

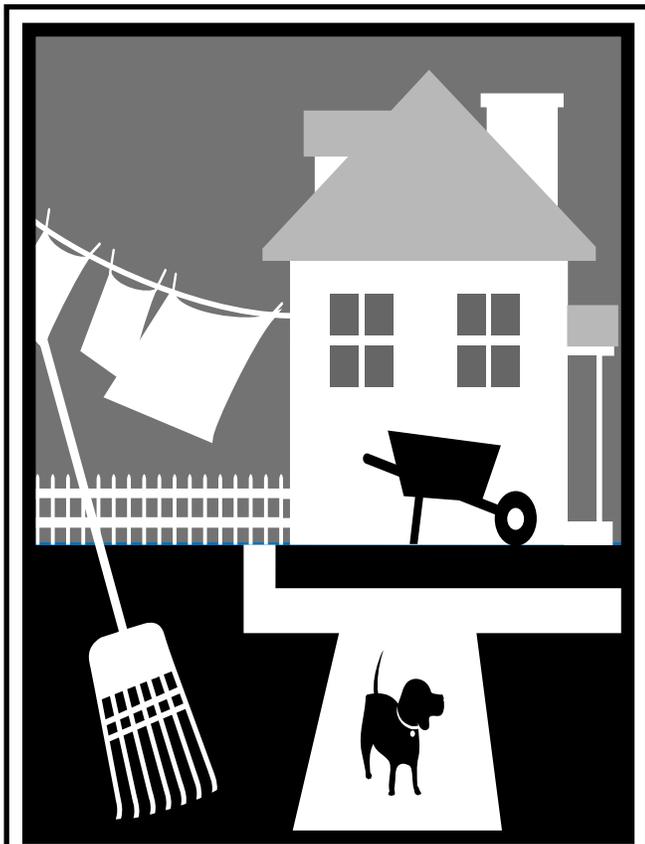


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# Household Employer's Tax Guide

## For Wages Paid in 1999



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## Introduction

If you have a household employee in 1999, you may need to pay state and federal employment taxes. You generally must add your federal employment taxes to the income tax that you will report on your 1999 federal income tax return.

This publication will help you decide whether you have a household employee and, if you do, whether you need to pay federal employment taxes. It explains how to figure, pay, and report social security tax, Medicare tax, federal unemployment tax, and federal income tax withholding for your household employee. It also explains what records you need to keep.

This publication also tells you where to find out whether you need to pay state unemployment tax for your household employee.

## Who Is a Household Employee?

The information in this publication applies to you only if you pay someone for household work and that worker is your employee. Household work is work done in or around your home by babysitters, nannies, health aides, private nurses, maids, caretakers, yard workers, and similar domestic workers.

A household worker is your employee if you can control not only what work is done, but how it is done. If the worker is your employee, it does not matter whether the work is full time or part time, or that you hired the worker through an agency or from a list pro-

vided by an agency or association. It also does not matter whether you pay the worker on an hourly, daily, or weekly basis, or by the job.

If only the worker can control how the work is done, the worker is not your employee but is self-employed. A self-employed worker usually provides his or her own tools and offers services to the general public in an independent business. If an agency provides the worker and controls what work is done and how it is done, the worker is not your employee.

More information about who is an employee is in Publication 15-A, *Employer's Supplemental Tax Guide*.

**Example 1.** You pay Betty Shore to babysit your child and do light housework 4 days a week in your home. Betty follows your specific instructions about household and child care duties. You provide the household equipment and supplies that Betty needs to do her work. Betty is your household employee.

**Example 2.** You pay John Peters to care for your lawn. John also offers lawn care services to other homeowners in your neighborhood. He provides his own tools and supplies, and he hires and pays any helpers he needs. Neither John nor his helpers are your household employees.

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## Can Your Employee Legally Work in the United States?



*It is unlawful for you to knowingly hire or continue to employ an alien who cannot legally work in the United States.*

When you hire a household employee to work for you on a regular basis, he or she must complete the employee part of the Immigration and Naturalization Service (INS) Form I-9, *Employment Eligibility Verification*. You must verify that the employee is either a U.S. citizen or an alien who can legally work in the United States and then complete the employer part of the form. Keep the completed form for your records and reverify the employee's work authorization if and when necessary as indicated on the form. You must make the form available for review upon notice from an authorized U.S. Government official. Do not submit it to the IRS, INS, or to any other local, state, or federal government entity.



Two copies of Form I-9 are contained in the *INS Handbook for Employers* (Form M-274). Call the INS at 1-800-870-3676 to order the handbook. If you have questions about the employment eligibility verification process or other immigration-related employment matters, contact the INS Office of Business Liaison at 1-800-357-2099.

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## Do You Need To Pay Employment Taxes?

If you have a household employee, you may need to withhold and pay social security and Medicare taxes, or pay federal unemployment tax, or both. To find out, read Table 1 on page 3.

You do not need to withhold federal income tax from your household employee's wages. But if your employee asks you to withhold it, you can choose to do so. See *Do You Need To Withhold Federal Income Tax?* on page 5.

If you need to pay social security, Medicare, or federal unemployment tax or choose to withhold federal income tax, read Table 2, *Household Employer's Checklist*, on page 4 for an overview of things you may need to do.



**Child and dependent care expenses.** *If your household employee cares for your dependent who is under age 13 or your spouse or dependent who is not capable of self care, so that you can work, you may be able to take an income tax credit of up to 30% of your expenses. If you can take the credit, you can include your share of the federal and state employment taxes you pay, as well as the employee's wages, in your qualifying expenses. For information about the credit, get Publication 503, Child and Dependent Care Expenses.*

If you do not need to pay social security, Medicare, or federal unemployment tax and do not choose to withhold federal income tax, read *State employment taxes*, next. The rest of this publication does not apply to you.

