii) will show lower FTEs, just grab the lower one. For exempt employees, you will need to understand the standard number of hours they are paid for (e.g., 40, 32)
- ✓ List of <u>rent, lease payments for real or personal property and mortgage interest payments</u> from arrangements in place before 2/15/20 that were paid or incurred during the covered period
- ✓ List of <u>utility payments</u> paid and payments incurred during the covered period (electricity, gas, water, transportation, telephone, and internet access in service before 2/15/20)

Check if your Payroll Company has created customized reports for you on PPP Forgiveness

What Other Documents Might You Need to Get Started?

Did you reduce salary level or hourly rates in 2020?

Gather the changes in those rates throughout 2020, starting 1/1/20

Will it be clear from other reports gathered who made ≤\$100k annualized for all pay periods in 2019?

➤ Gather a list of salaries as of 1/1/2019

Did you experience a staff reduction from 2/15/20 – 4/26/20 and then fully recover your FTE count by not later than 12/31/20?

Gather payroll or time tracking reports to understand the FTE count/# of hours worked per employee for

- □ 2/15/20 4/26/20 □ As of 2/15/20
- ☐ As of the Period you got your FTE count back up to 2/15/20 levels

Ultimately Here's What You Need to Calculate

Maximum Amount
Eligible for
Forgiveness

Payroll and Nonpayroll Costs

Line 1. Payroll Costs (enter the amount from PPP Schedule A, line 10):

Line 2. Business Mortgage Interest Payments:

Line 3. Business Rent or Lease Payments:

Line 4. Business Utility Payments:

Less Penalties

Adjustments for Full-Time Equivalency (FTE) and Salary/Hourly Wage Reductions

Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):

Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract the amount entered in line 5:

Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, line 13):

Potential Forgiveness Amounts

Line 8. Modified Total (multiply line 6 by line 7):

Line 9. PPP Loan Amount:

Line 10. Payroll Cost 60% Requirement (divide line 1 by 0.60):

Forgiveness Amount

Line 11. Forgiveness Amount (enter the smallest of lines 8, 9, and 10):

60% on Payroll Check

Forgiveness Amount

Let's Start with Payroll Costs

Payroll and Nonpayroll Costs Line 1. Payroll Costs:

During the 8 Week or 24 Weeks, Add Up What Was Paid and Incurred:



Payroll costs incurred but not paid during the Borrower's last pay period of the Covered Period (or Alternative Payroll Covered Period) are eligible for forgiveness if paid on or before the next regular payroll date.

¹Cash compensation includes salaries, wages and commissions (including to furloughed employees), tips, bonuses, hazard pay, paid leave, severance, and housing allowances.

Cash compensation eligible for forgiveness is limited to \$15,385 per employee is using an 8-week covered period or \$46,154 if using a 24-week period.

FN

Next, Let's Calculate Non-Payroll Costs

During the 8 Week or 24 Weeks, Add Up What Was Paid and Incurred:

Line 2. Business

Mortgage
Interest
Payments

Mortgage Interest Paid on Real or Personal Property on Obligations In Place by 2/15/20

+ Prorating the amount Incurred but not Paid

Line 3. Business
Rent or Lease
Payments

Rent or Lease Payments Paid on Real or Personal Property from Arrangements In Force by 2/15/20

+ Prorating the amount Incurred but not Paid

Line 4. Business Utility Payments

Electricity + Gas + Water + Transportation + Telephone + Internet Paid from Services that Began by 2/15/20

+ Prorating the amount Incurred but not Paid

An eligible nonpayroll cost must be paid during the Covered Period or incurred during the Covered Period and paid on or before the next regular billing date, even if the billing date is after the Covered Period.

Questions?

Ultimately Here's What You Need to Calculate

Maximum Amount Eligible for Forgiveness

Payroll and Nonpayroll Costs

Line 1. Payroll Costs (enter the amount from PPP Schedule A, line 10):

Line 2. Business Mortgage Interest Payments:

Line 3. Business Rent or Lease Payments:

Line 4. Business Utility Payments:

Less Penalties

Adjustments for Full-Time Equivalency (FTE) and Salary/Hourly Wage Reductions

Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):

Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract the amount entered in line 5:

Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, line 13):

Potential Forgiveness Amounts

Line 8. Modified Total (multiply line 6 by line 7):

Line 9. PPP Loan Amount:

