

EMPLOYERS: 12 Ways to Earn Income Tax Credits for Your Company

The Work Opportunity Tax Credit (WOTC): An Employer-Friendly Benefit for Hiring Job Seekers Most in Need of Employment

In This Fact Sheet:

- **How to Earn a Tax Credit For New Hires**
- **How To Apply For The Tax Savings**
- **Where To Get More Information**

Background and Updates:

Use of the WOTC has substantially increased in recent years as Congress has introduced new target groups, expanded several target groups' requirements, increased the tax credit for certain groups and introduced new flexible filing provisions. For example, during Fiscal Year 2008, over 691,421 certifications were issued by the state workforce agencies, and this figure is growing every year.

On February 17, 2009, the President signed into law the *American Recovery and Reinvestment Act of 2009* (Recovery Act). The Recovery Act introduced two new target groups: 1) Unemployed Veterans and 2) Disconnected Youth, who begin work for an employer during 2009 or 2010. The *Small Business and Work Opportunity Tax Act of 2007* (P.L. 110-28) extended the WOTC Program through August 31, 2011. This Act and the *Tax Relief and Health Care Act of 2006* (P.L. 109-432), amended certain target group definitions and introduced new provisions that streamline the WOTC program and make it easier for the business sector to participate. For example, P. L. 109-432 eliminated the Welfare-to-Work Tax Credit (WtWTC) by merging it into the WOTC and making the *Long-term TANF Recipient* another WOTC target group. This Fact Sheet discusses the consolidated WOTC as extended and modified by the three Acts mentioned above. The Work Opportunity Tax Credit can now be as much as:

- \$2,400 generally for each new adult hire,
- \$1,200 for each summer youth hire,
- \$4,800 **for each new disabled veteran hire**, and
- \$9,000 **for each new long-term TANF recipient hired over a 2-yr. period.**

By Participating in the WOTC Program Employers:

- Make the hiring decision,
- Complete minimal paperwork to claim the tax credit, and
- Can hire as many new individuals who qualify for these tax savings.

Hire From Among These 11 Groups of Job Seekers to Qualify for the WOTC

1. **Long-term TANF recipient *** -- member of a family that received Temporary Assistance for Needy Families (TANF) for at least 18 consecutive months ending on the hiring date, **or** a member of a family that received TANF for any 18 months beginning after August 5, 1997, and the earliest 18-month period, beginning after August 5, 1997, ended during the past 2 years ending on the hiring date, **or** whose family stopped being eligible for TANF because Federal or state law limited the maximum time those payments could be made, and the individual is hired not more than 2 years after such eligibility ended.
2. **Other TANF recipient *** -- member of a family that received TANF payments for any 9 months during the 18-month period ending on the hiring date.
3. **Veteran*** -- member of a family that received Supplemental Nutrition Assistance Program (SNAP) benefits (food stamps) for at least a 3-month period during the 15-month period ending on the hiring date, **or** a disabled veteran entitled to compensation for a service-connected disability hired within one year of discharge or release from active duty **or** unemployed for a period or periods totaling at least 6 months of the year ending on the hiring date.
4. **18-39 year-old SNAP (food stamps) recipient *** -- member of a family that received SNAP benefits (food stamps) for **either** the 6-month period ending on the hiring date, **or** for at least 3 of the 5 months ending on the hiring date in the case of a family member who ceased to be eligible for such assistance under Section 6(o) of the Food Stamp Act of 1977.
5. **18-39 year-old designated community resident** -- individual who lives within an Empowerment Zone (EZ), Renewal Community (RC), or Rural Renewal County (RRC). **
6. **16-17 year-old summer youth** -- individual who works for the employer between May 1 and September 15, and lives in an EZ or RC. **
7. **Vocational rehabilitation referral** -- disabled person referred to the employer upon completion of (or while receiving) rehabilitation services approved by the State, the Ticket-to-Work Program, or the Department of Veterans Affairs.
8. **Ex-felon** -- individual who was convicted of a felony and who is hired within one year after the conviction or release from prison.
9. **SSI recipient** -- individual who received Supplemental Security Income benefits for any month ending during the past 60-day period ending on the hiring date.
10. **Hurricane Katrina employee** -- an individual who, on August 28, 2005, had a main home in the Gulf Opportunity (GO) Zone (core disaster area) and, during a 4-year period beginning on this date, is hired to perform services principally in the GO Zone. State certification does not apply to this group.

11. **Unemployed veteran** -- individual who is certified as: 1) having served on active duty (other than active duty for training) in the Armed Forces of the United States (Armed Forces) for a period of more than 180 days, **or** 2) having been discharged or released from active duty in the Armed Forces for a service-connected disability.

Section 51(d)(14)(B)(i) of the Recovery Act provides that the term “unemployed veteran” means any veteran who is certified by the designated local agency as:

- 1) having been discharged or released from active duty in the Armed Forces at any time during the 5-year period ending on the hiring date; **and**
- 2) being in receipt of unemployment compensation under State or Federal law for not less than four weeks during the one-year period ending on the hiring date.

12. **Disconnected youth** -- individual who is certified as: 1) having attained age 16 but not age 25 on the hiring date, 2) not regularly attending any secondary, technical, or post-secondary school during the 6-month period preceding the hiring date, 3) not regularly employed during such 6-month period, **and** 4) not readily employable by reason of lacking a sufficient number of basic skills.

Some employees do not qualify the employer for the WOTC. They include:

- Relatives and dependents,
- Majority owners of the employer, or
- Former employees.

* The individual need not receive the assistance for the entire period if the family received it for the entire period **and** the individual was on the grant and thus received assistance for at least one day of the specified period.