**State employment taxes.** You should contact your state unemployment tax agency to find out whether you need to pay state unemployment tax for your household employee. For the address and phone number, see the list beginning on page 10 of this publication. You should also find out whether you need to pay or collect other state employment taxes or carry workers' compensation insurance.

## Social Security and Medicare Taxes

The Federal Insurance Contributions Act (FICA) provides for a federal system of old-age, survivors, disability, and hospital insurance for workers and their families. The social security tax pays for old-age, survivors, and disability benefits. The Medicare tax pays for hospital insurance.

Both you and your household employee may owe social security and Medicare taxes. The taxes for each of you are 7.65% (6.2% for social security tax and 1.45% for Medicare tax) of the employee's social security and Medicare wages.

You are responsible for payment of your employee's share of the taxes as well as your own. You can either withhold your employee's share from the employee's

Table 1. Do You Need To Pay Employment Taxes?

If you:	Then you need to:
<p><b>A</b>—Pay cash wages of \$1,100 or more in 1999 to any one household employee.</p> <p>Do not count wages you pay to—</p> <ul style="list-style-type: none"> <li>● Your spouse,</li> <li>● Your child under age 21,</li> <li>● Your parent, or</li> <li>● Any employee under age 18 during 1999.</li> </ul> <p style="margin-left: 150px;">} See page 3 for exceptions.</p>	<p>Withhold and pay social security and Medicare taxes. (Page 2)</p> <ul style="list-style-type: none"> <li>● The taxes are 15.3% of cash wages.</li> <li>● Your employee's share is 7.65%. (You can choose to pay it yourself and not withhold it.)</li> <li>● Your share is a matching 7.65%.</li> </ul>
<p><b>B</b>—Pay total cash wages of \$1,000 or more in any calendar quarter of 1998 or 1999 to household employees.</p> <p>Do not count wages you pay to—</p> <ul style="list-style-type: none"> <li>● Your spouse,</li> <li>● Your child under age 21, or</li> <li>● Your parent.</li> </ul>	<p>Pay federal unemployment tax. (Page 4)</p> <ul style="list-style-type: none"> <li>● The tax is usually 0.8% of cash wages.</li> <li>● Wages over \$7,000 a year per employee are not taxed.</li> <li>● You may also owe state unemployment tax.</li> </ul>

Note: If neither A nor B above applies, you do not need to pay any federal employment taxes. But you may still need to pay state employment taxes.

wages or pay it from your own funds. Pay the taxes as discussed under *How Do You Make Tax Payments?* on page 6. Also, see *What Forms Must You File?* on page 7.

**Social security and Medicare wages.** You figure social security and Medicare taxes on the social security and Medicare wages you pay your employee. If you pay your household employee cash wages of \$1,100 or more in 1999, all cash wages you pay to that employee in 1999 (regardless of when the wages were earned) are social security and Medicare wages. If you pay the employee less than \$1,100 in cash wages in 1999, none of the wages you pay the employee are social security and Medicare wages, and neither you nor your employee will owe social security or Medicare tax on those wages.

**Wages not counted.** Do not count wages you pay to any of the following individuals as social security and Medicare wages.

- 1) Your spouse.
- 2) Your child who is under age 21.
- 3) Your parent. **Exception:** Count these wages if both of the following conditions apply.
  - a) Your child lives with you and either is under age 18 **or** has a physical or mental condition that requires the personal care of an adult for at least 4 continuous weeks in a calendar quarter.
  - b) You are divorced and have not remarried, or you are a widow or widower, or you are married to and living with a person whose physical or mental condition prevents him or her from caring for your child for at least 4 continuous weeks in a calendar quarter.

- 4) An employee who is under age 18 at any time during the year. **Exception:** Count these wages if providing household services is the employee's principal occupation. If the employee is a student, providing household services is not considered to be his or her principal occupation.

Also, if your employee's social security and Medicare wages reach \$72,600 in 1999, do not count any wages you pay that employee during the rest of the year as social security wages to figure social security tax. (But continue to count the employee's cash wages as Medicare wages to figure Medicare tax.)

**Cash wages.** Cash wages include wages you pay with checks, money orders, etc. Cash wages do not include the value of food, lodging, clothing, and other noncash items you give your household employee. However, cash you give your employee in place of these items is included in cash wages.

If you reimburse the amount your employee pays to commute to your home by mass transit (bus, train, etc.), do not count the reimbursement (up to \$65 per month) as wages.

**Withholding the employee's share.** You should withhold the employee's share of social security and Medicare taxes if you expect to pay your household employee cash wages of \$1,100 or more in 1999. However, if you prefer to pay the employee's share yourself, see *Not withholding the employee's share*, next.

You may withhold the employee's share of the taxes even if you are not sure your employee's cash wages will be \$1,100 or more in 1999. If you withhold the taxes but then actually pay the employee less than \$1,100 in cash wages for the year, you should repay the employee.

