

2022 Payroll Update

As a service to you, we are pleased to provide this list of updates and reminders regarding payroll. Reach out to our team at HCM@wipfli.com with any questions, or to learn how you can build a better place to work.

This resource is compiled from information in the Bloomberg Tax & Accounting's 2021 Payroll Year-End Special Report, using data as of November 16, 2021. We have updated additional data as it has become available.

COVID-19 relief provisions: At a glance

Years 2020 and 2021 brought new temporary relief provisions for employers and employees as well as changes to how compensation and benefits programs operate, enacted in response to the coronavirus (COVID-19) pandemic. Many of these changes significantly affected the payroll process, including updates to reporting, withholding, and deposit guidelines. Although many of these provisions were enacted or became effective in 2020 and early in 2021¹ the payroll implications of these changes continue to affect payroll for 2021 year-end as well as for 2022. As we close out 2021 and move into 2022, it is important to continue to monitor these changes.

Payroll tax deferrals

The Coronavirus Aid, Relief, and Economic Security (CARES) Act: Under the CARES Act, employers and self-employed individuals could defer the deposit of the employer's share of Social Security taxes (or equivalent amount for self-employed individuals) incurred from March 27, 2020, through Dec. 31, 2020. The extended deadline for the deposit or payment of the deferred taxes is:

- December 31, 2021, with respect to 50% of the deferred amount; and
- December 31, 2022, with respect to the remaining deferred amount

Employee retention credit

Eligible employers affected by COVID-19 may be entitled to a refundable tax credit in 2021 equal to 70% of qualified wages up to \$21,000 (i.e., up to a \$7,000 credit per quarter) per employee.² What counts as qualified wages depends on the size of the employer and may include certain qualified health expenses. Qualified wages cannot be used for both the paycheck protection program loan forgiveness and credit. The credit is available January 1, 2021 through September 30, 2021. Also, "recovery start up businesses" can claim the credit for wages paid between October 1, 2021 and December 31, 2021.

¹Many of these provisions were enacted in March 2020 as part of the Families First Coronavirus Response Act (FFCRA) (Pub. L. 116-127) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136). In addition, on March 13, 2020, the COVID-19 pandemic was declared a disaster by the federal government triggering other existing relief provisions.

²Employers are generally eligible for the credit if they carry on a trade or business during 2020 and experience either: (1) full or partial suspension of operations during any quarter in 2020 because of government order limitations from COVID-19; or (2) more than 50% reduction in quarterly gross receipts measured year over year. Tax-exempt employers may be eligible with respect to all operations, disregarding the trade or business requirement.

Required emergency paid sick leave and expanded FMLA

Employers who choose to provide such leave between Jan. 1, 2021, and Sept. 30, 2021, may be eligible for employer tax credits. Information about claiming the tax credits for paid sick leave or paid family leave wages can be found on the IRS website at: <https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-paid-leave-provided-by-small-and-midsize-businesses-faqs>.

Reporting payroll tax deferrals, credits

The payroll tax deferrals for 2020, which must be repaid, and credits implemented this year give rise to practical and operational questions, such as how to report those items. Form 941, *Employer's Quarterly Federal Tax Return*, was revised multiple times in 2020 and throughout 2021 to provide additional line items to reflect amounts related to these employer deferrals and credits.

How and when to complete these forms and how the various payroll tax deferrals and credits interact with one another can be difficult to navigate. The payroll tax deferrals generally are taken before claiming either of the refundable tax credits. Additionally, rules prevent employers from taking more than one type of tax credit on the same wages.

Deferral of employee portion of Social Security

Per the IRS, repayment of the first 50%, due Dec. 31, 2021, can be made as follows: ³

“An employer may pay the amount it owes electronically using EFTPS, by credit or debit card, or by a check or money order. The preferred method of payment is EFTPS. If an employer is using EFTPS, in order to pay the deferred amount, an employer that files Form 941 should select Form 941, the calendar quarter in 2020 to which its payment relates and payment due on an IRS notice in EFTPS. An employer that files annual returns, like the Form 943, 944, or CT-1, should select the return and 2020 tax year to make a payment. For more information, visit [EFTPS.gov](https://www.eftps.gov), or call 800-555-4477 or 800-733-4829 (TDD).

“For example, if an employer that files Form 941 wants to pay \$300 of its deferred employer's share of Social Security tax, \$100 of which is attributable to the second calendar quarter of 2020, and the other \$200 of which is attributable to the third calendar quarter of 2020, the employer must make two payments through EFTPS. Each payment should be made for the calendar quarter to which the deferral is attributable, and the entry in EFTPS must reflect it as a payment due on an IRS notice. Thus, the employer would pay \$100 for the second calendar quarter of 2020 using EFTPS and select payment due on an IRS notice in EFTPS while doing so and would also separately pay \$200 for the third calendar quarter of 2020 using EFTPS and make the same selection.”

