



The most current information on how financial professionals can increase cash flow & control costs.

October 11, 2021

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	Curr*	Lst Mo	Lst Yr
■ Leading Rates %			
Prime Rate	3.25	3.25	3.25
Fed Funds R	late 0.25	0.25	0.25
■ Money Market Rates % <u>London Interbank (LIBOR)</u>			
1 month	0.08	0.09	0.15
3 months	0.13	0.12	0.23
6 months	0.15	0.15	0.27
■ Stock & Bond Indexes			
DJIA	34,869	35,456	27,584
S&P 500	4,443	4,509	3,352
NASDAQ	14,970	15,130	11,118
5-Yr T-Bill	0.97	0.79	0.26
10-Yr T-Bill	1.47	1.31	0.67
■ Employment Stats			
Unemploym rate (%) Payroll employment	5.2	5.4	8.4
(thousands)	235	1,053	1,583
Average ho earnings (\$)		0.12	0.10
*As of 9/27/21			

The Cumulative Effect of CFO & Controller Alert

With the pace of change accelerating and the competition tougher, what's the best chance to keep up performance and get two steps ahead of the competition? A reliable source of continuous information.

It's the **cumulative effect** that helps, not any one reading. Our unique function is to deliver solid, focused information in your area of responsibility in a fast-read format twice a month to help performance.

Sales tax trickier than ever (and firms paying the price)

Report: E-commerce making compliance a minefield

If the mere mention of sales tax makes you cringe, you're far from alone.

Compliance is giving your peers new headaches ... and things are only getting more complicated.

It's saddling them with some pretty costly situations, as well:

- More than a third (35%) have been audited for sales tax, while
- Nearly a quarter (24%) owe back "a lot" of sales tax.

That's the finding of the *Future* of *E-Commerce Compliance: Part 1*, a new report by TaxJar.

The ever-growing, ever-changing

realm of online sales tax has made the waters so muddy compliance can seem like an impossible task.

Take a look at where your peers are getting tripped up now so you can avoid a similar fate.

Confusion abounds!

At this point a whopping 88% of finance pros say they face sales tax compliance challenges.

And it's no wonder when the ground is constantly shifting under your feet! Specifically, these are the three places where your peers are

 $(Please\ see\ Sales\ tax\ ...\ on\ Page\ 2)$

New fed vaccine mandate packs big punch

■ The potential cost of not vaccinating or testing employees? \$14K

Time to make a plan for how your company will ensure all employees are either vaccinated against COVID-19 or will be tested weekly.

President Biden recently issued an executive order mandating these policies to contain the pandemic for employers with more than 100 employees.

And failure to comply will have some costly consequences.

You could be fined up to \$14,000 for each misstep.

Another way this may drive up costs: You will have to provide

employees with paid time off to get themselves vaccinated.

Some unanswered questions

However, some unknowns linger:

When will the mandate kick in? OSHA must create an emergency standard, which will take a few weeks. Then you should get 50-90 days to comply.

Who goes in the 100 employee count? Are fully remote employees considered? No word on this yet.

Info: For the full fed plan, go to whitehouse.gov/covidplan

Sales tax ...

(continued from Page 1)

getting caught short:

- 1. Their state or jurisdiction changed sales tax without them knowing it (45%).
- 2. They charged their customers the wrong sales tax rate (30%), and
- 3. They reached a nexus threshold without realizing it (40%).

All are perfectly understandable missteps ... but they come with a ton of aggravation and expense.

Let's break down each of these to help shore up any exposures.

1. Missed a sales tax change

Gone are the days when companies were dealing with a handful of sales tax rates.

Today most companies sell to an average of 25 states, while a quarter of companies in the e-commerce space sell to all 50 states.

Remember, too, that while state



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sales tax rates change relatively infrequently, local changes happen fast and furiously throughout the year.

They may be small, but they can throw those invoice totals off all the same.

2. Wrong rate charged

Which makes it easy to see why many of your peers have charged a customer the wrong rate at some time.

Mistakes happen. Your team is only human. The key is in how you handle it.

Hopefully your customers are on the ball enough to spot when they've been charged incorrectly so they speak up.

Best practice according to sales tax experts is to generate a new corrected invoice if it hasn't already been paid. That way everyone has the proper paper trail in case of an audit.