**Table 2. Household Employer's Checklist**

*You may need to do the following things when you have a household employee. Page numbers are given to help you find the related discussion in this publication.*

<b>When you hire a household employee:</b>	<input type="checkbox"/> Find out if the person can legally work in the United States. (Page 2) <input type="checkbox"/> Find out if you need to pay state taxes. (Page 2)
<b>When you pay your household employee:</b>	<input type="checkbox"/> Withhold social security and Medicare taxes. (Page 2) <input type="checkbox"/> Withhold federal income tax. (Page 5) <input type="checkbox"/> Make advance payments of the earned income credit. (Page 6) <input type="checkbox"/> Decide how you will make tax payments. (Page 6) <input type="checkbox"/> Keep records. (Page 8)
<b>By January 31, 2000:</b>	<input type="checkbox"/> Get an employer identification number. (Page 7) <input type="checkbox"/> Give your employee Copies B, C, and 2 of Form W-2, <i>Wage and Tax Statement</i> . (Page 7)
<b>By February 29, 2000:</b>	<input type="checkbox"/> Send Copy A of Form W-2 to the Social Security Administration. (Page 7)
<b>By April 17, 2000:</b>	<input type="checkbox"/> File Schedule H (Form 1040), <i>Household Employment Taxes</i> , with your 1999 federal income tax return (Form 1040). If you do not have to file a return, file Schedule H by itself. (Page 7)

Withhold 7.65% (6.2% for social security tax and 1.45% for Medicare tax) from each payment of social security and Medicare wages. You can use the table on page 12 to figure the proper amount to withhold. Instead of paying this amount to your employee, you will pay it to the IRS with a matching amount for your share of the taxes. Do not withhold any social security tax after your employee's social security wages for the year reach \$72,600.

If you make an error by withholding too little, you should withhold additional taxes from a later payment. If you withhold too much, you should repay the employee.

**Example.** You hire a household employee (who is an unrelated individual over age 18) to care for your child and agree to pay cash wages of \$100 every Friday. You expect to pay your employee \$1,100 or more for the year. You should withhold \$7.65 from each \$100 wage payment and pay your employee the remaining \$92.35. The \$7.65 is the sum of \$6.20 ( $\$100 \times 6.2\%$ ) for your employee's share of social security tax and \$1.45 ( $\$100 \times 1.45\%$ ) for your employee's share of Medicare tax. You will match the \$7.65 you withhold with \$7.65 from your own funds when you pay the taxes.

**Not withholding the employee's share.** If you prefer to pay your employee's social security and Medicare taxes from your own funds, you do not have to withhold them from your employee's wages. The social security and Medicare taxes you pay to cover your employee's share must be included in the employee's wages for income tax purposes. However, they are not counted as social security and Medicare wages or as federal unemployment (FUTA) wages.

**Example.** You hire a household employee (who is an unrelated individual over age 18) to care for your child and agree to pay cash wages of \$100 every Friday. You expect to pay your employee \$1,100 or more

for the year. You decide to pay your employee's share of social security and Medicare taxes from your own funds. You pay your employee \$100 every Friday without withholding any social security or Medicare taxes. For each wage payment you will pay \$15.30 when you pay the taxes. This is \$7.65 (\$6.20 for social security tax plus \$1.45 for Medicare tax) to cover your employee's share plus a matching \$7.65 for your share. For income tax purposes, your employee's wages each payday are \$107.65 (\$100 plus the \$7.65 that you will pay to cover your employee's share of social security and Medicare taxes).

## Federal Unemployment (FUTA) Tax

The federal unemployment tax is part of the federal and state program under the Federal Unemployment Tax Act (FUTA) that pays unemployment compensation to workers who lose their jobs. Like most employers, you may owe both the federal unemployment tax (the FUTA tax) and a state unemployment tax. Or, you may owe only the FUTA tax or only the state unemployment tax. To find out whether you will owe state unemployment tax, contact your state's unemployment tax agency. See the list of state unemployment agencies in the Appendix on page 10 for the address.

The FUTA tax is 6.2% of your employee's FUTA wages. However, you may be able to take a credit of up to 5.4% against the FUTA tax, resulting in a net tax of 0.8%. But to do so, you must pay all the required contributions for 1999 to your state unemployment fund by April 17, 2000. The credit you can take for any contributions that you pay for 1999 after April 17, 2000, is limited to 90% of the credit that would have been allowable if the contributions were paid on or before April 17, 2000.



You must complete the following worksheet to figure the credit for late contributions.

**Worksheet for Credit Computation if Any State Contributions Were Paid After the Due Date for Filing Form 1040**

A.	Enter the amount from Schedule H, line 23 . . . . .	_____
B.	Enter the amount from Schedule H, line 20 . . . . .	_____
C.	Subtract line B from line A . . . . .	_____
D.	Enter total contributions paid to the state <b>after</b> the Form 1040 due date. _____	_____
E.	Enter the smaller of lines C or D. . . . .	_____
F.	Multiply line E by .90 (90%) . . . . .	_____
G.	Add lines B and F . . . . .	_____
H.	Enter the <b>smaller</b> of the amounts on lines A and G here, <b>and</b> on Schedule H, line 24 . . . . .	_____

Pay the tax as discussed under *How Do You Make Tax Payments?* on page 6. Also, see *What Forms Must You File?* on page 7.



*Do not withhold the FUTA tax from your employee's wages. You must pay it from your own funds.*

**FUTA wages.** You figure the FUTA tax on the FUTA wages you pay. If you pay cash wages to household employees totaling \$1,000 or more in any calendar quarter of 1999, the first \$7,000 of cash wages you pay to each household employee in 1999 and 2000 is FUTA wages. (A calendar quarter is January through March, April through June, July through September, or October through December.) If your employee's cash wages reach \$7,000 during the year, do not figure the FUTA tax on any wages you pay that employee during the rest of the year. For a discussion of "cash wages," see page 3.

If you pay less than \$1,000 cash wages in each calendar quarter of 1999, but you had a household employee in 1998, the cash wages you pay in 1999 may still be FUTA wages. They are FUTA wages if the cash wages you paid to household employees in any calendar quarter of 1998 totaled \$1,000 or more.

**Wages not counted.** Do not count wages you pay to any of the following individuals as FUTA wages.

- 1) Your spouse.
- 2) Your child who is under age 21.
- 3) Your parent.

