#### Social Security Administration

Internal Revenue Service

#### Inside this Issue...

New Form W-4 Warning Page 2

e-file Makes Tax Time Easier and Better Page 2

Military Differential Payments Now Wages Page 2

New Online Courses at StayExempt.org Page 3

Tax Relief for Disaster Victims Page 3

IRS Products to Assist Small Businesses Page 3

Payroll Best Practice: Constant Reconciliation

Page 4

W-2C/W-3C Reminders
Page 4

**APA** *Payroll Tax Forum* Page 4

Test Your Knowledge: Planning for Taxes

Page 5

**Guidance on Employer-Provided Vehicles** Page 5

Ü

Electronic Child Support Payments Page 5

News and Announcements

Page 6

# Spring 2009 SSA/IRS SSA/IRS OTHER A Newsletter for Employers

Stimulus Package Provisions Affect Businesses

any provisions of the *American Recovery and Reinvest- ment Act of 2009* (ARRA) affect businesses in a wide variety of ways. Two particular provisions will have a bearing on worker withholdings and employment tax returns.

**Making Work Pay Credit** The Making Work Pay Credit is a refundable credit of up to \$400 for individuals and \$800 for married taxpayers filing joint returns. For people who receive a paycheck and are subject to withholding, the credit will typically be handled by their employers through automated withholding changes in early spring.

These changes may result in an increase in take-home pay. The IRS has updated the applicable withholding tables to reflect the new Making Work Pay Credit. The new withholding tables, along with other instructions related to the new tax law, will be incorporated in new Publication 15-T.

**COBRA Health Insurance Extension** Another major ARRA provision is a 65% subsidy for the nine month extension

of COBRA health insurance premiums for workers who lost their jobs between September 1, 2008 and December 31, 2009. These former employees must have been enrolled in their employer's still active health plan at the time of termination. Eligible individuals will have to pay 35% of the premiums.

The former employer pays the remaining balance and claims a credit for those payments on Form 941, *Employer's QUARTERLY Federal Tax Return* or other applicable payroll tax return. The COBRA continuation provisions also apply to small businesses and government entities required to offer continuation coverage under state law similar to the federal COBRA.

More information about the stimulus package will be available on <a href="www.irs.gov">www.irs.gov</a> regarding a host of ARRA provisions that affect businesses' income tax return, including provisions that allow bonus depreciation credits, enhance small businesse expensing and allow a five year net operating loss carry back for small businesses.

#### Social Security's Online Retirement Application Makes It Easy to Retire

Social Security has a new online retirement application.

You can apply for retirement benefits from your home or office at <a href="https://www.socialsecurity.gov">www.socialsecurity.gov</a>. There's no need to drive to your local Social Security office or wait for an appointment with a Social Security representative. You can complete the new online retirement application in as little as 15 minutes.

In most cases, after you click the "Sign Now" button and submit the application electronically, that's it. There are no forms to sign, and usually no additional documents are required. Social Security will contact you directly if more information is needed.

If you are uncertain about when to retire, you can check out the online fact sheet, "When to Start Receiving Retirement Benefits." And if you are not ready to retire, you can plan for retirement using Social Security's online *Retirement Estimator*. It is a great financial planning tool that will give you an immediate and personalized estimate of how much your retirement benefits would be if you stopped working at age 62, age 66, age 70 or any point in between. SSA

#### **Learn More Online**

- Online Retirement Benefit Application www.socialsecurity.gov/planners/about.htm
- When to Start Receiving Retirement Benefits <u>www.socialsecurity.gov/pubs/10147.html</u>
- Retirement Estimator <u>www.socialsecurity.gov/estimator</u>
- Tips for Seniors in Preparing Their Taxes <u>www.irs.gov/</u> individuals/retirees/article/0%2C%2Cid=154021%2C00.html

# Form W-4 Includes New Warning for Employees

Instructions to your employees on the 2009 Form W-4 now read, "You may not request withholding as only a flat amount or as a percentage of wages." While payroll professionals have always known this fact, they've often had a hard time convincing the workers who have insisted on incorrectly completing their W-4s.