3. Unknowingly triggered nexus

Much of the reason it can be tricky to track when nexus kicks in: the number of different sales channels companies tap these days.

On average, businesses use three different sales channels. One in five of you tap five or more to do business.

Some encouraging news? Many states are simplifying their standards for what creates economic nexus.

Maine, for example, will drop its transaction threshold on Jan. 1, 2022, so only remote sellers and marketplace facilitators making \$100,000 in sales annually will have to collect sales tax here.

Other states have recently made similar changes, including California, Colorado, Iowa, Massachusetts, North Dakota, Washington and Wisconsin.

Info: For more on the TaxJar survey, go to taxjar.com/blog/blog-2021-09-new-survey-and-report-the-future-of-e-commerce-and-compliance

Sharpen your JUDGMENT

This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.

■ Disputes invoices, refuses to pay: Breach of contract?

CFO Bill Keeper called Credit Manager Trey Stockman into his office.

"Trey, Legal just let me know they need to take a statement from you," Bill said. "You'll need to pull Heath & DeRossi's credit app and invoices."

"They're still not going to pay up for the equipment they rented from us?" Trey asked.

"These people don't understand that when they submit a written credit application and it's approved, it's a binding contract," said Bill.

"So what's their issue?" Trey asked.

Overcharge complaints

"They're refusing to pay because we billed them for two weeks' use of the equipment. But they said the rental period was supposed to be one week and we overcharged them," Bill said.

"I'll double-check the paperwork, but from what I remember two weeks is how long they held onto it and that's what they were billed," Trey said

"Let me know what the invoices say. That's going to determine whether we have a chance to get our money back in court," Bill said.

Bill's firm sued the company that rented its equipment for breach of contract. It asked for the amount owed, plus accrued interest and court costs. Was it successful?

Make your decision, then please turn to Page 6 for the court's ruling.

Health benefit benchmarks: Which plans, benefits are most popular now

■ Key metrics keep you competitive

Y our company likely has a case of "Benefits on the Brain" right now as open enrollment ramps up.

Which makes it a great time to do a little benchmarking on how your peers handle one of the most critical benefits: health care.

For main plans

The just-released 2020 Society for Human Resource Management Benefits Survey offers you plenty of metrics.

When it comes to main health plan offerings, here's the breakdown:

- 79% have preferred provider organization (PPO) plans
- 62% offer high-deductible health plans (HDHPs) linked with health savings accounts (HSAs)

• 31% tap health maintenance orgs

- 16% use HDHPs with no HSA, and
- 16% offer point of service plans.

Enter supplemental benefits

The supplemental health benefits rising in popularity:

- critical illness insurance (48%)
- long-term care insurance (39%)
- hospital indemnity insurance (32%)
- intensive care insurance (25%), and
- long-term care insurance for family (21%).

Info: For more on the report, go to shrm.org/hr-today/trends-and-forecasting/research-and-surveys/pages/benefits-report.aspx

FOR MORE ...

For a reminder on some key health plan limits for 2022, go to cfoandcontrolleralert. com/2022-hsa-hra-limitsreleased-by-irs

What an acceptable customer looks like now

Creating a new credit standard can prevent costly missteps

No denying, doing business hasn't looked the same this past year and a half. Few places is that as obvious as on the accounts receivable side.

Many customers (and prospective customers) have fallen on tough times. But you still need to keep selling and grow your own businesses.

There's a tool that can empower employees to do that while managing your company's risk.

Who's worthy of credit today

If your credit staffers – and salespeople – have a clear picture of who you'll grant credit to now (and

how you'll do it), you'll minimize the chance of a costly misstep.

Enter the customer credit standard. Here's where you map out the profile of a creditworthy customer in today's environment.

Don't fit the profile? Don't pursue that credit sale.

To remain flexible, especially these days, you might even make that profile more of a flowchart.

So, for example, a prospective customer that might not make the cut but is willing to provide a personal guarantee might change the deal.

Keeps you open to new business with less likelihood you'll get burned.

ECONOMIC OUTLOOK

■ Fed almost ready to make a move on monetary policy

While the CDC decides who needs a booster shot of the COVID vaccine, the Federal Reserve is considering easing up on its own "booster shot" for the U.S. economy.

Specifically, the Fed is planning to ease their pace of asset purchases.

And you can expect it as early as this month.