**Example.** You hire a household employee (who is not related to you) on January 1, 1999, and agree to pay cash wages of \$200 every Friday. During January, February, and March you pay the employee cash wages of \$2,600. Because you pay cash wages of \$1,000 or more in a calendar quarter of 1999, the first \$7,000 of cash wages you pay the employee (or any other employee) in 1999 or 2000 is FUTA wages. The FUTA wages you pay may also be subject to your state's unemployment tax.

During 1999, you pay your household employee cash wages of \$10,400. You pay all the required contributions for 1999 to your state unemployment fund by April 17, 2000. Your FUTA tax for 1999 is \$56 (\$7,000 × 0.8%).

## Do You Need To Withhold Federal Income Tax?

You are not required to withhold federal income tax from wages you pay a household employee. You should withhold federal income tax only if your household employee **asks** you to withhold it and you **agree**. The employee must give you a completed Form W-4, *Employee's Withholding Allowance Certificate*.

If you agree to withhold federal income tax, you are responsible for paying it to the IRS. Pay the tax as discussed under *How Do You Make Tax Payments?* on page 6. Also, see *What Forms Must You File?* on page 7.

Use the income tax withholding tables in Publication 15, *Circular E, Employer's Tax Guide*, to find out how much to withhold. Figure federal income tax withholding on wages before you deduct any amounts for other withheld taxes. Withhold federal income tax from each payment of wages based on the filing status and exemptions shown on your employee's Form W-4. Publication 15 contains detailed instructions.

**Wages.** You figure federal income tax withholding on both cash and noncash wages you pay. Measure wages you pay in any form other than cash by the value of the noncash item.

Do not count as wages any of the following items.

- Meals provided at your home for your convenience.
- Lodging provided at your home for your convenience and as a condition of employment.
- Up to \$65 a month for bus or train tokens (passes) you give your employee, or for any cash reimbursement you make for the amount your employee pays to commute to your home by mass transit.
- Up to \$175 a month for the value of parking you provide your employee at or near your home or at or near a location from which your employee commutes to your home.

See Publication 15 for more information on cash and noncash wages.

**Paying tax without withholding.** Any income tax you pay for your employee without withholding it from the employee's wages must be included in the employee's wages for federal income tax purposes. It is also counted as social security and Medicare wages and as federal unemployment (FUTA) wages.

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## What Do You Need To Know About the Earned Income Credit?

Certain workers can take the earned income credit (EIC) on their federal income tax return. This credit reduces their tax or allows them to receive a payment from the IRS if they do not owe tax. You may have to make advance payments of part of your household employee's EIC along with the employee's wages. You also may have to give your employee a notice about the EIC.

**Advance EIC payments.** You must make advance EIC payments if your employee gives you a properly completed Form W-5, *Earned Income Credit Advance Payment Certificate*. Use the advance EIC payment tables in Publication 15, *Circular E, Employer's Tax Guide*, to find out how much to pay your employee.

Reduce the amount of social security and Medicare taxes and withheld federal income tax you need to pay to the IRS by the amount of any advance EIC payments you make. If the amount shown in the advance EIC payment tables is more than the total amount of social security and Medicare taxes and withheld federal income tax, you can choose not to pay the excess. See Publication 15 for information about making this choice if you have more than one employee entitled to advance EIC payments.

**Notice about the EIC.** Copy B of the 1999 Form W-2, *Wage and Tax Statement*, which is the copy filed with the employee's federal tax return, has a statement about the EIC on the back. If you give your employee that copy by January 31, 2000 (as discussed under *Form W-2* on page 7), you do not have to give the employee any other notice about the EIC.

Otherwise, you must give your household employee a notice about the EIC only if you agree to withhold federal income tax from the employee's wages (as discussed under *Do You Need To Withhold Federal Income Tax?* on page 5), but the income tax withholding tables show that no tax should be withheld. Even if not required, you are encouraged to give the employee a notice about the EIC if his or her 1999 wages are less than \$30,580.

If you do not give your employee Copy B of the Form W-2, your notice about the EIC can instead be any of the following items.

- 1) A substitute Form W-2 with the same EIC information on the back of the employee's copy that is on Copy B of the Form W-2.
- 2) Notice 797, *Possible Federal Tax Refund Due to the Earned Income Credit (EIC)*.
- 3) Your own written statement with the same wording as in Notice 797.

If a substitute Form W-2 is given on time but does not have the required EIC information, you must notify

the employee within one week of the date the substitute Form W-2 is given. If Form W-2 is required but is not given on time, you must give the employee Notice 797 or your written statement about the 1999 EIC by January 31, 2000. If Form W-2 is not required, you must notify the employee by February 7, 2000.

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## How Do You Make Tax Payments?

When you file your 1999 federal income tax return in 2000, attach Schedule H, *Household Employment Taxes*, to your Form 1040. Use Schedule H to figure your total household employment taxes (social security, Medicare, FUTA, and withheld federal income taxes). Add these household employment taxes to your income tax. Pay the amount due by April 17, 2000. (For more information about using Schedule H, see *Schedule H* on page 7.)

You can avoid owing tax with your return if you pay enough tax during the year to cover your household employment taxes, as well as your income tax. If you are employed, you can ask your employer to withhold more federal income tax from your wages in 1999. If you get a pension or annuity, you can ask the payer to withhold more federal income tax from your benefits. Or, you can make estimated tax payments for 1999 to the IRS, or increase your payments if you already make them.



You may have to pay an estimated tax penalty if you do not pay household employment taxes during the year and either of the following situations applies for the year.

- 1) You will have federal income tax withheld from your pay, pension, annuity, etc.
- 2) You would be required to make estimated tax payments (to avoid the penalty) even if you did not owe household employment taxes.

**Asking for more federal income tax withholding.** If you are employed and want more federal income tax withheld from your wages to cover the employment taxes for your household employee, give your employer a new Form W-4, *Employee's Withholding Allowance Certificate*. Complete it as before, but show the additional amount you want withheld from each paycheck on line 6.