This rule is important. Claiming a flat amount of withholding per pay period could work to an employee's disadvantage if they don't get the number of paychecks they were expecting (e.g., they get a manual check for hours not paid on the system-produced paycheck) or if their salary changes.

And a flat percentage on all earnings is at odds with our graduated system of tax rates. On even the largest paycheck, some earnings are subject to no tax, some earnings are subject to the 10% withholding rate, some earnings are subject to the 15% tax rate, and so on. This was just one of many recommendations made by the American Payroll Association in this case and accepted by IRS.

If you think your employees could use a hand with all the W-4 worksheets and their talk of tax credits, deductions, and exemptions, you can point them to the IRS Withholding Calculator.

#### Learn More Online

- Form W-4 www.irs.gov/pub/irs-pdf/fw4.pdf
- APA's Government Affairs Task Force
  Recommendations to IRS's Forms and
  Publication Division <u>www.americanpayroll.org/government/government-019</u>
- IRS Withholding Calculator <u>www.irs.gov/</u> <u>individuals/article/0%2C%2Cid=96196%2C00.html</u>

# e-file Makes Tax Time Easier and Better for Employers and Employees

f you or your employees have not filed your 2008 taxes, there's good news this year when it comes to doing your taxes. Electronically preparing and filing your taxes is easier than ever in 2009. With new improvements and enhancements to e-file there is no need to send those long paper forms to the IRS anymore.

#### Benefits of e-filing

e-file is growing in popularity each year with almost 90 million tax returns having been submitted electronically in 2008. It offers so many more benefits than filing with a paper return:

- It's convenient. You can access your previous year's return and copy duplicate information, such as your address, to a new form.
- It's more accurate. e-filed returns are less prone to errors since the software catches many mistakes, thereby reducing the likelihood of follow-up correspondence from the IRS.
- It's quick. Refunds come in half the time as paper filing ... in as little as 10 days when you use Direct Deposit.
- It's safe. Electronic transmissions to the IRS are secure, using dedicated lines with the latest encryption technology.
- It's reassuring. After you e-file your return, you'll get an electronic acknowledgement that the IRS received it, typically within 24 hours.
- It's accessible. You can e-file your return 24 hours a day, 7 days a week.

■ It can be free. Many tax software providers no longer charge extra for electronically filing your tax return. Be sure to shop around and look into software product offers.

#### e-file for Free

Electronically preparing and filing your taxes can be free if you go to <u>IRS.gov</u> and select Free File. Free File now offers free options to electronically prepare and file your tax return.

If your adjusted gross income was \$56,000 or less in 2008, you are eligible to electronically prepare and file your taxes at *IRS.gov* for free with Free File. Free File was started in 2003 through a partnership with the Internal Revenue Service (IRS) and the Free File Alliance, Inc., a group of leading private-sector tax preparation software companies.

Free File offers all the benefits of e-file. It is safe, easy to use and available in English and Spanish. To use, go to IRS.gov, click on "Free File" and select a tax preparation company from the list. You'll then be directed to their site to electronically prepare and e-file your return.

Or, if you don't qualify to use one of these products, Free File Fillable Forms allow you to complete the basic IRS tax forms online and e-file your return— regardless of income.

This year, make tax season better by e-filing your tax return. You'll help yourself, while enjoying its many benefits. IRS

#### Learn More Online

■ Free File <a href="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2C%2Cid="https://www.irs.gov/efile/article/0%2Cid="https://www.irs.gov/efile/article/0%2Cid="https://www.irs.gov/efile/article/0%2Cid="https://www.irs.gov/efile/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/article/a

## Military Differential Payments Now Treated as Wages

ffective January 1, 2009, any amount paid to an employee while he or she is performing services in the uniformed services is to be treated as wages subject to federal income tax withholding and reporting in W-2 box 1. These payments are also subject to social security, Medicare, and federal unemployment taxes if made while the employee is on temporary assignment (up to 30 days) with the state National Guard or the Armed Forces Reserve. After 30 days, social security, Medicare, and federal unemployment taxes no longer apply.

