



GBS ACA Compliance

Employer Shared Responsibility Penalties

To avoid possible penalties, applicable large employers (ALEs) must offer affordable/minimum value health benefits to at least 95% of full-time employees and their dependents. A penalty is triggered only if one or more employees purchase coverage in the exchange and qualify for a subsidy. There are two possible penalties, the Code § 4980H(a) and the Code § 4980H(b) penalty. This matrix illustrates indexed penalty amounts based on all 12 months, but penalties are assessed individually per month. *(updated August 2022)*

	Code § 4980H(a) non-offering penalty	Code § 4980H(b) affordability / minimum value penalty
2014	\$2,000.00 X all FT employees (minus 30)	\$3,000.00 X all FT employees who go to Marketplace / Exchange and obtain a subsidy
2015	\$2,080.00 X all FT employees (minus 30)	\$3,120.00 X all FT employees who go to Marketplace / Exchange and obtain a subsidy
2016	\$2,160.00 X all FT employees (minus 30)	\$3,240.00 X all FT employees who go to Marketplace/Exchange and obtain a subsidy
2017	\$2,260.00 X all FT employees (minus 30)	\$3,390.00 X all FT employees who go to Marketplace / Exchange and obtain a subsidy
2018	\$2,320.00 X all FT employees (minus 30)	\$3,480.00 X all FT employees who go to Marketplace / Exchange and obtain a subsidy
2019	\$2,320.00 X all FT employees (minus 30)	\$3,750.00 X all FT employees who go to Marketplace/Exchange and obtain a subsidy
2020	\$2,570.00 X all FT employees (minus 30)	\$3,860.00 X all FT employees who go to Marketplace/Exchange and obtain a subsidy
2021	\$2,700.00 X all FT employees (minus 30)	\$4,060.00 X all FT employees who go to Marketplace/Exchange and obtain a subsidy
2022	\$2,750.00 X all FT employees (minus 30)	\$4,120.00 X all FT employees who go to Marketplace/Exchange and obtain a subsidy
2023	\$2,880.00 X all FT employees (minus 30)	\$4,320.00 X all FT employees who go to Marketplace/Exchange and obtain a subsidy