If you receive a pension or annuity and want more federal income tax withheld to cover the employment taxes for your household employee, give the payer a new Form W-4P, *Withholding Certificate for Pension or Annuity Payments* (or a similar form provided by the payer). Complete it as before, but show the additional amount you want withheld from each benefit payment on line 3.

To make sure you will have the right amount withheld, get Publication 919, *Is My Withholding Correct for 1999?* It will help you compare your total withholding for 1999 with the combined income tax and employment taxes that you can expect to figure on your 1999 return.

**Paying estimated tax.** If you want to make estimated tax payments to cover the employment taxes for your household employee, get Form 1040-ES, *Estimated Tax for Individuals*. Use its payment vouchers to make your payments. You can pay all of the employment taxes at once, or you can pay them in installments. If you have already made estimated tax payments for 1999, you can increase your remaining payments to cover the employment taxes. Estimated tax payments for 1999 are ordinarily due April 15, June 15, and September 15, 1999, and January 17, 2000.

**Payment option for business employers.** If you own a business as a sole proprietor or your home is on a farm operated for profit, you can choose either of two ways to pay the 1999 federal employment taxes for your household employee. You can pay them with your federal income tax as described above, or you can include them with your federal employment tax deposits or other payments for your business or farm employees.

If you pay the employment taxes for your household employee with your business or farm employment taxes, you must report your household employment taxes with those other employment taxes on Form 941 or Form 943 and on Form 940 (or 940-EZ). See *Business employment tax returns* on page 8.



*The deduction that can be taken on Schedules C and F (Form 1040) for wages and employment taxes applies only to wages and taxes paid for business and farm employees. You cannot deduct the wages and employment taxes paid for your household employees on your Schedule C or F.*

**More information.** For information about paying taxes through federal income tax withholding and estimated tax payments and figuring the estimated tax penalty, get Publication 505, *Tax Withholding and Estimated Tax*.

## What Forms Must You File?

You must file certain forms to report your household employee's wages and the federal employment taxes for the employee if you pay any of the following wages to the employee.

- 1) Social security and Medicare wages.
- 2) FUTA wages.
- 3) Wages from which you withhold federal income tax.

The employment tax forms and instructions you need will be sent to you automatically in January 2000 if you reported employment taxes for 1998 on Schedule H (Form 1040), *Household Employment Taxes*. Otherwise, for information on ordering these forms, see *How To Get More Information* on page 8.

**Employer identification number (EIN).** You must include your employer identification number (EIN) on the forms you file for your household employee. An EIN is a 9-digit number issued by the IRS. It is not the same as a social security number.



*You ordinarily will have an EIN if you previously paid taxes for employees, either as a household employer or in a business you own as a sole proprietor. If you already have an EIN, use that number.*

If you do not have an EIN, get Form SS-4, *Application for Employer Identification Number*. The instructions for Form SS-4 explain how you can get an EIN immediately by telephone or in about 4 weeks if you apply by mail.

**Form W-2.** File a separate 1999 Form W-2, *Wage and Tax Statement*, for each household employee to whom you pay either of the following wages.

- 1) Social security and Medicare wages.
- 2) Wages from which you withhold federal income tax.

You must complete Form W-2 and give Copies B, C, and 2 to your employee by January 31, 2000. You must send Copy A of Form W-2 with Form W-3, *Transmittal of Wage and Tax Statements*, to the Social Security Administration by February 29, 2000.

**Employee who leaves during the year.** If an employee stops working for you before the end of 1999, you may file Form W-2 and provide copies to your employee immediately after you make your final payment of wages. You do not need to wait until 2000. If the employee asks you for Form W-2, give it to him or her within 30 days after the request or the last wage payment, whichever is later.

**Schedule H.** Use Schedule H (Form 1040), *Household Employment Taxes*, to report the federal employment taxes for your household employee if you pay any of the following wages to the employee.

- 1) Social security and Medicare wages.
- 2) FUTA wages.
- 3) Wages from which you withhold federal income tax.

File Schedule H with your 1999 federal income tax return by April 17, 2000. If you get an extension to file your return, the extension will also apply to your Schedule H.

**Filing options when no return is required.** If you are not required to file a 1999 tax return, you have the following two options.

- 1) You can file Schedule H by itself. See the Schedule H instructions for details.
- 2) If, besides your household employee, you have other employees for whom you report employment taxes on Form 941 or Form 943 and on Form 940 (or 940-EZ), you can include your taxes for your household employee on those forms. See *Business employment tax returns*, next.

Employers having the options listed above include certain tax-exempt organizations that do not have to file a tax return, such as churches that pay a household worker to take care of a minister's home.

**Business employment tax returns.** Do not use Schedule H (Form 1040) if you choose to pay the employment taxes for your household employee with business or farm employment taxes. (For information on choosing to pay the taxes that way, see *Payment option for business employers*, on page 7.) Instead, include the social security, Medicare, and withheld federal income taxes for the employee on the Form 941, *Employer's Quarterly Federal Tax Return*, that you file for your business or on the Form 943, *Employer's Annual Tax Return for Agricultural Employees*, that you file for your farm. Include the FUTA tax for the employee on your Form 940 (or 940-EZ), *Employer's Annual Federal Unemployment (FUTA) Tax Return*.

If you report the employment taxes for your household employee on Form 941 or Form 943, file Form W-2 for that employee with the Forms W-2 and Form W-3 for your business or farm employees.

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## What Records Must You Keep?



Keep your copies of Schedule H or other employment tax forms you file and related Forms W-2, W-3, W-4, and W-5. You must also keep records to support the information you enter on the forms you file. If you must file Form W-2, you will need to keep a record of your employee's name, address, and social security number.