Some employers pay all or a portion of the wages that the individual would have received if he or she were still

working for the employer. These payments are commonly referred to as "differential" payments, because many employers pay the difference between what the individual is earning in the uniformed services and what he or she would be earning if still employed by the employer.

The Heroes Earnings Assistance and Relief Tax (HEART) Act (Public Law No.110-245) made the change to the federal income tax treatment. It used to be that after 30 days in the uniformed services, these payments had to be reported on Form 1099-MISC and the individual had to make estimated tax payments. The HEART Act made no changes with regard to the other taxes.

The HEART Act also requires that an individual receiving these payments continue to be treated as an employee, and that these payments are to be treated as compensation for retirement plan purposes (for example, for purposes of the limit on contributions to an Individual Retirement Account).

#### Learn More Online

■ Tax Information for Members of U.S. Armed Forces <u>www.irs.gov/newsroom/article/0%2C%2Cid=97273%2C</u> <u>00.html</u>

# IRS Exempt Organizations Offers New Online Courses at StayExempt.org

tayExempt.org, the Web-based version of the popular Exempt Organization workshops, has added new mini-courses: Navigating IRS EO Resources, the Redesigned IRS Form 990, and Can I Deduct My Charitable Contributions?, to the online materials already available.

The site now has the original five virtual workshop sessions, five mini-courses on topics important to tax-exempt organizations, and five mini-courses discussing aspects of the redesigned annual return (Form 990) for exempt organizations.

The mini-courses on StayExempt.org are:

- Navigating IRS EO Resources— Shows you what's available and how to find it! How to use IRS.gov and find workshops, outreach events and publications.
- Political Campaigns and Charities— Explains the ban on intervening in political campaign activities by tax-exempt and charitable organizations.
- Can I Deduct My Charitable Contributions?— Helps your exempt organization understand the rules of what's deductible and what's not.
- The Wonderful World of Foundation

  Classification (Part I)— Covers two common types of classifications for 501(c)(3) organizations.

■ Applying for Tax-Exempt Status— Makes the application process easier and quicker for new organizations.

The five interactive virtual workshop sessions are:

- Tax-Exempt Status— How can you keep your 501(c)(3) exempt?
- Unrelated Business Income— Does your organization generate taxable income?
- Employment Issues— How should you treat your workers for tax purposes?
- Form 990— What records should your organization keep to prepare to file an accurate Form 990?
- Required Disclosures— What items are open to public inspection and what disclosures are exempt organizations required to make?

Users can complete the modules in any order and repeat them as many times as they like. StayExempt.org does not require registration and visitors will remain anonymous. 

IRS

#### **Learn More Online**

- StayExempt.org <u>www.irs.gov/charities/</u> article/0%2C%2Cid=166625%2C00.html
- Mini-courses <u>www.stayexempt.org/home</u> mini courses.html

# IRS May Grant Tax Relief to Victims of Federally-Declared Disasters

A disaster—natural or human-caused—can happen at any time. Knowing the process for seeking tax relief can help speed recovery.

After a disaster occurs, the governor of a state may request federal assistance. In response, the federal government may declare the state a federal disaster area by invoking the Robert T. Stafford Disaster Relief and Emergency Assistance Act. If the Federal Emergency Management Agency identifies areas within the state as eligible for individual assistance to families and households, the IRS may grant a period of tax relief to disaster victims.

The length of the relief period will depend on the severity of the event. Return filing dates and current tax payments due within the relief period may be post-poned until the end of the relief period, with no interest or penalties. Certain time-sensitive federal tax actions may also be postponed. Payroll tax deposits will be

considered timely if made by 15 days from the date the disaster took place.

IRS computer systems will identify taxpayers located in the covered disaster area and will automatically apply filing and payment relief to their accounts. Those not identified systemically will need to contact the IRS and self-identify for the relief.

The IRS will issue a news release detailing the specifics of the relief granted and information on how taxpayers affected by the disaster can contact the IRS.