Employee retention credit and paid-leave tax credits

As a high-level summary of the employee retention credit (ERC) and paid-leave tax credits under the FFCRA:

- Employers who are eligible for the ERC and paid-leave tax credits under the FFCRA claim those credits on a quarterly basis by reporting the credits on their Form 941, *Employer's Quarterly Federal Tax Return*, but may cover the cost of qualified wages in real-time by reducing their federal employment tax deposits and accounting for the reduction on the Form 941.
- To the extent there are not sufficient federal employment tax deposits to cover the ERC and paid-leave tax credits during the quarter, employers can request an advance payment of at least \$25 by submitting to the IRS via fax a Form 7200. Any amount **received** as an advance is then shown and reconciled on the applicable Form 941.
- To the extent there are not sufficient federal employment taxes within the quarter to cover the refundable tax credits, a credit against future quarter employment tax obligations may be claimed

³Deferral of Employment Tax Deposits and Payments Through December 31, 2020, FAQ #29, [irs.gov/newsroom](https://www.irs.gov/newsroom).

or a refund check may be requested on the Form 941. If a third-party payroll vendor is used for tax filing purposes, they may dictate whether they will process a credit or claim a refund check based upon the requirements of their software and filing systems.

- If an employer fails to claim a paid-leave tax credit on their Form 941 for the applicable quarter that the applicable wages are paid, the employer can submit a Form 941-X to reflect the corrections including eligibility for the credit.

The Form 941 (latest revision June 2021) now has line items added to address the credit for qualified sick and family leave wages, the employee retention credit, the employer deferral, and advances filed with Form 7200 and Worksheet 1.

To correct originally filed Form 941, complete Form 941-X (use latest revision – July 2021) using the appropriate worksheet and reporting quarter dates.

Work anywhere: A new workplace paradigm

The coronavirus pandemic created a seismic shift in the structure of the workplace. Many workplaces continue to have a hybrid or fully remote workforce in response to state required orders as well as a shift in the workforce requirements and requests. Employers have been spending 2020 and 2021 trying to determine where employees are working in this new remote environment. The employees may be in a different city, state, or country. This has led to a myriad of payroll reporting and taxation issues as well as other tax implications.

An employee may now be subject to state income tax withholding in their new work location, and that worksite may be one where the company previously had no presence. In 2020, some states issued guidance acknowledging the employees that had entered their jurisdictions, stating that income tax withholding is not required while the employee is sheltering temporarily at the location. This guidance has, at varying times throughout 2021, expired, and states are returning to pre-pandemic wage sourcing and withholding tax rules. Because some states' temporary regulations expired in mid-year (e.g., Massachusetts's expired on Sept. 15, 2021), employers may have to issue multiple Forms W-2 to employees and report those employees to multiple states. As an example, for an employee who lives in Rhode Island but pre-pandemic performed services in Massachusetts, the employee's wages should have been sourced to Massachusetts until Sept. 15, 2021, and after that sourced to Rhode Island.

The general rule of thumb, before the pandemic, is that state income tax withholding should be performed based upon the employee's work location. Many states have set thresholds for withholding purposes, dictating that once an employee has passed that threshold, withholding should be performed. For example, New York has a 14-day rule while California expects state withholding on the first day. Some states have also enacted formal telecommuting rules, addressing when you begin state income tax withholding as well as unemployment insurance taxation for the employees that are permanently working from home instead of an employer's physical office location.

An employer should look to the state's rules for state income tax withholding as well as unemployment insurance based upon whether their employee is performing services as a temporary employee in the state, as a traveling employee into the state, as a telecommuter, or as a permanent employee in that jurisdiction.

As employees adjusted to their new remote work locations, they also started incurring expenses for new office setups. They may not have left their original state, but they now were working from home and needed computer monitors, printers, office supplies, internet connections, and other items necessary to function from a remote office. Some employers have offered employees an allowance or reimbursement to cover certain work-from-home expenses or provided additional equipment that can be used at the remote site. Whether these allowances, reimbursements, or the value of provided equipment should be included in employee income – and in what amount—generally depends on the facts and circumstances. In many situations, these costs may be provided on a tax-free basis as a working condition fringe benefit or as a qualified disaster-relief payment.

Additionally, other expenses that employers and employees often incur while operating in a business-as-usual mode may look different in the new post-pandemic work environment. For employees working from home, there likely are fewer group lunch meetings or recreational team activities. If an employer still would like to cover the cost of some meals for virtual meetings or happy hours, would that still be excludable from income?

