Form **940-EZ**

Department of the Treasury
Internal Revenue Service

Employer's Annual Federal Unemployment (FUTA) Tax Return

OMB No. 1545-1110

1991

T
FF
FD
FP
I
T

If incorrect, make any necessary changes.

Name (as distinguished from trade name)

Calendar year

Trade name, if any

$

If you will not have to file returns in the future, check here (see Who Must File a Return on page 2) complete, and sign the return . . . © ☐

☐

Part I

☐ ☐

Part II

Signature © © Date ©

Cat. No. 10983G Form 940-EZ (1991)

DO NOT DETACH

Form 940-V-EZ
(Rev. January 1992)
Department of the Treasury
Internal Revenue Service

1991 Form 940-EZ Payment Voucher

(If any of the preprinted information is incorrect, make the changes on Form 940-EZ, not on the payment voucher.)

c If payment is over $100 you must deposit the amount due.
c Make check or money order payable to the Internal Revenue Service. Do not send cash.
c Enclose but do not staple your payment with this return.

Paperwork Reduction Act Notice. Ð We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the correct tax.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping . . . . . 5 hr., 20 min.

Learning about the law or the form . . . . . 7 min.

Preparing and sending the form to IRS . . . . . 26 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form more simple, we would be happy to hear from you. You can write to both the Internal Revenue Service, Washington, DC 20224, Attention: IRS Reports Clearance Officer, T:FP; and the Office of Management and Budget, Paperwork Reduction Project (1545-1110), Washington, DC 20503. DO NOT send the form to either of these offices. Instead, see Where To File.

Who May Not Use Form 940 ±EZ.Ð

If you pay any wages that are subject to the unemployment compensation laws of the state of Michigan, you must file Form 940, instead of Form 940-EZ.

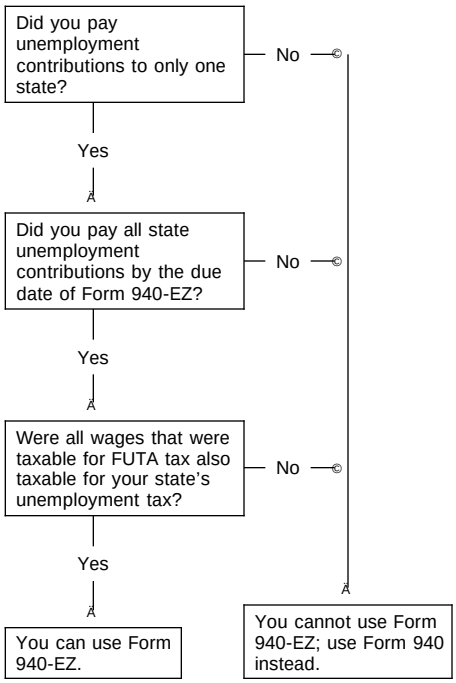
Who May Use Form 940-EZ. Ð You may use Form 940-EZ if:

(1) You paid unemployment taxes (“contributions”) to only one state;

(2) You paid these taxes by the due date of Form 940-EZ; and

(3) All wages that were taxable for FUTA tax were also taxable for your state’s unemployment tax. Otherwise, use Form 940. For example, if you paid wages to corporate officers (these wages are taxable for FUTA tax) in a state that exempts these wages from its unemployment taxes, you cannot use Form 940-EZ.

The following chart will lead you to the right form to use.



Note: Do not file Form 940-EZ if you have already filed Form 940 for 1991.

General Instructions

Purpose of Form. Ð The Federal Unemployment Tax Act (FUTA), together with state unemployment systems, provides for payments of unemployment compensation to workers who have lost their jobs. Most employers pay both Federal and state unemployment taxes. Use this form for your annual FUTA tax report. Only the employer pays this tax.

Who Must File

General Rule (household and agricultural employers see next column). Ð File a FUTA tax return if either of the following applies:

(1) You paid wages of $1,500 or more in any calendar quarter in 1990 or 1991; or

(2) You had at least one employee for some part of a day in any 20 different weeks in 1990 or 1991.