#### **Learn More Online**

- State-specific news releases are on the IRS Web site www.irs.gov/newsroom/article/0%2C%2Cid=98936 %2C00.html
- Disaster Assistance and Emergency Relief for Individuals and Businesses <a href="www.irs.gov/businesses/small/article/0%2C%2Cid=156138%2C00.html">www.irs.gov/businesses/small/article/0%2C%2Cid=156138%2C00.html</a>

# IRS Continues to Roll Out Products on the Web to Assist Small Businesses

#### **Small Business Resource Guide**

In order to provide the most timely and up-to-date tax information, the Small Business Resource Guide (SBRG), formerly a CD-ROM, is now available exclusively online.

Designed to equip small business owners with the skills and knowledge needed to successfully start and manage a business, IRS has ensured the SBRG 2009 Web site offers the same quality of information the SBRG CD was known for, covering a wide range of tax topics, Web links to business forms, publications, other useful governmental Web sites, and much more. The online version of the guide is available at <a href="https://www.sbrg.irs.gov">www.sbrg.irs.gov</a>.

## Small Business Video and Audio Presentations

A new page on IRS.gov features video and audio presentations on a variety of topics for small businesses and self-employed taxpayers. Audio presentations include a reenactment of the May 2008 IRS National Phone Forum for first-time Schedule C filers, and a series on disaster assistance. Also included are:

- Adjusting Employment Taxes: New for 2009
- Backup Withholding for Form 1099-MISC
- Bartering Income
- Choosing a Tax Preparer
- **■** Employer Identification Numbers
- Small Business Tax Workshops
- Schedule C: Who needs to file and how to do it

#### **Online Video and Audio Presentations**

<u>www.irs.gov/businesses/small/article/0%2C%2Cid=</u> <u>97726%2C00.html</u>

#### Small Business Tax Workshop Video

www.irs.gov/businesses/small/ article/0%2C%2Cid=200274%2C00.html

#### **Self-Employed Individuals Tax Center**

Small businesses and the self-employed will also find information and resources in the Self-Employed Individuals Tax Center <a href="https://www.irs.gov/businesses/small/selfemployed">www.irs.gov/businesses/small/selfemployed</a>.

The best way to learn about IRS products and services is to subscribe to e-News for Small Businesses. To start your free subscription to e-News, just go to IRS.gov, www.irs.gov/businesses/small/content/0%2C%2Cid=154826%2C00.html, type in your e-mail address and submit.

#### **Payroll Best Practice: Constant Reconciliation**



"Why do I need to reconcile my payroll? It's all computerized! What could go wrong?"

As sophisticated as many of today's payroll software programs are, whether off-the-shelf or furnished by a payroll service provider, they may not be fool-proof. A type of entry or reversal never anticipated by the programmer, an adjustment that doesn't balance gross-to-net, or a reversal that creates negative quarter-to-date or year-to-date earnings could cause your payroll to be "out of balance."

Catching the error right after it happened is much easier than trying to find it at quarter-end or year-end when you notice, for example, that your totals for Forms 941 and W-2 don't match. Early discovery of the problem also allows you to correct it before preparing your tax forms.

One way to catch these sorts of problems is to reconcile your payroll after every processing. Create an electronic spreadsheet with a separate column for each pay date. Create rows for:

- 1. Items that add to the total gross payroll (regular, sick, vacation, overtime, bonus, etc.);
- 2. Total gross payroll this should be a self-calculating field: a total of the above items;
- 3. Pre-tax deductions (such as cafeteria plan, 401(k) plan);

- Taxable grosses (federal, state, Medicare) these should be self-calculating fields: the total gross less the appropriate pre-tax deductions;
- 5. Taxes (federal, social security, Medicare, state);
- 6. Post-tax deductions;
- 7. Net pay this should be self-calculating: total gross less pre-tax deductions, taxes, and post-tax deductions. Each pay period, take the figures from your payroll journal totals and enter them into the fields for items 1, 3, 5, and 6 above. Then see if your spreadsheet calculations for items 2, 4, and 7 match the calculations on your council inverse.
- 2, 4, and 7 match the calculations on your payroll journal.

Add more columns for Quarter-to-Date (QTD) and Year-to-Date (YTD) figures. The fields in these columns should also be self-calculating, adding the appropriate columns together. As these numbers change every time you enter the items for a new pay period into a new column, see if your spreadsheet calculations for QTD and YTD match those on the payroll journal.

