Table of Contents

What’s New 1

2022 Federal Income Tax Withholding 1

Social Security and Medicare Taxes 1

Fringe Benefits 1

Worker Misclassification 2

Coronavirus Relief 2

Fair Labor Standards Act 3

Introduction 4

Worker Classification 5

The behavioral test 5

The financial test 5

The type of relationship 5

20 factors laid out by IRS in Rev. Rul. 87-41 5

Instructions 5

Training 5

Integration 5

Services rendered personally 6

Hiring Assistants 6

Continuing relationship 6

Set hours of work 6

Full-Time required 6

Work done on premises 6

Order or sequence set 6

Reports 6

Payments 6

Expenses 6

Tools and materials 6

Investment 6

Profit or Loss 6

Works for more than one person or firm 7

Offers services to general public 7

Right to fire 7

Right to Quit 7

Relief Provisions 10

Statutory Employees 10

Statutory Non-Employees 11

Common Law Employees 11

Covered Employees 11

Non-Covered Employees 12

The Hiring Process 15

Developing a Success Profile 15

Recruiting 15

Online options 16

Headhunter or Placement Firm 16

Networking 16

Colleges and Universities 16

Temporary to Permanent 17

The Job Posting 18

Candidate Screening 20

Background Checks 20

The Real Cost of an Employee 22

Becoming a New Employer 24

Employer Checklist 24

Employer Identification Number 25

Form SS-4 26

Do I need an EIN? 27

State Registrations 28

Localization of Work – Unemployment Insurance 28

State/Local Withholding 29

Reciprocity Agreements 30

How high are individual income tax rates in your state? 31

Workers’ Compensation 31

Mandatory Retirement Plans 32

Electronic Federal Tax Payment System 33

Wage and Hour Laws 35

State Minimum Wages – 2021 36

Prevailing/Living Wage Laws 37

New Employee Checklist 38

New Employee Package 39

Form I-9, Employment Eligibility Verification Form 40

Scam Alert: USCIS Does Not Request Forms 1-9 Via Email 41

Form 1-9 43

E-Verify 46

Enrollment Checklist 48

Form W-4 – Employee Withholding Allowance Certificate 51

State Withholding Certificate 51

Social Security Number Verification Service 52

Form W-4 53

New Hire Registry 57

Multistate Employer Registration Form for New Hire Reporting 58

Affordable Care Act (ACA) Employee Notifications 61

ACA Notice With An Employer Health Plan 62

ACA Notice Without an Employer Health Plan 65

Employee Handbook 67

Payroll Preparation Issues 71

Who will prepare the payroll? 71

Outsourcing Choices 72

Payroll Service Provider 72

Reporting Agent 72

Section 3504 Agent 72

Professional Employer Organization 72

Payroll Tax Warning 73

IRS Tips for Employers Who Outsource Payroll Duties 74

Common Paymaster 75

Calculating a Payroll and Payroll Taxes 77

Gross Wages/Includable Payments to Employees/Statutory Employees 77

Tip Income 78

Publication 1244 79

Form 4070A 81

Form 4070 83

Form 8027 84

Fringe Benefits 85

Excludable Payments to Employees 85

Excludable Fringe Benefits 85

Table 3-1. Annual Lease Value Table 91

Reporting Taxable Fringe Benefits 93

Leave-Based Donation Programs 93

Calculation of Wages and Withholdings 95

Gross Wage 95

Federal Taxable Wages 95

Social Security Wages 95

Medicare Wages 95

Additional Medicare Tax 96

State and Local Wages 96

Federal Unemployment Tax – FUTA 96

Publication 15 97

Paycheck Calculations 99

Percentage Method Withholding 100

Worksheet 1A 101

2022 Percentage Method Tables 102

Wage Bracket Method 102

Worksheet 2 103

2022 Wage Bracket Method Tables 104

Calculation Using Wage Bracket Tables 105

Calculation using Percentage Method 106

State Withholding 106

Special Payroll Scenarios 106

Payroll Tax (Form 941/944) Deposits 108

Deposit Calculation 108

Timing of Payroll Tax Deposits 108

Pay With Return 109

Monthly Depositor 109

Semi-Weekly Depositor 109

$100,000 Next Day Depositor 109

Penalties 110

Late Deposit Penalty 110

Failure to File and Pay 110

Avoidance Penalty 110

Trust Fund Recovery Penalty 110

Recordkeeping 112

NEVER VOID AN UNCASHED PAYCHECK! 113

Recordkeeping Requirements under the Fair Labor Standards Act (FLSA) 114

ACA Provisions Which May Affect the Employer 116

Annual Reporting Requirements 117

W-2 Reporting Requirements 117

Applicable Large Employer Reporting (50 or more FTE) 118

Form 1095-C 119

1095-B 120

Form 8822-B Change of Address or Responsible Party 121

Form 8822-B 122