



Boulder Area Human Resource Association

## BAHRA Legal Minute March 2021

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# The American Rescue Plan Act of 2021

- » Signed into law March 11, 2021
- » Direct stimulus payment of \$1,400 to persons earning < \$80,000; married filing jointly < \$160,000
- » [REMOVED increase in federal minimum wage to \$15 hour by 2025]
- » Unemployment benefits extension
  - » Kept \$300/week (declining increase to \$400/week) federal supplement to state unemployment benefits through September 6, 2021
  - » First \$10,200 in unemployment benefits tax-free for households earning up to \$150,000
  - » Extends Pandemic Unemployment Assistance (PUA) for self-employed, gig workers not eligible under state law
  - » Extends Pandemic Emergency Unemployment Compensation (PEUC) to 48 weeks

# The American Rescue Plan Act of 2021

- » COBRA: Subsidizes 100% of premiums for eligible COBRA recipients for continuation coverage if lose job through September 30, 2021
- » Allows another round of Paycheck Protection Program loans
- » Expands Child Tax Credit to \$3,000 per child, and \$3,600 for children under age 6; families can claim up to half of child care expenses on taxes; phases out for income > \$75,000 or joint returns of \$150,000
- » FFCRA leave tax credits (for employers with < 500 employees who opt-in) extended through September 30, 2021; includes time off for diagnosis, vaccination
- » Adds relief for multi-employer pension plans and expand the Affordable Care Act premium tax credit program for 2021 and 2022

# Proposed Colorado legislation 2021

4

- » HB21-1065 allows private employers to adopt a veterans' preference employment policy
- » HB21-1108 adds the terms “gender expression” and “gender identity” to statutes prohibiting discrimination
- » HB-1110 prohibits a person with a disability from being excluded from participating in or being denied the benefits of services, programs, or activities of a public entity; failure to adopt web content accessibility guidelines
- » HB21-1169 prohibits discrimination against a potential organ transplant recipient based solely on the person's disability

# Proposed Colorado legislation 2021

5

- » SB21-039 which would eliminate subminimum wage employment
- » SB21-080 would protect businesses from liability for any damages resulting from COVID-related exposure, loss, damage, injury or death

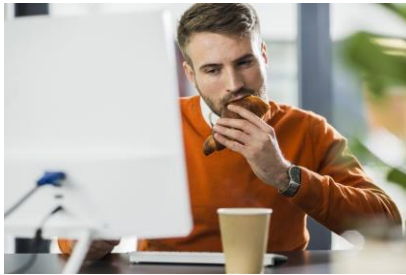
# Proposed Colorado legislation 2021

6

- » SB21-176, Protecting Opportunities And Workers' Rights Act
  - » No need to exhaust administrative proceedings before suit
  - » Expands definition of "employee" to include persons domestic service; **independent contractors**; and people who work without pay
  - » Adds protections based on "marital status" or "caregiver status"
  - » Adds potential claim for failure to investigate a complaint or failure to take prompt remedial action if appropriate;
  - » Prohibits certain preemployment medical examinations and limits inquiries/examinations about an employee's disability
  - » Expands time limit to file charge with CCRD from 6 months to 300 days
  - » Limits the ability of an employer to require confidentiality of claims once a charge is filed with CCRD

# Finally, HR Headlines

7



“Eating At Desk No Longer Illegal In French Offices Due To Covid-19,” Forbes, February 23, 2021

- » “Arizona Man Is Accused of Faking Own Kidnapping to Evade Work,” New York Times, February 23, 2021. Charged with false reporting to law enforcement; no longer works at tire store.
- » Wife cannot recover damages for spouse acquiring COVID-19 at work. *Kuciemba v. Victory Woodworks Inc.* (N.D. Cal. Feb. 22, 2021)

# Thanks!

**Are you talking to me?**

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