There's almost no limit to what you could add to your spreadsheet, such as:

■ Verifications that social security taxes are 6.2% of social security wages and that Medicare taxes are 1.45% of Medicare wages.

- Verification that the difference between Medicare wages and federal wages is equal to the total of qualified plan elective deferrals (401(k), 403(b), or 457 plans).
- Rows for imputed income amounts, such as taxable benefits, that add to taxable gross figures but do not add to the paycheck gross or net pay.
- Columns for each quarter's 941, to compare with the QTD columns (remember that total social security and Medicare tax on the 941 will be twice what was deducted from employees' pay).
- A column for the W-3 totals, including appropriate box 12 amounts, to compare with a sum of the columns for the Forms 941 and with the YTD column.
- Columns for federal and state tax deposits, to compare with the columns for the QTD, YTD, Forms 941, and W-3.
- Columns for any adjustments via Forms W-3c and 941-X.

Editor's Note: The American Payroll Association is proud to be an integral partner with the Internal Revenue Service and the Social Security Administration. This allows APA to include the most accurate and up-to-date information in its seminars, publications, and webinars, such as its Payroll Tax Forum. More information about the APA is available at <a href="https://www.americanpayroll.org">www.americanpayroll.org</a>.

# Reminders for Filing Forms W-2C/W-3C with Social Security

ocial Security's employer Web site is available 24/7 to support employers and third party submitters with filing Forms W-2C/W-3C. You should file Forms W-2C and W-3C as soon as possible after discovering an error with a previously submitted Form W-2.

Remember, you must file a Form W-3C whenever you file a Form W-2C with SSA, even if you are only filing one Form W-2C to correct an employee's name or Social Security number (SSN). Also, remember to provide a Form W-2C to the employee as soon as possible.

Employers and submitters should consider W-2C Online because it allows them to complete up to 5 Forms W-2C on the computer, electronically submit them to Social Security, and print copies suitable for distribution to employees. No special paper or software is needed.

To begin filing W-2Cs online, simply prepare your file using the Specifications for Filing Forms W-2C Electronically (EFW2C)—make sure to enter the correct tax year in the Employer Record (RCE Record). You should also test your file using AccuW2C.

Note: You can only correct the current tax year when using W-2C online. For example, if you discover an error in November 2008 for a W-2 you submitted in Tax Year 2007, you can use W-2C online to make the correction. However, if you discover an error in November 2008 for a W-2 you submitted in Tax Year 2006, you cannot use W-2C online.

#### **Learn More Online**

- Employer W-2 Instructions & Information <u>www.socialsecurity.gov/employer</u>
- W-2C Online <u>www.socialsecurity.gov/employer/bsotut.htm</u>
- EFW2C Online <u>www.socialsecurity.gov/employer/pub.htm</u>
- Business Services Online Handbook www.socialsecurity.gov/employer/bsohbnew.htm
- Employer Reporting Service Center: 1-800-772-6270, Monday Friday 7am to 7pm (EST)

# Stay in Compliance With APA's Payroll Tax Forum

Payroll is one of the most regulated aspects of any business. The cost of non-compliance is steep. By attending an American Payroll Association (APA) Payroll Tax Forum, a one-day course offered in 30 cities nationwide, June 15-26, you can avoid penalties by learning about the latest payroll-related changes from Congress and federal agencies such as the IRS, DOL, SSA, and DHS. This comprehensive, one-day program will prepare you to deal proactively with these changes and keep your organization in compliance.

Topics include new IRS Form 941-X, new rules on cafeteria plans, the revised Form I-9 and changes to the documents proving work authorization, the requirement to use E-Verify in certain states and by all federal contractors, and payroll-related proposals from the new administration.

The class also includes explanation of the taxation and reporting of some of the most common benefits; review of the annually adjusted wage bases and benefit limits; and discussion of revisions to IRS forms and publications. Most of the one-day classes also include a presentation by IRS and SSA.