Count all regular, temporary, and part-time employees. A partnership should not count its partners. If a business changes hands during the year, each employer meeting test (1) or (2) above must file. Neither should report wages paid by the other.

Household Employers. Ð File a FUTA tax return ONLY if you paid cash wages of $1,000 or more in any calendar quarter in 1990 or 1991 for household work in a private home, local college club, or a local chapter of a college fraternity or sorority.

Note: See ***Pub. 926,*** Employment Taxes for Household Employers, for more information.

Agricultural Employers. Ð File a FUTA tax return if either of the following applies:

(1) You paid cash wages of $20,000 or more to farmworkers during any calendar quarter in 1990 or 1991; or

(2) You employed 10 or more farmworkers during some part of a day (whether or not at the same time) for at least 1 day during any 20 different weeks in 1990 or 1991.

Count aliens admitted to the United States temporarily to do farmwork to see if you met either of the above tests. However, wages paid to these aliens are not subject to FUTA tax before 1993.

Nonprofit Organizations. Ð Religious, educational, charitable, etc., organizations described in section 501(c)(3) of the Internal Revenue Code and exempt from tax under section 501(a) are not subject to FUTA tax and are not required to file.

Completing Form 940-EZ. Ð If your FUTA tax for 1991 (line 6) is $100 or less, complete only Part I of the form. If your FUTA tax is over $100, complete Parts I and II. See the instructions for Part II for information on FUTA tax deposits.

Filing Hint. Ð You can help avoid IRS contacts for missing information and delays in processing your return by making sure you fill in all the lines that apply to you. And, if you are not using a preaddressed Form 940-EZ, be sure you fill in the name lines exactly as they were shown on your Form SS-4, Application for Employer Identification Number.

(Instructions continued on next page.)

Form **940-EZ**

Department of the Treasury
Internal Revenue Service

Employer's Annual Federal Unemployment (FUTA) Tax Return

OMB No. 1545-1110

1991

If incorrect, make any necessary changes. ©

Name (as distinguished from trade name)

Trade name, if any

Address and ZIP code

EMPLOYER'S COPY

Employer identification number

–

Follow the chart under ªWho Can Use Form 940-EZº on page 2. If you cannot use Form 940-EZ, you must use Form 940 instead.

A Enter the amount of contributions paid to your state unemployment fund. (See instructions for line A on page 4.) © $

B (1) Enter the name of the state where you have to pay contributions ©

(2) Enter your state reporting number(s) as shown on state unemployment tax return. ©

If you will not have to file returns in the future, check here (see Who Must File a Return on page 2) complete, and sign the return © ☐

If this is an Amended Return check here © ☐

Part I Taxable Wages and FUTA Tax

1	Total payments (including payments shown on lines 2 and 3) during the calendar year for services of employees		1	
2	Exempt payments. (Explain all exempt payments, attaching additional sheets if necessary.) ©	2	Amount paid	
3	Payments for services of more than $7,000. Enter only amounts over the first $7,000 paid to each employee. Do not include any exempt payments from line 2	3		
4	Total exempt payments (add lines 2 and 3)		4	
5	Total taxable wages (subtract line 4 from line 1) ©		5	
6	FUTA tax. Multiply the wages on line 5 by .008 and enter here. (If the result is over $100, also complete Part II.)		6	
7	Total FUTA tax deposited for the year, including any overpayment applied from a prior year (from your records)		7	
8	Amount you owe (subtract line 7 from line 6). This should be $100 or less. Pay to "Internal Revenue Service" ©		8	
9	Overpayment (subtract line 6 from line 7). Check if it is to be: ☐ Applied to next return, or ☐ Refunded ©		9	

Part II Record of Quarterly Federal Unemployment Tax Liability

(Do not include state liability.) Complete only if line 6 is over $100.