That's the upshot of the Fed's most recent statement on monetary policy, given in late September.

Take a look at where the central bank's head is at now.

As early as this month

Fed Chair Jerome Powell has admitted our economic health remains tied to Americans' physical health with the virus.

And the recent surge has slowed our economic recovery process.

The Fed feels confident that its stimulus methods have helped keep things chugging along but that it can soon ease up a bit.

What you need to watch: employment numbers.

August came in short of expectations; if September brings a "blockbuster" set of employment numbers, the Fed may slow its buying as soon as this month.

There's also a new belief that we could see interest rates increased as soon as 2002, rather than 2023 as has been believed recently.

The next couple of months will be very telling. Stay tuned.

(You can read the latest Fed policy statement at federalreserve. gov/newsevents/pressreleases/monetary20210922a.htm)

Overreach! Data collection lands employer in legal hot water

■ System tracked info it shouldn't, led to discrimination claim

As your company continues to rely on automation and artificial intelligence (AI), beware of some costly unintended legal consequences.

A Missouri-based healthcare organization owes the Department of Justice (DOJ) \$84,832 to resolve a claim it discriminated against its non-U.S. citizen employees.

How? The employer's system allegedly tracked expiration of Form I-9 documentation and sent those employees emails demanding new/additional proof of continued work authorization, even when reverification wasn't required.

Align AI, compliance

Besides the DOJ, the U.S. Equal Employment Opportunity Commission is also on the prowl for tech overreaches.

But it doesn't help that payroll software and other financial systems

can capture so much employee data that it can expose an employer to discrimination claims.

To stay out of the feds' crosshairs, now's a good time to review all the different types of employee information being collected by your systems to make sure there's no potential to overstep.

Huddle up with IT leadership to:

- check out the DOJ Civil Rights Division resources at *justice.gov/* crt/immigrant-and-employeerights-section
- evaluate your tech systems for any hint of bias, and
- make software modifications, if appropriate.

Info: justice.gov/opa/pr/justice-department-settles-large-health-care-organization-resolve-software-based-immigration

Time to get that PPP loan forgiven online?

■ SBA portal offers forgiveness on loans of \$150K or less

G ood news if yours is one of the many companies that borrowed money to get through the pandemic.

The U.S. Small Business Administration (SBA) has launched a portal for businesses to apply for direct forgiveness of Paycheck Protection Program (PPP) loans up to \$150,000.

It enables borrowers to bypass SBA's Form 3508S and electronically submit the required data.

Questions to answer

Before you get started:

1. Has your lender opted in to the portal? Check *bit.ly/lender613*.

Some larger banks may insist that you submit applications to them directly.

2. Do you have a "COVID revenue reduction score?" Firms that didn't submit revenue reduction documentation with their loan applications will have to get their score through an SBA-appointed third-party revenue reduction authentication contractor.

For assistance or questions, SBA PPP specialists can be contacted weekdays from 8 a.m. to 8 p.m. Eastern at 877-552-2692. Your local SBA field office can be found at sba.gov/local-assistance.

Info: bit.ly/forgive613

MANAGING FOR RESULTS

Rallying your team into year-end mode

Fall's here and your employees are back to predictable work schedules. It's time to get them focused on all the important Finance projects that have to be completed for year end.

But the transition from summer to fall is notoriously slower for some. If you start noticing a dip in enthusiasm or a drop in productivity in any of your people, it's wise not to ignore it.

Getting folks motivated

Some strategies to consider if team members could use some re-energizing:

- Identify individuals' strengths. You have a good idea what your team members' strengths are. Make sure current responsibilities match staffers' personalities and abilities.
- Set small, achievable goals. Along with main project goals, create attainable checkpoint goals. They should be things your team can reasonably accomplish by the end of the day and the end of the week. Mini-wins can be a huge boost for your team.
- 3. Avoid scheduling unnecessary meetings. Some meetings need to happen. But would a daily status update email be just as effective for sharing the valuable things that you'd be discussing in that upcoming meeting?
- 4. Build morale. Give your people a chance to get to know each other outside the office by setting up a happy hour or a virtual "water cooler" chat room to talk about non-work things.

(Adapted in part from "Top 8 Strategies to Refocus Your Team," at StatusHero.com)

WHAT'S WORKING FOR CFOS & CONTROLLERS

Our subscribers come from a broad range of companies, both large and small. In this regular feature, three of them share success stories you can adapt to your unique situation.