#### **Learn More Online**

■ APA Payroll Tax Forum Web site

www.americanpayroll.org/taxforum

#### TEST YOUR KNOWLEDGE

### Planning for Taxes

**Situation:** Operations started well for Eddie's consulting business (a sole proprietorship). Revenues were in line with the business plan and Eddie was able to keep up with expenses, including the biweekly payroll for his initial employee. After the first month, Eddie's accountant reminded him of the need to make a tax deposit of the employment taxes and withholding owed on the wages paid. The accountant also discussed a quarterly estimated income tax payment related to the business profits. These expenditures took Eddie by surprise; he had already used the profits for personal expenses and did not provide for these additional outlays.

Question: What approaches might Eddie consider to help anticipate and meet his tax payment and filing obligations?

**Answer:** One technique to consider is preparing a cash budget for estimating periodic expenditures (such as the overlooked tax deposits and quarterly estimated taxes) as well as the immediate day-to-day costs and revenues. A cash budget projects receipts and disbursements over time to determine whether a business will have adequate cash on hand to meet its expenses. Further information on this planning technique is available at the usa.gov Web portal, <a href="https://www.irs.gov/businesses/small/content/0%2C%2Cid=98864%2C00.htm/">www.irs.gov/businesses/small/content/0%2C%2Cid=98864%2C00.htm/</a> by entering the search phrase "cash flow budget".

Other Business Practices: Timely and organized record and bookkeeping systems assist in monitoring the progress of the business and in preparing the required tax and information returns. Publication 583, *Starting a Business and Keeping Records* provides a general overview of these systems and reviews topics such as business taxes and expenses.

Also discussed in Publication 583 are the benefits of establishing a business checking account and the value of reconciling it to the books and records. A

business account improves recordkeeping by separating business transactions from personal ones; periodic reconciliations increase accuracy by verifying that transactions are recorded properly. IRS

#### **Learn More Online**

- Businesses with Employees <a href="https://www.irs.gov/businesses/small/article/">www.irs.gov/businesses/small/article/</a>
  <a href="https://www.irs.gov/businesses/small/article/">w
- Publication 583, Starting a Business and Keeping Records, <u>www.irs.gov/pub/</u> irs-pdf/p583.pdf
- Small Business Guides at <u>www.business.gov.</u> (These guides cover business-related items such as starting a business, and have resources from federal, state, and local governments.)
- Small Business Resources <u>www.irs.gov/businesses/small/content/0%2C</u> %2Cid=98864%2C00.html

#### IRS Provides Guidance on Personal Use of Employer-Provided Vehicles

ne of the most common fringe benefits provided to employees is use of a company owned or leased vehicle. The personal use of an employer-provided vehicle is a fringe benefit, and generally, fringe benefits are taxable unless specifically excluded by law. As such, taxable fringe benefits are subject to employment taxes and are includible in the employee's Form W-2, Wage and Tax Statement. There are special rules to withhold, deposit and report the employment taxes on these benefits.

If an employer provides a vehicle for an employee's use, the amount excludable as a working condition fringe is the amount that would be allowable as a deductible business expense if the employee paid for its use. Employees must substantiate their business use through adequate documentation to qualify as an excludable working condition fringe.

The general way to determine the value of a fringe benefit is to determine the fair market value of that benefit. The fair market value is the price an employee would incur to buy or lease the benefit in an arm's length transaction. There are special valuation rules an employer can use to determine the value of an employer-provided vehicle:

- The Vehicle Cents-Per-Miles Rule— The employer multiplies the miles the employee drove for personal use by the standard rate,
- 2. The Commuting Valuation Rule— The employer multiplies the number of times the employee used the vehicle for commuting times \$1.50 if the employer meets all the requirements for using this method, or
- 3. The Automobile Lease Value Rule— The employer uses the annual lease value to determine the value of the employee's personal use of the vehicle.

There are specific requirements that must be met to use these special valuation rules. For example, the employer must provide the employee with a vehicle for commuting for bona fide non-compensatory business reasons to use the commuting valuation rule.

#### Learn More Online

■ Publication 15-B, Employer's Tax Guide to Fringe Benefits, <u>www.irs.gov/publications/p15b/index.html</u>

# Nine States Now Require Electronic Child Support Payments

ebraska has joined eight other States (California, Florida, Illinois, Indiana, Massachusetts, Oregon, Pennsylvania, and Virginia) that require employers to remit their child support payments electronically.