Employees who are traveling to the office may have additional expenses if they are relying more heavily on car-ride services or driving personal vehicles and parking to avoid public transportation. If an employer assists with the added expenses, can any portion be provided tax-free?

With the changes to the facts and circumstances around many expenses and benefits, employers have had to reconsider whether and to what extent they may continue to treat them in the same way. Certain expenses that are excludable from income when provided at the office or in a group setting may need to be run through payroll as wages if provided to employees working remotely or in a new environment.

Making matters even more challenging for payroll departments is that more employees are working from home and are now considering themselves either full time remote or hybrid workers, working from one location several days during the week and then from the office for the remaining days of the week.

Multistate reporting

Handling the wage and tax allocation/reporting at year-end for the cross-border business traveler may be onerous and technically challenging. Employers of multistate workers and their third-party providers need to effectively manage the overall compliance issues associated with state-to-state, short-term travel and work.

When working through the complexities of multistate withholding, compounded by the COVID-19 pandemic, also consider the different tax treatment of various types of income, such as base compensation, bonus payments, and equity compensation. Employers need to apply, by state, any de minimis treatment, reciprocity, telecommuting regulations and specific compensation reporting methodologies.

Employers need to capture all the employee-level data detailing how many days each employee performed services in the states where work was performed. If the travel data was tracked throughout the year and the employee's pay allocated accordingly, time in December may be used to make adjustments.

December also is a good time to communicate the issue of nonresident taxation to the affected employees.

Specific attention should be paid to local jurisdiction taxation. Localities have also faced changes with remote workforces, and some have instituted new guidelines on how they expect their tax to be implemented. For example, under Ohio's pandemic order, an employer was required to maintain employee withholding to the principal place of work (PPW) that they had before the pandemic — even if the employee was working from home in another municipality. Although the pandemic-related state of emergency in Ohio was lifted June 18, 2021, the 2021 – 2022 Ohio budget allows employers to continue to assign 100% of an employee's wages to their PPW until Dec. 31, 2021.

Reminder: Form W-2 has space to include wage and tax amounts for up to two states. If three or more states are involved, multiple Forms W-2 would be necessary. See the IRS Form W-2/W-3 instructions for details.

Amounts in Box 16, State Wages, should take into account unusual reporting requirements. For example, New York requires the amount in Box 16 to be the same as the wages in Box 1. When reporting two states including New York, the total of both Box 16s will not match Box 1. This may confuse employees, and so employers should consider providing an explanation to employees when delivering Forms W-2.

The explanation also could be used to alert the employee that they may want to seek help from a tax adviser because they may need to file more than one state individual income tax return.

Items of note

Section 125 crossing years: Sometimes, after employees' returns from leaves of absence, money is owed to the employer for pre-tax medical benefits. If the deduction continues into 2022 for amounts owed on insurance coverage from 2021, it must be a post-tax deduction. The employee cannot pay for benefits on a pre-tax basis in a different year than the coverage.

State and local requirements: The focus at year-end for payroll involves the true-up not only for federal tax requirements but also applicable state taxes. While most states that have income taxes generally conform to federal definitions, there are some significant differences. California and New Jersey, for example, do not follow the federal exclusion for contributions to health savings accounts.

Several states continue to exclude from income some employer-paid moving expenses. These differences, if identified early enough, can translate to a smoother state year-end process and mitigate post-close issue identification and filings of Form W-2c, Corrected Wage and Tax Statement.

States continue to react to changes in the federal tax requirements that affect payroll. Oklahoma, for example, no longer accepts the federal Form W-4, Employee's Withholding Certificate, for state purposes. New York instituted an elective pass-through entity tax – a volunteer corporate payroll tax – in reaction to the new federally imposed \$10,000 state tax deduction limit for individuals.

Some states have started to enact legislation requiring that certain payments by third parties, such as pharmaceutical companies, be counted toward cost-sharing requirements under applicable health plans, including annual deductible requirements. Employers should consider whether these rules apply and the potential effect on the employer's ability to offer a high-deductible health plan for federal tax purposes and, therefore, insureds' eligibility to participate in a tax-favored health savings account.

Keep in mind

Moving expenses are still 100% taxable through 2025, except for active military members. However, state regulations on the taxability of these expenses may differ, so the relevant state income tax rules should be monitored and reviewed. Several states do not follow federal treatment on such expenses and may exclude taxes on the benefit.

