

Certified Payroll Professional Practice Test

Payroll Concept Workers Status -

Form SS8 is the IRS determination of EE or IC status. Reasonable Basis Test aka Safe Harbor Rules Sec 530-Alls ee to be treated like a IC for specific reasons such as a court order, IRS audit results, Attorney or CPA advisement, or long standing industry standard for that job role. Common Law Test- see chart for example EE is required to comply with ER instructions about when where and how to work. IC sets own hours determines own sequence of work. Form W9 request from ER on IC to supply FEIN or SSN with Company Name. Backup Withholding- Some IC are required to withhold 24% of earnings this is reported on Form 945. Statutory ees- not ees under the common law test but are treated like ees for tax purposes. Ex. Agent or commission drivers, Full time life insurance sales people, home workers, and travelling salespersons. Statutory Non-EEs- Qualify as ees under common law test, but they are treated as IC. No taxes w/h from pay. Ex: Real Estate agents, direct sellers. Income must be directly related to sales. Income reported on 1099 Box 7 Non-EE comp.

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Scott C. Dulebohn



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