Employers in Nebraska with 50 or more employees and who are paying on at least one order are required to remit child support payments electronically. Nebraska offers a web-based payment service for employers:

NE Child Support Payment Center (free for employers) 1-877-631-9973

www.nebraskachildsupport.com

The criteria for determining whether your company must submit electronic payments vary by State. For more information about converting to electronic payments for child support, contact your State Child Support Enforcement agency or Nancy Benner at nancy.benner@acf.hhs.gov or (202) 401-5528.

#### News and Announcements

#### Revisions to the Family and Medical Leave Act (FMLA) Regulations Now Effective

The Department of Labor's Wage and Hour Division published a Final Rule under the Family and Medical Leave Act (FMLA). The final rule became effective on January 16, 2009, and updates the FMLA regulations to implement new military family leave entitlements enacted under the National Defense Authorization Act for FY 2008.

It also includes revisions in response to public comments received on the proposed rule issued in February 2008.

Additional information, including a revised FMLA poster and new and revised forms, is available on the Department's Wage and Hour Web site.

#### **Learn More Online**

■ Department of Labor's Wage and Hour Division (WHD) Web site on the Family and Medical Leave Act (FMLA) Regulation revisions: <a href="https://www.dol.gov/esa/whd/fmla/finalrule.htm">www.dol.gov/esa/whd/fmla/finalrule.htm</a>.

#### **Excise Tax Information**

To check excise taxes that may apply to small businesses, see Publication 510, <a href="https://www.irs.gov/pub/irs-pdf/p510.pdf">www.irs.gov/pub/irs-pdf/p510.pdf</a>, visit the Excise Tax Web page, <a href="https://www.irs.gov/businesses/small/article/0%2C%2Cid=99517%2C00.html">www.irs.gov/pub/irs-pdf/p510.pdf</a>, visit the Excise Tax Web page, <a href="https://www.irs.gov/businesses/small/article/0%2C%2Cid=99517%2C00.html">www.irs.gov/pub/irs-pdf/p510.pdf</a>, visit the Excise Tax Web page, <a href="https://www.irs.gov/businesses/small/article/0%2C%2Cid=99517%2C00.html">www.irs.gov/businesses/small/article/0%2C%2Cid=99517%2C00.html</a>, or contact our Business and Specialty Tax Line at 800-829-4933. <a href="https://www.irs.gov/businesses/small/article/">www.irs.gov/businesses/small/article/</a>

## Reminder about Extension of Time to File Procedures for Certain Businesses

For Forms 1065, 1041 and Forms 8804 that are due on or after January 1, 2009, the automatic extension period has been reduced from 6 months to 5 months. To request a 5 month extension, use Form 7004, Extension of Time to File, <a href="www.irs.gov/pub/irs-pdf/f7004.pdf">www.irs.gov/pub/irs-pdf/f7004.pdf</a> and complete Part I, line 1a. Instructions are available on IRS.gov, <a href="www.irs.gov/pub/irs-pdf/i7004.pdf">www.irs.gov/pub/irs-pdf/i7004.pdf</a>. IRS

# U.S./Denmark Social Security Agreement Eliminates Double Taxation

If you have U.S. employees working in Denmark or Danish personnel working in the United States, you may be able to realize substantial tax savings under a new Social Security agreement effective October 2008. The new agreement helps reduce business costs by eliminating double taxation for Social Security and health insurance under the U.S. and Danish Social Security systems.

With the new agreement with Denmark, the U.S. now has Social Security agreements with 21 other countries. ssa

#### **Learn More Online**

- Social Security Online, International Agreements www.socialsecurity.gov/international.
- SSA's Office of International Programs (410) 965-0144 or (410) 965-3549.