**Wage and tax records.** On each payday you should record the date and amounts of all of the following items.

- 1) Your employee's cash and noncash wages.
- 2) Any employee social security tax you withhold or agree to pay for your employee.
- 3) Any employee Medicare tax you withhold or agree to pay for your employee.
- 4) Any federal income tax you withhold.
- 5) Any advance EIC payments you make.
- 6) Any state employment taxes you withhold.

**Employee's social security number.** You must keep a record of your employee's name and social security number exactly as they appear on his or her social security card if you pay the employee either of the following wages.

- 1) Social security and Medicare wages.
- 2) Wages from which you withhold federal income tax.

You must ask for your employee's social security number no later than the first day on which you pay the wages. You may wish to ask for it when you hire your employee.



An employee who does not have a social security number must apply for one on Form SS-5, *Application for a Social Security Card*. An employee who has lost his or her social security card or whose name is not correctly shown on the card should apply for a new card. Employees may get Form SS-5 from any Social Security Administration office or by calling 1-800-772-1213.

**How long to keep records.** Keep your employment tax records for at least 4 years after the due date of the return on which you report the taxes or the date the taxes were paid, whichever is later.

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## How To Get More Information

You can order free publications and forms, ask tax questions, and get more information from the IRS in several ways. By selecting the method that is best for you, you will have quick and easy access to tax help.

**Free tax services.** To find out what services are available, get Publication 910, *Guide to Free Tax Services*. It contains a list of free tax publications and an index of tax topics. It also describes other free tax information services, including tax education and assistance programs and a list of TeleTax topics.



**Personal computer.** With your personal computer and modem, you can access the IRS on the Internet at [www.irs.ustreas.gov](http://www.irs.ustreas.gov). While visiting our Web Site, you can select:

- *Frequently Asked Tax Questions* to find answers to questions you may have.
- *Fill-in Forms* to complete tax forms on-line.
- *Forms and Publications* to download forms and publications or search publications by topic or keyword.
- *Comments & Help* to e-mail us with comments about the site or with tax questions.
- *Digital Dispatch* and *IRS Local News Net* to receive our electronic newsletters on hot tax issues and news.

You can also reach us with your computer using any of the following.

- Telnet at [iris.irs.ustreas.gov](http://iris.irs.ustreas.gov)
- File Transfer Protocol at [ftp.irs.ustreas.gov](http://ftp.irs.ustreas.gov)
- Direct dial (by modem) **703-321-8020**



**TaxFax Service.** Using the phone attached to your fax machine, you can receive forms, instructions, and tax information by calling **703-368-9694**. Follow the directions from the prompts. When you order forms, enter the catalog number for the form you need. The items you request will be faxed to you.



**Phone.** Many services are available by phone.

- *Ordering forms, instructions, and publications.* Call **1-800-829-3676** to order current and prior year forms, instructions, and publications.
- *Asking tax questions.* Call the IRS with your tax questions at **1-800-829-1040**.
- *TTY/TDD equipment.* If you have access to TTY/TDD equipment, call **1-800-829-4059** to ask tax questions or to order forms and publications.
- *TeleTax topics.* Call **1-800-829-4477** to listen to pre-recorded messages covering various tax topics.

***Evaluating the quality of our telephone services.***

To ensure that IRS representatives give accurate, courteous, and professional answers, we evaluate the quality of our telephone services in several ways.

- A second IRS representative sometimes monitors live telephone calls. That person only evaluates the IRS assistor and does not keep a record of any taxpayer's name or tax identification number.
- We sometimes record telephone calls to evaluate IRS assistors objectively. We hold these recordings no longer than one week and use them only to measure the quality of assistance.
- We value our customers' opinions. Throughout this year, we will be surveying our customers for their opinions on our service.



**Walk-in.** You can pick up certain forms, instructions, and publications at many post offices, libraries, and IRS offices. Some libraries and IRS offices have an extensive collection of products available to print from a CD-ROM or photocopy from reproducible proofs.



**Mail.** You can send your order for forms, instructions, and publications to the Distribution Center nearest to you and receive a response 7 to 15 workdays after your request is received. Find the address that applies to your part of the country.

- **Western part of U.S.:**  
Western Area Distribution Center  
Rancho Cordova, CA 95743-0001
- **Central part of U.S.:**  
Central Area Distribution Center  
P.O. Box 8903  
Bloomington, IL 61702-8903
- **Eastern part of U.S. and foreign addresses:**  
Eastern Area Distribution Center  
P.O. Box 85074  
Richmond, VA 23261-5074



**CD-ROM.** You can order IRS Publication 1796, *Federal Tax Products on CD-ROM*, and obtain:

- Current tax forms, instructions, and publications.
- Prior-year tax forms, instructions, and publications.
- Popular tax forms which may be filled in electronically, printed out for submission, and saved for recordkeeping.
- Internal Revenue Bulletins.

The CD-ROM can be purchased from National Technical Information Service (NTIS) for \$25.00 by calling 1-877-233-6767 or for \$18.00 on the Internet at **[www.irs.ustreas.gov/cdorders](http://www.irs.ustreas.gov/cdorders)**. The first release is available in mid-December and the final release is available in late January.

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# Appendix: State Unemployment Tax Agencies

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The following list of state unemployment tax agencies was provided to the IRS by the U.S. Department of Labor. If the telephone number listed for your state would be a long distance call from your area, you can use the name of the agency to look for a local number in your telephone book.

