



# HERBEIN+COMPANY, INC.

CERTIFIED PUBLIC ACCOUNTANTS

Members of PKF North America, Pennsylvania Institute of CPAs,  
American Institute of Certified Public Accountants Div. of CPA Firms/Private Practice Sections  
[www.herbein.com](http://www.herbein.com)

Dear Client:

We would like to take this opportunity to make you aware of certain changes concerning 2013 payroll taxes. The maximum wage base and tax rates for each portion of the FICA tax are as follows:

	<u>Wage Base</u>	<u>Employee Tax Rate</u>	<u>Employer Tax Rate</u>
MHI (Medicare Tax)	No limit	1.45%	1.45%
OASDI (Social Security)	Up to \$ 113,700	<u>6.20%</u>	<u>6.20%</u>
<b>Total FICA Tax</b>		<u>7.65%</u>	<u>7.65%</u>
<b>Additional Medicare Tax</b>	In Excess of \$ 200,000	<u>0.9%</u>	<u>-</u>

As in the past, the employer and employee will each pay the FICA tax up to the respective maximum wage base, if any. Please be aware that there are ongoing discussions by our political leaders to propose tax legislation that includes a provision to reduce the OASDI Employee tax rate to 4.20% or provide some other payroll tax stimulus for 2013. A similar tax provision was in effect for 2012.

Effective January 1, 2013, employers are responsible for withholding additional Medicare tax at the rate of 0.9% from wages and other compensation that it pays to an employee in excess of \$200,000 in a calendar year. The additional Medicare tax must be withheld by the employer regardless of the individual's filing status or wages paid by another employer. The additional tax only applies to the employee portion of the Medicare tax.

Other payroll tax laws, which you should be aware of are as follows:

1. The 2012 employer federal unemployment tax (FUTA) rate remains at .6% (.006) and the present maximum taxable wage level is \$7,000. Employers are not required to make FUTA deposits until the accumulated tax liability exceeds \$500. Form 940 is used to report this tax.

As of December 17, 2012, the Internal Revenue Service has not published the 2013 FUTA rate or maximum taxable wage level. Once the information is available, we will post it on our website.

2. Employers with annual liability of \$1,000 or less for Social Security and Medicare taxes and income tax withholding will be notified by the IRS to use Form 944. In tax year 2013, employers will be able to opt out of filing Form 944 and request to file Form 941 for any reason if they follow the request procedures stated in Revenue Procedure 2009-51.
3. Form 8919, Uncollected Social Security and Medicare Tax on Wages, will allow taxpayers improperly treated as independent contractors to pay Social Security and Medicare taxes. The form and additional information are available on [www.irs.gov](http://www.irs.gov).



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Page Two

4. Income tax withholding tables in IRS Publication 15-T for the advance earned income credit (EIC) payments and the wages of non-resident alien employees have been developed for use after February 17, 2009. Disregarded entities (eligible single-owner entities) and qualified subchapter S subsidiaries (QSubs) must report and pay employment taxes using the entities' own name and EINs.
5. The IRS has eliminated federal tax deposits by paper coupon after December 31, 2010. Information on the Electronic Federal Tax Payment System (EFTPS), including how to enroll, can be found at [www.eftps.gov](http://www.eftps.gov) or by calling EFTPS Customer Service at 1-800-555-4477.
6. Employer state unemployment tax is capped at a maximum taxable wage level of \$8,500 (increased from \$8,000 in 2012). You will be notified of any change in your employer's contribution rate by the Department of Labor and Industry during the months of January or February.

On June 12, 2012, Pennsylvania passed Senate Bill 1310, a reform bill that modernized Pennsylvania's Unemployment Compensation law. Under Senate Bill 1310, the taxable wage base increases from \$8,000 to \$8,500 on January 1, 2013 and thereafter by \$250 per year until reaching \$10,000 in 2018.

In November 2012, the Department of Labor and Industry will begin the transition to the Unemployment Compensation Management System (UCMS) for electronic filing of unemployment compensation (UC) quarterly reports (Form UC-2/2A) and payment of UC contributions. UCMS will be available only to active UC-Tides users beginning January 1, 2013 for the fourth quarter 2012 filing period. After the UC-Tides users transition to UCMS, functionality will be made available to all employers. Please visit the PA Department of Labor and Industry's website to learn more about the UC Management System at [www.dli.state.pa.us](http://www.dli.state.pa.us).