Identified target areas for cost control

Because of market volatility in the era of COVID, KPIs weren't as reliable as they used to be. So when it came to budgeting, we had to make projections for future needs the best we could.

While the pandemic treated us better than how we expected it to back in 2020, we decided to continue to budget very conservatively and concentrate on cost control. That way we're not making drastic cuts down the line.

But which areas would be the best to focus our trimming efforts?

Re-evaluated our priorities

After brainstorming with other execs and the Finance team, we made these cost control decisions:

- 1. Not renewing leases on some of our office spaces. With so many employees effectively working from home, do we need to continue renting as much brick-and-mortar work space?
- 2. Minimize business travel. It reduces

potential employee exposure to the virus. Plus, a lot can be accomplished by video conferencing.

3. Reduce project costs. Do the benefits justify the expense? Is it going to expand the business? Can it be delayed until next year?

Keeping budgets tight will put us in good shape to weather any unexpected pandemic developments.

(Keir Jones, Director of Financial Operations, Blue Cross

Blue Shield Association, Chicago)

REAL PROBLEMS REAL SOLUTIONS

2 3 days helped folks prep for their golden years

It was important that our employees understood not only the "how," but also the "why" of our retirement plan.

To help, we launched "Retirement-Readiness Week" – a three-day series of sessions and seminars to help folks navigate the road to retirement.

Our goal for the series was to answer many looming questions:

- How much should I save?
- Will I be able to pay for health care?

• How can I meet my expenses?

We invited our retirement plan advisor and experts from the Social Security Administration and Medicare to help our employees plan for a successful retirement.

Tapped outside experts

The experts we invited did an excellent job of explaining confusing standards, regulations and protocols.

Employees were given easy-to-read checklists and guides to help

navigate the system.

Then our retirement plan provider took our staff through the specifics

of our 401(k) plan and explained how they'll benefit from participation.

Employees were also reminded of the benefits of some of the health/ retirement hybrids we offer.

Feedback has been awesome, participation in our plan has grown and our staff is demanding an encore.

(Angela Hyde, Manager of Benefits and Compensation, Brotherhood Mutual Insurance Co., Fort Wayne, IN)

3 A more automated A/P = a more strategic A/P

A/P was spending way too much time on managing vendor invoices. Often, it occupied more than one full day per week.

Slowing us down, and increasing the risk of late payments, were manual processes like keying data and filing paper documents, and responding to supplier calls and emails.

What if there was a way to free up that time for our A/P staff so they could work on more strategic activities like data analysis or reorganizing our vendor master database?

Pandemic necessity

When COVID-19 forced A/P to work from home, finding a digital automated solution compatible with our ERP system became a priority.

As we looked at different options, our must-haves included: 1. streamlined, visible invoice tracking, 2. cloud-based with data security, 3. real-time, anytime, mobile access to documents, and

4. high-volume data collection.

Transitioning to an automated system has cut invoice processing time and errors, and concentrated data and documents into a single processing channel with automatic data extraction and more.

With the time saved, A/P is building supplier relationships and collaborating with stakeholders.

(Nimya Amaya, Senior Marketing Director, Yooz, as presented during the webinar "Planning Beyond COVID: Reshape the Finance Function with Automation")

Road warriors putting the brakes on business travel, but could it end up costing you?

On the surface it could preserve budget dollars, but be careful

It's understandable that some folks may be hesitant to hop on a plane in the face of rising COVID-19 cases. And you certainly can't make people travel when they're not comfortable.

But you do want to make sure changes of heart don't cost you money.

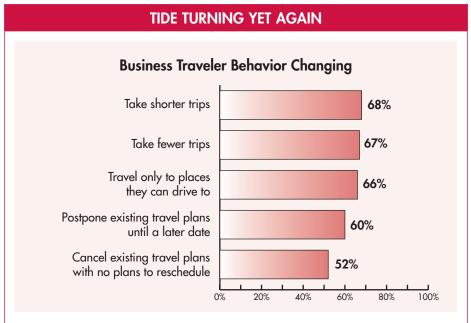
Time for temporary adjustments?

Last-minute cancellations have the potential to leave your company holding the bag these days.

Many providers have eased off the generous cancellation policies they adopted during the early days of the pandemic.