Line 10. Payroll Cost 60% Requirement (divide line 1 by 0.60):

S Forgiveness Amount

Line 11. Forgiveness Amount (enter the smallest of lines 8, 9, and 10):

60% on Payroll Check

Forgiveness Amount

Now onto the first potential penalty: Salary Reduction

Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):

Here's What The Reduction is Trying to Get At:

Of (a) new employees who started in 2020 or

(b) the employees with avg. annualized salaries of \$100k or less during all pay periods in 2019

Who were paid during the Covered Period

<u>Did you reduce any of their salaries/hourly rates by more</u> <u>than 25%</u> (e.g., \$90k salary to \$45k salary or \$21/hr to \$14/hr –
just the rate, not hours of work)

During the Covered Period as compared to their salary or hourly rate between Jan 1, 2020 – March 31, 2020

First, figure out if you qualify for a Safe Harbor for restoring their salary.

If you don't qualify for the Safe Harbor, you need to calculate how much cash compensation above 25% each applicable person loss as a result.

Now onto the first potential penalty: Salary Reduction

Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):

Examples

There are tables in the application you can choose to use. You don't have to use them though. You just need have the data somewhere to back up your calculations.

Name	Start Date	End Date	Avg. Salary During 2019	Avg. Salary 1/1/20 – 3/31/20	Salary Reduced 2/15/20 - 4/26/20?	Avg. Salary in Covered Period	Salary at 12/31/20	Salary Reduction Result
Robin	8/1/18	N/A	\$75,000	\$78,000	No	\$78,000	\$78,000	None
Jill	5/1/16	N/A	\$130,000	\$130,000	Yes	\$90,000	\$90,000	None (2019 Salary > \$100k)
Zara	5/1/16	N/A	\$25/hr	\$25/hr	Yes	\$15/hr	\$25/hr	None (Salary Restored)
Antoni	2/1/20	N/A	N/A	\$120,000	No	\$75,000	\$75,000	\$2,307.69 (Started in 2020)
Sally	8/1/18	6/1/20	\$20/hr	\$20/hr	Yes	\$14/hr	N/A	\$160 (Assumes 20 hr/week)
Total Salary Reduction Penalty					\$2,467.69			

Check Out the Appendix for More Details on How to Calculate or on Page 4 + 5 of SBA Application Instructions Document

Now onto the other potential penalty: FTE Reduction

Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, line 13):

Here's What The Reduction is Trying to Get At: By what %, if any, did you reduce FTEs between: your Covered Period and either

if you're a seasonal employer, a 12-week period between 5/1/19 - 8/15/19?

How do I calculate Average FTE?

Your goal is add up the number of employees as FTEs you had during your Covered Period (e.g., 7 FTEs). Specifically, what is the sum of each of your employee's average weekly FTE over the Covered Period, rounding to the nearest tenth? You'll get to factor in some exceptions.

Two Ways to Calculate

Mathematical Method

1 FTE = 40 hours/week

Example: Someone who is paid for 16 hours/week = .4 FTE

Simple Method

Anyone who is paid for 40 hours/week or more = 1 FTE

Anyone who has fewer hours = .5 FTE

If you have a lot of part-time employees or a lot of changes in hours during 2020, probably easiest to use Simple Method.

What exemptions might increase my Average FTE?

The rules try to take into account that certain things may have happened with your employees. You get to add back in for lost FTEs for the following reasons:

Did you make a good-faith written offer to rehire an employee during the Covered
Period and it was rejected?
Was an employee fired for cause during the Covered Period?
Did someone voluntarily resign or request and receive a reduction of their hours
during the Covered Period?
Did you make a good-faith effort to rehire for a spot of someone who was an employee
on 2/15/20 had but you couldn't find a similarly qualified employee by 12/31/20?

Examples:

Jill was a full-time employee working 40 hours per week. She quit halfway through your covered period. You can still count her as 1 FTE for the full covered period.

Roderick was a full-time employee working 40 hours per week. They asked to go down to 20 hours per week for part of the Covered Period. You can still count them as 1 FTE for the full covered period.

How do I calculate Average FTE?

Employee	Average Hours Paid Per Week During <u>Covered</u> <u>Period</u>	Any Exemptions Kick In?	Average FTE (Mathematical)	Average FTE (Simplified)
Alice	30	Was at 30 hours and then fired for cause the second week of the Covered Period	.8 (Keep at expected level as if the firing hadn't happened)	.5
Jackson	40	No	1.0	1
Dianne	20	Requested Hours Be Reduced from 30 to 10 halfway through the Covered Period	O.8 (Keep at expected level as if the reduction hadn't happened)	.5
Rami	28	No	0.7	.5
Average FTE			3.3	2.5

How do I compare my FTE count to another period?