## Latest Fact Sheet Helps Small Businesses Avoid Incorrect Deductions for Retirement Plans

IRS Fact Sheet-2008-24, <a href="https://www.irs.gov/newsroom/article/">www.irs.gov/newsroom/article/</a>
<a href="https://www.irs.gov/newsroom/article/">www.ir

#### **IRS Opens Identity Theft Toll-Free Hotline**

The IRS.gov Identity Theft and Your Tax Records page, <u>www.irs.gov/individuals/article/0%2C%2Cid=136324%2C00.html</u> has information for taxpayers who believe they have a tax issue created by identity theft.

The new IRS Identity Protection Specialized Unit (800-908-4490) will take actions to mark the affected accounts so that identity theft issues may be resolved more quickly and reduce the burden of resolving any related issues in future years.

#### **Lockbox Address Changes**

On January 1, 2009, the IRS lockbox payment addresses are changing for some individual taxpayers in five states and business taxpayers in 23 states. <a href="https://www.irs.gov/taxpros/article/0%2C%2Cid=201502%2C00.html">www.irs.gov/taxpros/article/0%2C%2Cid=201502%2C00.html</a>. IRS

#### **Improving Wage Reporting Information**

Social Security continues to work on improving future wage reporting publications and the Employer W-2 Instructions and Information Web site. Your feedback and input are important to our improvement efforts. If you would like to share comments about your wage reporting experiences with Social Security, email them to us and include the word "SSA/IRS Reporter" in the subject line.

#### **Learn More Online**

■ Employer Web site <u>www.socialsecurity.gov/employer.</u> Email comments to employer@ssa.gov

# Find Financing Opportunities on Business.gov

Business.gov has launched a new Loans and Grants Search Tool to help small business owners quickly find grant, loan, and venture capital programs from federal and state governments.

#### **Learn More Online**

- Loans and Grants Search Tool <a href="http://search.business.gov/startLoans.html">http://search.business.gov/startLoans.html</a>
- Small Business Prime Contracting Achievement and Small Business Procurement Scorecards <a href="https://www.sba.gov/aboutsba/sbaprograms/goals/index.html">www.sba.gov/aboutsba/sbaprograms/goals/index.html</a>.



SSA/IRS Reporter is published quarterly, Spring (March), Summer (June), Fall (Sept.), and Winter (Dec.) by the IRS Small Business/Self-Employed Communications Office.

Comments may be sent to John Berger, Editor

Mail (NOT for change of address): Internal Revenue Service Small Business/Self-Employed Communications Room 940, Fallon Building 31 Hopkins Plaza

Baltimore, MD 21201

**e-mail** (NOT for change of address): SSA.IRS.REPORTER@irs.gov

Fax 410-962-2572

## Change of Address? Out of Business?

Notify the IRS. Submit Change of Address Form 8822 available at <a href="http://www.irs.gov/pub/irs-pdf/6822.pdf">http://www.irs.gov/pub/irs-pdf/6822.pdf</a> to the IRS center to which you sent your business returns. Please include your Employer Identification Number (EIN).

Cincinnati IRS Center Cincinnati, OH 45999

Ogden IRS Center MS:6273, Ogden, UT 84207

Attn: BMF Entity Control Unit

#### Outside US:

Philadelphia IRS Center, Philadelphia, PA 19255

About Reprinting Articles This publication is covered under Title 17, Section 105 of the United States Code that stipulates a work prepared by an officer or employee of the United States government, as part of that person's official duty, places that work in the public domain. Go to <a href="http://www.copyright.gov/title17/92chap1.htm/">http://www.copyright.gov/title17/92chap1.htm/</a> for specific information.

#### IRS and SSA "Help" Phone Numbers, Web Addresses, and Additional Resources Now on IRS.gov

IRS and SSA "Help" telephone numbers, Web addresses, and additional resources are now posted on IRS.gov at <a href="http://www.irs.gov/businesses/small/article/0%2C%2Cid=109886%2C00.html">http://www.irs.gov/businesses/small/article/0%2C%2Cid=109886%2C00.html</a>.



IRS's e-News for Small Businesses is distributed every other Wednesday. e-News brings timely, useful tax information right to your computer. To review a representative sample and to start your

FREE subscription to e-News, just go to IRS.gov at http://www.irs.gov/businesses/small/content/ 0%2C%2Cid=154826%2C00.html, type

in your e-mail address and "submit."