Quarter	First (Jan. 1 – Mar. 31)	Second (Apr. 1 – June 30)	Third (July 1 – Sept. 30)	Fourth (Oct. 1 – Dec. 31)	Total for Year
Liability for quarter					

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and, to the best of my knowledge and belief, it is true, correct, and complete, and that no part of any payment made to a state unemployment fund claimed as a credit was, or is to be, deducted from the payments to employees.

Signature © Title (Owner, etc.) © Date ©

If You Are Not Liable for FUTA Tax. Ð If you receive Form 940-EZ and are not liable for FUTA tax for 1991, write "Not Liable" across the front of the form, sign the return, and return it to the IRS. Note: If you will not have to file returns in the future, check the box on the line below B(2), complete and sign the return.

Due Date. Ð Form 940-EZ for 1991 is due by January 31, 1992. However, if you deposited all tax due on time, you have 10 more days to file.

Employer's Name, Address, and Identification Number. Ð If you are not using a preaddressed Form 940-EZ, type or print your name, trade name, address, and employer identification number (EIN) on Form 940-EZ.

See Pub. 583, Taxpayers Starting a Business, for details on how to make tax deposits, file a return, etc., if these are due before you get your EIN.

Identifying Your Payments. Ð When you pay any amount you owe to the IRS (line 8) or make Federal tax deposits, write on your check or money order: Your EIN, "Form 940-EZ," and the tax period to which the payment applies. This helps make sure we credit your account properly.

Where To File

If your principal business, office, or agency is located in:	File with the Internal Revenue Service Center at:
Florida, Georgia, South Carolina	Atlanta, GA 39901
New Jersey, New York (New York City and counties of Nassau, Rockland, Suffolk, and Westchester)	Holtsville, NY 00501
New York (all other counties), Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont	Andover, MA 05501
Illinois, Iowa, Minnesota, Missouri, Wisconsin	Kansas City, MO 64999
Delaware, District of Columbia, Maryland, Pennsylvania, Puerto Rico, Virginia, Virgin Islands	Philadelphia, PA 19255
Indiana, Kentucky, Michigan, Ohio, West Virginia	Cincinnati, OH 45999
Kansas, New Mexico, Oklahoma, Texas	Austin, TX 73301
Alaska, Arizona, California (counties of Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba), Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming	Ogden, UT 84201
California (all other counties), Hawaii	Fresno, CA 93888
Alabama, Arkansas, Louisiana, Mississippi, North Carolina, Tennessee	Memphis, TN 37501

If you have no legal residence or principal place of business in any IRS district, file with the Internal Revenue Service Center, Philadelphia, PA 19255.

Penalties and Interest. Ð Avoid penalties and interest by making tax deposits when due, filing a correct return, and paying all taxes when due. There are penalties for late deposits and late filing unless you can show reasonable cause. If you file late, attach an explanation to the return.

There are also penalties for willful failure to pay tax, keep records, make returns, and for filing false or fraudulent returns.

Credit for Contributions Paid Into State Funds.Ð You get a credit for amounts you pay to a state (including Puerto Rico and the Virgin Islands) unemployment fund by the due date of Form 940-EZ. This credit is reflected in the tax rate (.008) shown on line 6.

"Contributions" are payments that a state requires you, as an employer, to make to its unemployment fund for the payment of unemployment benefits. However, contributions do not include:

c Any payments you deducted or are deductible from your employees' pay.

c Penalties, interest, or special administrative taxes which are not included in the contribution rate the state assigned to you.

c Voluntary contributions you paid to get a lower assigned rate.

Note: Be sure to enter your state reporting number(s) on line B(2) at the top of the form. We need this to verify your state contributions.

Special Credit for Successor Employers.Ð If you are claiming special credit as a successor employer, you must use Form 940.

Amended Returns. Ð Use a new Form 940-EZ to amend a previously filed Form 940-EZ. Check the Amended Return box above Part I, enter the amounts that should have been on the original return, and sign the amended return. Explain why you are amending Form 940-EZ.

If you were required to file Form 940 but filed Form 940-EZ instead, file the amended return on Form 940. See Form 940 and the instructions for information.

