

Hesperia Payroll Month	STRS/PERS Payment Due Date	Payment Date	PERS Ck Number	Date Cleared	STRS CK Number	Date Cleared	403B Check number	Due Date based on regular rules, not safe harbor	Payment Date	Date Cleared	
July	15th of the month	7/23/2021	69736	7/26/2021	69736	7/26/2021	69714	7/13/2021	7/8/2021	7/14/2021	-5
July	31th of the month	8/6/2021	69753	8/10/2021	69753	8/10/2021	69735	7/28/2021	7/23/2021	7/28/2021	-5
Aug-21	15th of the month	8/24/2021	69851	8/27/2021	69851	8/27/2021	69752	8/13/2021	8/6/2021	8/11/2021	-7
Aug-21	31th of the month	9/9/2021	69877	9/10/2021	69877	9/10/2021	69850	8/28/2021	8/24/2021	8/27/2021	-4
Sep-21	15th of the month	9/24/2021	69943	9/30/2021	69943	9/30/2021	69876	9/13/2021	9/9/2021	9/15/2021	-4
Sep-21	31th of the month	10/7/2021	69993	10/8/2021	69993	10/8/2021	69942	9/28/2021	9/24/2021	9/29/2021	-4
Oct-21	15th of the month	10/22/2021	70005		70005		69992	10/13/2021	10/7/2021	10/14/2021	-6
Oct-21	31th of the month						70004	10/28/2021	10/22/2021		
Nov-21	15th of the month										
Nov-21	31th 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