## **Alabama**

Department of Industrial Relations  
649 Monroe Street  
Montgomery, AL 36131  
(334) 242-8467

## **Alaska**

Department of Labor  
PO Box 25509  
Juneau, AK 99802-5509  
(907) 465-5912

## **Arizona**

Department of Economic Security  
3225 N. Central Avenue  
Suite 1400  
Phoenix, AZ 85012  
(602) 248-9354

## **Arkansas**

Employment Security Division  
PO Box 2981  
Little Rock, AR 72203  
(501) 682-3253

## **California**

Employment Development Department, MIC-90  
PO Box 942880  
Sacramento, CA 94280-0001  
(916) 653-1528

## **Colorado**

Department of Labor and Employment  
1515 Arapahoe  
Tower 2, Suite 400  
Denver, CO 80202-2117  
(303) 603-8235

## **Connecticut**

Labor Department  
200 Folly Brook Blvd.  
Wethersfield, CT 06109-1114  
(860) 566-2124

## **Delaware**

Department of Labor  
4425 North Market Street  
Wilmington, DE 19809-0950  
(302) 761-8353

## **District of Columbia**

Department of Employment Services  
500 C Street, NW, Room 501  
Washington, DC 20001  
(202) 724-7462

## **Florida**

Department of Labor and Employment Security  
107 East Madison Street  
Tallahassee, FL 32399-0211  
(850) 921-3108

## **Georgia**

Department of Labor  
148 International Blvd.  
Suite 800  
Atlanta, GA 30303  
(404) 656-4309

## **Hawaii**

Department of Labor and Industrial Relations  
830 Punchbowl Street  
Room 437  
Honolulu, HI 96813  
(808) 586-8927

## **Idaho**

Department of Employment  
317 Main Street  
Boise, ID 83735-0760  
(208) 334-6385

## **Illinois**

Bureau of Employment Security  
401 South State Street  
Chicago, IL 60605  
(312) 793-1918

## **Indiana**

Department of Workforce Development  
10 North Senate Avenue  
Indianapolis, IN 46204  
(317) 232-7698

## **Iowa**

Workforce Development  
1000 East Grand Avenue  
Des Moines, IA 50319  
(515) 281-8200

## **Kansas**

Department of Human Resources  
401 S.W. Topeka Blvd.  
Topeka, KS 66603  
(785) 296-5025

## **Kentucky**

Division of Unemployment Insurance  
PO Box 948  
Frankfort, KY 40602  
(502) 564-6838

## **Louisiana**

Department of Labor  
PO Box 98146  
Baton Rouge, LA 70804  
(504) 342-2992

## **Maine**

Department of Labor  
PO Box 309  
Augusta, ME 04332-0309  
(207) 287-1239

## **Maryland**

Office of Unemployment Insurance  
1100 North Eutaw Street  
Room 504  
Baltimore, MD 21201  
(410) 767-2488

## **Massachusetts**

Department of Employment and Training  
19 Staniford Street  
Boston, MA 02114  
(617) 727-5054

## **Michigan**

Employment Security Division  
7310 Woodward Avenue  
Detroit, MI 48202  
(313) 876-5131

## **Minnesota**

Department of Economic Security  
390 North Robert Street  
St. Paul, MN 55101  
(612) 296-3736

**Mississippi**

Employment Security  
Commission  
PO Box 22781  
Jackson, MS 39225-2781  
(601) 961-7755

**Missouri**

Division of Employment Security  
Box 59  
Jefferson City, MO 65104  
(573) 751-3328

**Montana**

Department of Labor and  
Industry  
PO Box 1728  
Helena, MT 59624  
(406) 444-2747

**Nebraska**

Department of Labor  
Box 94600  
State House Station  
Lincoln, NE 68509  
(402) 471-9839

**Nevada**

Department of Employment  
Training and Rehabilitation  
500 East Third Street  
Carson City, NV 89713  
(702) 687-4599

**New Hampshire**

Department of Employment  
Security  
32 South Main Street  
Concord, NH 03301  
(603) 228-4045

**New Jersey**

Department of Labor  
CN 947  
Trenton, NJ 08625-0947  
(609) 292-2810/2811

**New Mexico**

Department of Labor  
PO Box 2281  
Albuquerque, NM 87103  
(505) 841-8568

**New York**

Department of Labor  
State Campus, Building 12,  
Room 542  
Albany, NY 12240  
(518) 457-4120

**North Carolina**

Employment Security  
Commission  
PO Box 26504  
Raleigh, NC 27611  
(919) 733-7395

**North Dakota**

Job Service of North Dakota  
PO Box 5507  
Bismarck, ND 58506-5507  
(701) 328-2791

**Ohio**

Bureau of Employment Services  
PO Box 923  
Columbus, OH 43216  
(614) 466-2319

**Oklahoma**

Employment Security  
Commission  
Will Rogers Memorial  
Office Building  
Oklahoma City, OK 73105  
(405) 557-7135

**Oregon**

Employment Department  
875 Union Street NE  
Salem, OR 97311  
(503) 947-1696

**Pennsylvania**

Department of Labor and  
Industry  
7th and Forster Street  
Harrisburg, PA 17121  
(717) 787-2097

**Rhode Island**

Division of Taxation  
One Capitol Hill  
Providence, RI 02908-5829  
(401) 277-3688

**South Carolina**

Employment Security  
Commission  
PO Box 995  
Columbia, SC 29202  
(803) 737-3070

**South Dakota**

Department of Employment  
Security  
PO Box 4730  
Aberdeen, SD 57402  
(605) 626-2312

**Tennessee**

Department of Employment  
Security  
500 James Robertson Parkway  
8th Floor, Davy Crocket Tower  
Nashville, TN 37245-3500  
(615) 741-2346

**Texas**

Workforce Commission  
101 East 15th Street  
Austin, TX 78778  
(512) 463-2699

**Utah**

Department of Employment  
Security  
PO Box 45288  
Salt Lake City, UT 84145  
(801) 536-7755

