

Hesperia	STRS/PERS	Payment	PERS Ck		STRS CK		403B Check	Due Date based on regular	Payment	Date	
Payroll Month	Payment Due Date	Date	Number	Date Cleared	Number	Date Cleared	number	rules, not safe harbor	Date	Date	Cleared
July	8/15/2020	7/23/2020	68749	7/29/2020	68749	7/29/2020	68740		7/13/2020	7/9/2020	7/14/2020 -4
	8/15/2020	8/7/2020	68832	8/11/2020	68832	8/11/2020	68823		7/28/2020	7/29/2020	8/3/2020 1
August	9/15/2020	8/21/2020	68862	8/25/2020	68862	8/25/2020	68831		8/13/2020	8/7/2020	8/14/2020 -6
	9/15/2020	9/10/2020	68929	9/14/2020	68929	9/14/2020	68860		8/28/2020	8/20/2020	8/25/2020 -8
September	10/15/2020	9/24/2020	68936	9/28/2020	68936	9/28/2020	68895		9/13/2020	9/9/2020	9/15/2020 -4
	10/15/2020	10/8/2020	69007	10/13/2020	69007	10/13/2020	68935		9/28/2020	9/24/2020	9/29/2020 -4
October	15th of the month	10/23/2020	69012	10/28/2020	69012	10/28/2020	69006		10/13/2020	10/8/2020	10/13/2020 -5
	15th of the month	11/6/2020	69078	11/10/2020	69078	11/10/2020	69011		10/28/2020	10/22/2020	10/27/2020 -6
November	15th of the month	11/19/2020	69085	11/23/2020	69085	11/23/2020	69077		11/13/2020	11/10/2020	11/9/2020 -3
	15th of the month						69084		11/28/2020	11/19/2020	11/24/2020 -9
December	15th of the month										
	15th of the month										
January	15th of the month										
	15th of the month										

Hesperia Contributions to PERS & STRS: Due date is the 5th business date of the month

To note, the payroll for 7/24 and 8/10 paid July payroll; 8/25 and 9/10 paid August payroll; 9/25 and 10/9 will pay Sept payroll Contributions to 403b

The DOL rule is somewhat gray. It states that:

An employer is required to deposit your money into your retirement account as soon as the employee assets can be reasonably segregated from employer assets, but no later than 15 business days of the month following the month in which the payroll deduction occurred.

Based on fact patterns in DOL plan audits and other published commentary, some considerations are as follows:

- For plans with fewer than 100 participants, the DOL finalized regulations on January 14, 2010 which establishes a "safe harbor" of 7 business days following the payroll deduction date. Depositing employee 401K and 403b payroll deduction funds will be considered timely if this 7 day "safe harbor" test is met; and
- No safe harbor time period exists for plans with 100 or more employee-participants. Commentary does exist that suggests funding the retirement plan by the due date of an employer's Form 941 tax deposit will be considered timely (which for large employers is the next day after payroll).

STRS 95% by 5th business day; remainder by 15th

100% of payroll makes up 95% for charter and districts

PERS - 15 days 95%; remainder by end of month