7. Employee state unemployment tax (SUTA) decreases for the 2013 tax year to a rate of .07% on all wages.
8. The Pennsylvania state income tax rate for 2013 remains unchanged at 3.07%.

If our office renders payroll services on your behalf, the withholding changes will be automatically instituted.

Note that Forms 1099 are required to be filed to report any interest, dividend, rent, attorney fee and non-employee compensation payments made during the 2012 tax year if they exceed \$10 per payee for interest and dividends or \$600 per payee for other payments. When filing your 1099s for the 2012 tax year, you must include the telephone number of the contact person who will be responsible for answering questions relating to the completion of such forms.



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Page Three

Beginning with payments made in calendar year 2012, under Pennsylvania Act 85 of 2012, payors of either non-employee compensation or payments made under an oil and gas lease from sources within Pennsylvania are required to submit a copy of federal Form 1099-MISC to the PA Department of Revenue. Non-employee compensation is generally payments made to non-employees for services in the course of your trade or business. Payments made under an oil and gas lease typically may include rents, royalties, bonuses and other income regardless of how the payment is reported on the Form 1099-MISC.

If the payor is required to file electronically for Pennsylvania employer withholding, the Form 1099-MISC shall be filed electronically in Pennsylvania using e-TIDES. The due date for filing Forms 1099-MISC with the PA Department of Revenue is the same as the IRS due date. The due dates are February 28, 2013 for paper filers and April 1, 2013 for electronic filers.

Employers filing more than 249 forms are required to file Forms W-2, W-2c, W-3c, 1099, 1042-S and 8027 electronically. If you are currently using the IRS Filing Information Returns Electronically System ("FIRE"), please visit <http://fire.irs.gov> for more information. New users are required to request authorization to file electronically with the IRS by submitting Form 4419, Application for Filing Information Returns Electronically.

With regard to filing Form W-2 with the Social Security Administration, applications or authorizations are not required to file the first Form W-2 electronically; rather, a business filing electronically for the first time is required to register to use the SSA Business Service Online ("BSO") at <http://www.socialsecurity.gov/bsowelcome.htm>. Small submitters (fewer than 250 Forms W-2) may also be able to file Forms W-2 online. For more information, visit SSA's Business Services Online Website identified above and select "Tutorial."

The Affordable Care Act requires employers to report the cost of coverage under an employer-sponsored group health plan. IRS Notices 2011-28 and 2012-9 provide relief by making this requirement optional for certain smaller employers for 2012 Forms W-2. The relief is that employers who filed fewer than 250 Forms W-2 for the previous calendar year will not be required to report the cost of health insurance coverage on the 2012 Forms W-2. Reporting the cost of health care coverage on the Form W-2 does not mean that the coverage is taxable. The value of the employer's excludable contribution to health coverage continues to be excludable from an employee's income. This reporting is for informational purposes only and will provide employees useful and comparable consumer information on the cost of their health care coverage.

With respect to retirement plan contributions, the maximum regular 401(k) contributions limit increases to \$17,500 for the 2013 tax year. The maximum 401(k) catch-up contributions remain at \$5,500 for 2013. The maximum IRA contribution increases for the 2013 tax year to \$6,500 (\$5,500 and \$1,000 catch-up contributions). Catch-up contributions result from the 2001 tax law changes and are only available to eligible individuals who are age 50 or older by the end of the calendar year.

The IRS has recently announced that the mileage rate allowance for business use of a vehicle for 2013 is 56.5 cents. This rate is used to calculate the tax deduction for business travel as an alternative to deducting actual costs of maintaining an automobile. The rate also is used by many companies to reimburse workers who use their own cars on company business.

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Reading, PA + Pittsburgh, PA + Greensburg, PA



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Page Four

With regard to local earned income tax withholdings, please be aware that "Act 32" became effective on January 1, 2012. Every business that employs individuals at worksites within Pennsylvania, or employs individuals who work from their homes in Pennsylvania, is required to withhold the applicable local earned income tax amount from employees' wages and remit the tax to the appropriate tax officer. If you have any questions regarding the withholding requirements, please contact our office.

If you should have any questions concerning these requirements and/or changes, please do not hesitate to contact our office.

Sincerely,

Herbein + Company, Inc.

HERBEIN + COMPANY, INC.

Reading, PA + Pittsburgh, PA + Greensburg, PA