Line 11. Average FTE during the Borrower's chosen reference period:	
Line 12. Total Average FTE (add lines 2 and 5):	
Line 13. FTE Reduction Quotient (divide line 12 by line 11) or enter 1.0 if any of the above criteria are met:	

1 Choose a Comparison Period

Choose the period with the lower FTE count

Feb 15, 2019-June 30, 2019

OR

January 1, 2020 – Feb 29, 2020

Seasonal can also choose to use any consecutive 12-week period between 5/1/19 - 9/15/19

2 Calculate the Average FTE from the Comparison Period

Use the same methodology (mathematical or simple) you used to calculate Average FTE earlier

Employee	Average Hours Paid Per Week During 2/15/19 – 6/30/19	FTE
Joanne	30	0.8
Jackson	40	1.0
Robert	40	1.0
Dianne	16	0.4
Rami	30	0.8
Average FTE chosen refer	4.0	

How do I finish getting to the FTE Reduction Quotient?

FTE Reduction Quotient:

Average # of FTEs Per Week
During Covered Period

Average # of FTEs Per Week in Comparison Period

Sample from PPP Schedule A

Line 11. Average FTE during the Borrower's chosen reference period:	4.0
Line 12. Total Average FTE (add lines 2 and 5):	3.3
Line 13 FTE Reduction Quotient (divide line 12 by line 11) or enter 1.0 if any of the above criteria are met	.825

What are the opportunities to bypass the FTE Reduction Calculation (aka Penalty)?

Three Opportunities to Bypass the FTE Reduction Calculation (aka Penalty).

Meet One to Bypass:

- ☐ You did not reduce the number of employees or average paid hours of your employees between Jan 1, 2020 and the End Of Your Covered Period
- ☐ You were unable to operate between 2/15/20 and the End of Your Covered Period at the Same "Level of Business Activity" as before 2/15/20 due to compliance with health directives related to COVID-19 (e.g., social distancing, sanitation, or other customer safety requirement)
- ☐ You restored any reductions from 2/15/20 4/26/20 to their 2/15/20 levels by the no later than 12/31/20. You will know this based on completing the FTE Reduction Safe Harbor calculations in the Application.

Almost Done → **Bring it All Together**

Forgiveness Amount Calculation:

Payroll and Nonpayroll Costs Line 1. Payroll Costs (enter the amount from PPP Schedule A, line 10):	36,385	5
Line 2. Business Mortgage Interest Payments:	\$44,385	0
Line 3. Business Rent or Lease Payments:	5,000)
Line 4. Business Utility Payments:	3,000)
Adjustments for Full-Time Equivalency (FTE) and Salary/Hourly Wage Red Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP S)
Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract the amount en	entered in line 5: 40,385	5
Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, l	line 13):	5
<u>Potential Forgiveness Amounts</u> Line 8. Modified Total (multiply line 6 by line 7):	33,317.63	3
Line 9. PPP Loan Amount:	55,000)
Line 10. Payroll Cost 60% Requirement (divide line 1 by 0.60):	60,641.67	7
<u>Forgiveness Amount</u> Line 11. Forgiveness Amount (enter the smallest of lines 8, 9, and 10):	33,317.63	3

If you are choosing to reduce your Forgiveness Amount, e.g., because you're avoiding double dipping or have expenses associated with a (c)(4) or other ineligible nonprofit, it is likely you would then reduce from Line 11.

Trying to calculate before then could lead to unnecessary miscalculations and penalties.

Finish Line→ Certifications + Signature

Some highlights of what you will need to certify:

- ☐ Your organization used it for allowable purposes
- ☐ You factored in any workforce or wage reduction penalties
- ☐ You were careful about your forgiveness calculations and submitted all proper backup. (This burden is primarily with you more than your lender)
- ☐ If you knowingly use the funds for other purposes or mispresent the forgiveness amounts, this could lead to needing to returning the loan, fines up to \$1M and/or fraud charges

Questions?

FMA Paycheck Protection Program Toolbox





Thank you for joining us!

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https://nonprofitquarterly.networkforgood.com/