So you might consider some temporary changes to your own policies to prevent taking a hit.

For example, with car rental companies you can usually secure a better rate by pre-paying. But if you don't pre-pay you can't be charged cancellation fees. So is that a better route while things are so volatile?



Source: The American Hotel & Lodging Association, ahla.com

Here we go again! With case numbers rising once more – and another peak predicted for mid-October – many business travelers are pulling back on their travel plans for the rest of 2021.

Sharpen your judgment... THE DECISION

(please see case on Page 2)

Yes. Bill's company won and will get the unpaid money, plus interest and court costs.

A trial court ruled the credit application contract was in breach when the customer company refused to pay.

The judge said regardless of how the equipment was used or not used, invoices from Bill's firm that documented specific dates the equipment was rented out and returned were the "true and correct" final word.

Not satisfied, the customer appealed. But the appellate court upheld the decision and said the company failed to meet its burden on appeal of proving Bill's company made a reversible error that would entitle it to not pay.

Any implied information on how long the rental period was "supposed to be" was irrelevant, the judge said.

Analysis: Ensure contract terms are understood

The credit application from Bill's firm included wording that indicated it was a contract. It's important everyone involved on your company's side is up to speed on critical contract terms.

Legal headaches like this case can be prevented if your team's equipped to walk through and explain obligations to customers and business partners – including any consequences for not holding up their end – so they comprehend what it is they're signing and agreeing to.

Cite: Custom Design Expo Inc. v. Synergy Rents Inc., No. 2D20-1316 D.C. App. 2nd Dist., Florida, 9/10/21. Dramatized for effect.

Experts give their solutions to difficult workplace problems

Finance professionals like you face new questions every day on how to deal with everything from accounting and tax regulations to management and employment law issues. In this section, experts answer those real-life questions.

Cloud security: Who bears responsibility?

: Who's responsible for cloud security – our company or our cloud service provider?

A: The responsibility is shared, and it's important to understand who does what, say the experts at PwC.

According to Get Your Cloud Strategy Back on Track: Questions and Solutions, by PwC, only 33% of IT and IT security practitioners surveyed believed they shared cloud security responsibility with their cloud service provider.

PwC explains that while the cloud service provider secures the platform itself, keeping data and intellectual property safe is up to each organization.

In fact, data security lies with your organization, no matter what the cloud service model: infrastructure as a service (IaaS), platform as a service (PaaS) or software as a service (SaaS).

Similarly, you're on the hook when it comes to governance, risk and compliance.

As for infrastructure security, the responsibility for IaaS is shared, while the responsibility for PaaS and SaaS rests with the cloud service provider.

IRS sent ACA penalty letter - what's next?

: We've received Letter 226-J from IRS. This says we may be liable for an Employer Shared Responsibility Payment (ESRP). What should we do next to stay in compliance with the Affordable Care Act (ACA)?

: Applicable large employers may receive Letter 226-J to notify them they may owe an ESRP related to the minimum essential coverage provision of the ACA. The letter contains a preliminary calculation based on the employer's 1094-C and 1095-C, and the employees' tax returns.

There are three ways to respond, as spelled out in IRS Chief Counsel Advice (CCA) AM-2021-03.

This recent CCA was written by Rachel Levy, Associate Chief Counsel, Employee Benefits, Exempt Organizations and Employment Taxes.

- 1. You can do nothing. That'll lead to IRS beginning assessment procedures for the amount listed in the Letter 226-J.
- 2. You can provide additional information that clarifies or corrects what's been previously reported in your 1094-C and 1095-C. IRS may eliminate the preliminary calculation of the ESRP. Or if IRS reduces the amount, you'll receive a recalculation of the ESRP.
- 3. You can agree with the amount and then IRS would assess the ESRP without an examination. No payment is necessary until you receive a notice and demand for payment from IRS.

If you have a question you'd like our experts to answer, email it to Jennifer Azara at jazara@CFODailyNews.com

COMMUNICATION KEYS

3 ways to recapture an audience's attention

If people are staring at their phones during your presentation, try these steps to get the focus on you:

- Increase your energy. Because energy's contagious, smile more and use voice inflection to emphasize key words or phrases.
- 2. **Get them involved.** Ask people to share a story related to your topic.
- Engage them in an activity.
 Give your listeners a hypothetical challenge to solve using the info you've covered.