**Vermont**

Department of Employment  
Security  
PO Box 488  
Montpelier, VT 05602  
(802) 828-4242

**Virginia**

Employment Commission  
PO Box 1358  
Richmond, VA 23211  
(804) 371-6325

**Washington**

Employment Security  
Department  
PO Box 9046  
Olympia, WA 98507-9046  
(360) 902-9554

**West Virginia**

Bureau of Employment  
Programs  
112 California Avenue  
Charleston, WV 25305-0112  
(304) 558-2675

**Wisconsin**

Department of Workforce  
Development  
PO Box 7942 - GEF 1  
Madison, WI 53702  
(608) 266-3177

**Wyoming**

Department of Employment  
PO Box 2760  
Casper, WY 82602  
(307) 235-3201

**Table 3. Employee Social Security (6.2%) and Medicare (1.45%) Tax Withholding Table**

*(See Circular E for income tax withholding tables.)*

Use this table to figure the amount of social security and Medicare taxes to withhold from each wage payment. For example, on a wage payment of \$180, the employee social security tax is \$11.16 (\$6.20 tax on \$100 plus \$4.96 on \$80 wages). The employee Medicare tax is \$2.61 (\$1.45 tax on \$100 plus \$1.16 on \$80 wages).

If wage payment is:	The social security tax to be withheld is:	The Medicare tax to be withheld is:	If wage payment is:	The social security tax to be withheld is:	The Medicare tax to be withheld is:
\$ 1.00 . . . . .	\$ .06	\$ .01	\$ 51.00 . . . . .	\$3.16	\$ .74
2.00 . . . . .	.12	.03	52.00 . . . . .	3.22	.75
3.00 . . . . .	.19	.04	53.00 . . . . .	3.29	.77
4.00 . . . . .	.25	.06	54.00 . . . . .	3.35	.78
5.00 . . . . .	.31	.07	55.00 . . . . .	3.41	.80
6.00 . . . . .	.37	.09	56.00 . . . . .	3.47	.81
7.00 . . . . .	.43	.10	57.00 . . . . .	3.53	.83
8.00 . . . . .	.50	.12	58.00 . . . . .	3.60	.84
9.00 . . . . .	.56	.13	59.00 . . . . .	3.66	.86
10.00 . . . . .	.62	.15	60.00 . . . . .	3.72	.87
11.00 . . . . .	.68	.16	61.00 . . . . .	3.78	.88
12.00 . . . . .	.74	.17	62.00 . . . . .	3.84	.90
13.00 . . . . .	.81	.19	63.00 . . . . .	3.91	.91
14.00 . . . . .	.87	.20	64.00 . . . . .	3.97	.93
15.00 . . . . .	.93	.22	65.00 . . . . .	4.03	.94
16.00 . . . . .	.99	.23	66.00 . . . . .	4.09	.96
17.00 . . . . .	1.05	.25	67.00 . . . . .	4.15	.97
18.00 . . . . .	1.12	.26	68.00 . . . . .	4.22	.99
19.00 . . . . .	1.18	.28	69.00 . . . . .	4.28	1.00
20.00 . . . . .	1.24	.29	70.00 . . . . .	4.34	1.02
21.00 . . . . .	1.30	.30	71.00 . . . . .	4.40	1.03
22.00 . . . . .	1.36	.32	72.00 . . . . .	4.46	1.04
23.00 . . . . .	1.43	.33	73.00 . . . . .	4.53	1.06
24.00 . . . . .	1.49	.35	74.00 . . . . .	4.59	1.07
25.00 . . . . .	1.55	.36	75.00 . . . . .	4.65	1.09
26.00 . . . . .	1.61	.38	76.00 . . . . .	4.71	1.10
27.00 . . . . .	1.67	.39	77.00 . . . . .	4.77	1.12
28.00 . . . . .	1.74	.41	78.00 . . . . .	4.84	1.13
29.00 . . . . .	1.80	.42	79.00 . . . . .	4.90	1.15
30.00 . . . . .	1.86	.44	80.00 . . . . .	4.96	1.16
31.00 . . . . .	1.92	.45	81.00 . . . . .	5.02	1.17
32.00 . . . . .	1.98	.46	82.00 . . . . .	5.08	1.19
33.00 . . . . .	2.05	.48	83.00 . . . . .	5.15	1.20
34.00 . . . . .	2.11	.49	84.00 . . . . .	5.21	1.22
35.00 . . . . .	2.17	.51	85.00 . . . . .	5.27	1.23
36.00 . . . . .	2.23	.52	86.00 . . . . .	5.33	1.25
37.00 . . . . .	2.29	.54	87.00 . . . . .	5.39	1.26
38.00 . . . . .	2.36	.55	88.00 . . . . .	5.46	1.28
39.00 . . . . .	2.42	.57	89.00 . . . . .	5.52	1.29
40.00 . . . . .	2.48	.58	90.00 . . . . .	5.58	1.31
41.00 . . . . .	2.54	.59	91.00 . . . . .	5.64	1.32
42.00 . . . . .	2.60	.61	92.00 . . . . .	5.70	1.33
43.00 . . . . .	2.67	.62	93.00 . . . . .	5.77	1.35
44.00 . . . . .	2.73	.64	94.00 . . . . .	5.83	1.36
45.00 . . . . .	2.79	.65	95.00 . . . . .	5.89	1.38
46.00 . . . . .	2.85	.67	96.00 . . . . .	5.95	1.39
47.00 . . . . .	2.91	.68	97.00 . . . . .	6.01	1.41
48.00 . . . . .	2.98	.70	98.00 . . . . .	6.08	1.42
49.00 . . . . .	3.04	.71	99.00 . . . . .	6.14	1.44
50.00 . . . . .	3.10	.73	100.00 . . . . .	6.20	1.45