** For information on EZ/RCS, visit <http://www.hud.gov/cr> or call 1-800-998-9999. For information on RRCs see **Instructions** to IRS 8850, June/07.

CLARIFICATION: *The former “long-term TANF recipient” target group under the WtWTC is now a new WOTC target group. This new target group retains its former statutory definition and the more generous tax credit provisions for a tax credit of as much as \$9,000 over a two-year period per new hire. With respect to this target group, the first-year WOTC is increased to 40% of qualified wages for the first year of employment and 50% of qualified wages for the second year of employment. Qualified wages are capped at \$10,000 per year. To qualify employers for this tax credit, new hires must be employed at least 120 hours.*

Certification of an Employee Takes Four Simple Steps:

An employer must request and receive certification from its state workforce agency (SWA) that the **new hire** is a member of one of the nine WOTC target groups before the employer can claim the WOTC on its federal income tax return. To request certification, the employer must:

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1. Complete page 1 of IRS Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*, by the date of the job offer and page 2 of IRS Form 8850 after the individual is hired; **and**
2. Complete page 2 of IRS Form 8850 after the individual is hired;
3. Complete *one of the following* one-page U.S. Department of Labor forms, as appropriate:
 - ETA Form 9061, *Individual Characteristics Form*, if the new hire has not been given a conditional certification, ETA Form 9062, or
 - ETA Form 9062, *Conditional Certification Form*, if provided to the job seeker by a participating agency, such as a vocational rehabilitation agency, an employment network, or a SWA; **and**
4. Mail the signed/dated IRS and ETA forms to the state workforce agency's WOTC Coordinator not later than 28 days after the new hire begins work.

Form	Website Address	Phone No.
IRS 8850	http://www.irs.gov/formspubs/index.html	1-800-829-3676
ETA 9061	http://www.doleta.gov/business/Incentives/opptax	(See State Coordinators Contact List)

How to Figure the WOTC

For most target groups, the WOTC is based on *qualified wages* paid to the employee for the *first year of employment*. Generally, qualified wages are capped at \$6,000. The credit is 25% of qualified first-year wages for those employed at least 120 hours but fewer than 400 hours and 40% for those employed 400 hours or more.

Summer youth employees. Wages are capped at \$3,000 for 16- and 17-year-olds working for a 90-day period between May 1 and September 15.

Disabled veterans. Wages are capped at \$12,000.

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Long-term TANF recipients. Wages are capped at \$10,000. The WOTC is also available for the employee's qualified second-year wages, also capped at \$10,000. The credit is 40% of qualified first-year wages and 50% of qualified wages for the second year of employment.

The WOTC Program

The Work Opportunity Tax Credit reduces an employer's cost of doing business and requires little paperwork. The success and growth of this federal income tax credit for private-sector employers depends on a strong public- and private-sector partnership to help those most in need find and retain jobs and gain on-the-job skills and experience. The WOTC benefits employers and increases America's economic growth and productivity.

We need your input to make the Work Opportunity Tax Credit Program work. Let us know how we can improve its value to you and your employees. Be a part of that success! Send your comments/suggestions to: Carmen Ortiz, U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, Division of Adult Services, at: ortiz.carmen@dol.gov. To learn more about other employer-related services, such as training and assistance for workers affected by layoffs, please call the Toll Free Help Line: 1-877-US-2JOBS or (1-877-872-5627), TTY: 1-877-889-5627) or visit the Web site at: www.doleta.gov/usworkforce



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Call Your State Workforce Agency WOTC Coordinator

To learn more about the WOTC, call your State WOTC Coordinator, visit the WOTC website, <http://www.doleta.gov/business/Incentives/opptax> or call your local employment or state workforce agency. The telephone numbers of the State WOTC Coordinators are as follows:

Alabama - 334-353-8037
Alaska - 907-465-5955
Arizona - 602-495-1861 Ext. 1002
Arkansas - 501-682-3749
California - 916-654-5857
California - 866-593-0173 (Toll Free)
Colorado - 303-318-8829
Connecticut - 860-263-6066
Delaware - 302-761-8121
District of Columbia - 202-698-3540
Florida - 850-921-3299
Georgia - 404-656-3157
Hawaii - 808-586-8819
Idaho - 208-332-3570, Ext.-3318
Illinois - 312-793-6811 Ext.-231
Indiana - 317-232-7746
Iowa - 515-281-9010
Kansas - 785-296-7435
Kentucky - 502-564-7456
Louisiana - 225-342-2923
Maine - 207-624-6390
Maryland - 410-767-2080
Massachusetts - 617-626-5730
Michigan - 313-456-3363
Minnesota - 651-259-7507
Mississippi - 601-321-6084
Missouri - 573-522-9581
Montana - 406-444-9046
Nebraska - 402-471-2693
Nevada - 775-684-0321
New Hampshire - 603-228-4079

New Jersey - 609-292-8112
New Mexico - 505-841-8501
New York - 518-457-6823
North Carolina - 919-733-4896
North Dakota - 701-328-2997
Ohio - 614-644-0966
Oklahoma - 405-557-5371
Oregon - 503-947-1672
Pennsylvania - 717-783-3676
Puerto Rico - 787-993-9400; Ext.-2315
Rhode Island - 401-462-8724
South Carolina - 803-737-2592
South Dakota - 605-626-2302
Tennessee - 615-253-6664
Texas - 512-463-9926
Utah - 801-526-9480
Vermont - 802-828-4350
Virginia - 804-786-5277
Virgin Islands - 340-776-3700; Ext.-2055
Washington - 360-407-5107
West Virginia - 304-558-3452
Wisconsin - 608-267-4442
Wyoming - 307-235-3611

National Coordinator

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