Specific Instructions

You must complete lines A and B and Part I. If your FUTA tax (line 6) is over $100, you must also complete Part II. Please remember to sign the return.

Line A.Ð Enter the dollar amount of state unemployment contributions. However, if your state has given you a 0% experience rate, so that there are no required contributions, write "0% rate" in the space.

Part I. Taxable Wages and FUTA Tax

Line 1Ð Total payments.Ð Enter the total payments you made to employees during the calendar year, even if they are not taxable. Include salaries, wages, commissions, fees, bonuses, vacation allowances, amounts paid to temporary or part-time employees, and the value of goods, lodging, food, clothing, and noncash fringe benefits. Also include the amount of tips reported to you in writing by your employees. Enter the amount before any deductions.

How the payments are made is not important to determine if they are wages. Thus, you may pay wages for piecework or as a percentage of profits. You may pay wages hourly, daily, weekly, monthly, or yearly. You may pay wages in cash or some other way, such as goods, lodging, food, or clothing. For items other than cash, use the fair market value when paid.

Line 2Ð Exempt payments.Ð "Wages" and "employment" for FUTA purposes do not include every payment and every kind of service an employee may perform. In general, payments that are not wages and payments for services that are not employment are not subject to tax. You may deduct these payments from total payments only if you explain them on line 2.

Enter such items as the following:

(1) Agricultural labor, if you did not meet either of the tests in Agricultural Employers on page 2.

(2) Benefit payments for sickness or injury under a worker's compensation law.

(3) Household service if you did not pay cash wages of $1,000 or more in any calendar quarter in 1990 and 1991.

(4) Certain family employment.

(5) Certain fishing activities.

(6) Noncash payments for farmwork or household services in a private home that are included on line 1. Only cash wages to these workers are taxable.

(7) Value of certain meals and lodging.

(8) Cost of group-term life insurance.

(9) Payments attributable to the employee's contributions to a sick pay plan.

(10) Any other exempt service or pay.

For more information, see Circular E, Employer's Tax Guide.

Line 3Ð Enter the total amounts over $7,000 you paid each employee. For example, if you have 10 employees to whom you paid $8,000 each during the year, enter $80,000 on line 1 and $10,000 on line 3. Do not include any exempt payments from line 2 in figuring the $7,000.

Part II. Record of Quarterly Federal Unemployment Tax Liability

Complete this part only if your FUTA tax on line 6 is over $100. To figure your FUTA tax liability, multiply by .008 that part of the first $7,000 of each employee's annual wages you paid during the quarter. Enter the result in the space for that quarter.

Your total liability must equal your total tax. If not, you may be charged a failure to deposit penalty figured on your average liability.

Record your liability based on when you pay the wages, not on when you deposit the tax. For example, assume that you pay wages on March 29 and your FUTA tax liability on those wages is $200. You deposit the $200 by April 30. You would include that $200 in the first quarter, not the second.

Depositing FUTA Tax. Ð Generally, FUTA taxes are deposited quarterly. If your liability for any of the first 3 quarters of 1991 (plus any undeposited amount of $100 or less from any earlier quarter) is over $100, deposit it by the last day of the month after the end of the quarter. If it is $100 or less, carry it to the next quarter; a deposit is not required. If your liability for the 4th quarter (plus any undeposited amount from any earlier quarter) is over $100, deposit the entire amount by January 31, 1992. If it is $100 or less, you can either make a deposit or pay it with your Form 940-EZ by January 31.

Note: The total amount of all deposits must be shown on line 7.

If you deposited the right amounts, following these rules, the amount you owe with Form 940-EZ will never be over $100.

Deposit FUTA tax in an authorized financial institution or the Federal Reserve bank for your area. To avoid a possible penalty, do not mail deposits directly to the IRS. Records of your deposits will be sent to the IRS for crediting to your business accounts. See Identifying Your Payments.

You must use Form 8109, Federal Tax Deposit Coupon, when making tax deposits. IRS will send you a book of deposit coupons when you apply for an EIN. Follow the instructions in the coupon book. If you do not have coupons, see Circular E.