Info: bit.ly/recover613

Overused phrases to consider retiring

People ask "You know what I mean?" or "Does that make sense?" when trying to ensure their listener understands. However, these common phrases can strain your credibility and authority. Some possible alternatives: "Do you agree?" or "How does that sound to you?"

Info: bit.ly/phrase613

Make this the time for important meetings

When scheduling your most important meetings and calls, follow the lead of Amazon founder Jeff Bezos. If it's going to take brain power, "that's a 10 o'clock meeting," he said in an interview with the Economic Club of Washington DC.

Research shows the mid-afternoon slump is real, and people are most likely to have more mental energy and focus in the hours right before lunch. At that time, there are fewer distractions and decisions to make.

Info: bit.ly/meet613

Recent developments that can help your business stay ahead

ACA affordability percentage going down

The amount you'll be deducting from employees' pay for health insurance premiums may change in 2022.

For the first time since the Affordable Care Act (ACA) became law, the affordability percentage will decrease.

It'll be 9.61% of an employee's household income, down from the current 9.83%, IRS announced in *Revenue Procedure* 2021-36.

What will you need to automatically meet the ACA affordability standard?

You're good to go if you offer a medical plan option in 2022 that costs employees no more than \$103.14 per month for employee-only coverage.

Info: IRS Revenue Procedure 2021-36 at irs.gov/pub/irs-irbs/irb21-35.pdf

Your peers will go how far to nab new hires?

Be prepared to be extra generous if you want to compete with your peers on the hiring front during the remainder of this year.

Many companies say they'll pull out all the stops to attract the best of the best, according to a recent survey by Robert Half:

- 48% are providing signing bonuses
- 43% are giving more paid time off, while
- 40% are offering better job titles.

One other thing to keep an eye on: how quickly the hiring process moves. Senior managers said it can take up to seven weeks, on average, to fill an empty spot.

Info: For more on the survey, go to rh-us.mediaroom.com/2021-07-13-More-Than-Half-Of-U-S-Companies-

Plan-To-Add-New-Positions-In-Second-Half-Of-2021

IRS approves e-signatures until Dec. 31, 2021

Good news: Your company can continue to rely on electronic signatures for many different tax forms through the end of the year.

IRS recently extended the use of electronic and digital signatures on many tax forms until Dec. 31, 2021.

It applies to paper forms that can't currently be e-filed, such as Form 3115, Application for Change in Accounting Method and Form 8283, Noncash Charitable Contributions.

What's acceptable as an e-signature? You have a long list to choose from, including:

- a name typed on a signature block
- a scanned or digitized image of a handwritten signature that's attached to an electronic record
- a handwritten signature input onto an electronic signature pad
- a handwritten signature, mark or command input on a display screen via stylus device, and
- a signature created by a third-party software.

Info: For the updated IRS e-sign info, go to irs.gov/newsroom/details-on-using-e-signatures-for-certain-forms

Q4 interest rates released for federal tax payments

IRS will be taking no new interest in you – and from you – in the fourth quarter.

The Service just announced it will hold rates steady for federal tax payments in Q4. So for the remainder of the year, your interest rates will be:

Transaction value of B2B cross-border payments of all payment types \$42.7 trillion \$34 trillion 2021 2026 Source: B2B Payments: Key Opportunities, Vendor Strategies & Market Forecasts 2021-2026, by Juniper Research

With the massive jump in global e-commerce predicted, two technologies to watch that will help payments keep pace: instant payment rails and solutions like virtual IBANs, which let you accept local payment options.

- 2% for overpayments
- 0.5% for the portion of a corporate overpayment exceeding \$10,000
- 3% for underpayments, and
- 5% for large corporate underpayments.

Info: IRS Revenue Ruling 2021-17, at irs.gov/pub/irs-drop/rr-21-17.pdf

Lighter side: Inflatable rats have rights, too

You know what it means as soon as you see it – that giant inflatable rat propped in front of a business embroiled in a labor dispute.

And many folks have some strong feelings about that 12-foot piece of plastic. In fact, the rat has been stabbed many times.

But Scabby the Rat has first amendment rights to free speech. That was a recent 3-1 decision reached by the National Labor Relations Board.

Where will Scabby celebrate the legal victory? A squeak-easy of course.