Qualified transportation fringe benefits may still be provided tax-free to employees, except for bicycle commuting, up to stated monthly limits. Employers, however, may only take a deduction for most expenses related to providing this type of benefit in limited circumstances. As a result, some employers are amending their transportation benefits programs and policies, which may affect their taxability to employees.

Family- and medical-leave credits may still be available for some employers, based on wages paid to qualifying employees while on leave that is not COVID-19 related. Specific conditions and requirements must be met. **The credit has been extended through Dec. 31, 2025.**

For other taxes related to payroll, several jurisdictions are using withholding on employee wages to fund paid-leave programs or, in the case of Oregon, a new payroll tax to fund the state's transportation infrastructure program.

Also, at year-end, payroll professionals must monitor and properly account for such items as minimum wage, paid-leave requirements, unemployment insurance, temporary disability, and workers' compensation, all of which are administered on a state and local basis.

Form W-2 year-end basics

The timely processing of accurate Forms W-2 is a key function of any payroll department. However, there are several potential pitfalls that can easily derail this most basic of requirements.

Form W-2 formatting: A common mistake is filing Forms W-2 labeled with the incorrect year. A 2021 form must be used and filed by Jan. 31, 2022. Entries for approved print copies are to be in 12-point Courier font and black ink. Dollar amounts are to have a decimal point and two decimal places. Do not use a dollar sign or commas. Test the form to ensure that no negative dollar amounts are reported.

Social Security numbers: Ensure that Social Security numbers have nine digits. For tax year 2021, the IRS allows employers the option of truncating the Social Security numbers on employee copies (i.e., copies B, C, and 2). SSNs may not be truncated on Copy A, which is filed with the Social Security Administration. State rules vary on whether the SSN may be truncated on Copy 1, which is filed with the state, city, or local tax department.

Employee name: The Social Security Administration will not process Forms W-2 with misspelled names, incorrect formatting, and Social Security numbers that do not match those in the Social Security Administration (SSA) system. Consider using the SSA's Social Security Number Verification Service, which is fast, easy and accurate.

Balance checks: Dollar limits exist for some boxes. Examples for 2021 include:

- Box 3, Social Security wages, should not exceed \$142,800;
- Box 4, Social Security tax withheld, should not exceed \$8,853.60; and
- Box 12, Codes D and E should not exceed \$19,500 for employees younger than 50 and \$26,000 for employees 50 and older.

Codes: Codes for Box 12 may be a challenge. Report as Code DD the combined cost of the employer-provided health coverage, which is the employee and employer portions. Code DD is optional for employers who had under 250 W2 forms in 2020. Similarly, Code W is to include all employer contributions, including an employee's contributions through a cafeteria plan, to a health savings account. Ensure that earnings and deductions requiring Box 12 reporting include the correct code, especially after a system upgrade. Employers will be required to report FFCRA and ARPA amounts that were paid separately either on Form W-2, Box 14 or in a statement provided with Form W-2.

State and local reporting: Include state account numbers in Box 15 and follow special state reporting rules.

AccuWage online: SSA can check Form W-2 files before submission for common problems and provide a report on issues that may prevent the submission from being accepted.

Health savings accounts

Health savings accounts, available only when qualified high-deductible health insurance plans are offered, provide a tax-favored savings mechanism to offset the costs of health care.⁴ Although the basic rules on HSA contributions and reporting are fairly straightforward, these rules may create some confusion at year-end in a few areas:

Form W-2 reporting

Employers generally are required to report HSA contributions made in the year on the employee's Form W-2, in Box 12 with Code W.

Box 12 should report all employer contributions to the HSA in the applicable year, including employee contributions through an I.R.C. Section 125 cafeteria plan and those designated as made for the prior year. Employee contributions made to an HSA outside of a Section 125 cafeteria plan are generally included in gross income and should be reported as wages on Form W-2 in Box 1. If the wrong amount is reported in Box 12, such as not counting employee contributions made through a cafeteria plan, the Form W-2 should generally be amended to provide the correct amount.

Note that some states, including California and New Jersey, do not exempt contributions to HSAs from state income tax.

Maximum annual contributions

The tax-free limits on combined employer and employee HSA contributions are indexed for inflation.

For 2022, the limits are \$3,650 for individual policies and \$7,300 for family policies. (For 2021, the limits are \$3,600 for individual policies and \$7,200 for family policies.)

Recovering HSA contributions made in error

In general, employers may not recoup funds deposited into an employee's HSA. In some cases, employers may recover contributions made in error, but action generally must be taken before the end of the year.

Employer contributions inadvertently made to employees who were never considered eligible may be recovered through a request made to a financial institution.

Employer contributions exceeding the maximum annual contributions allowed because of errors, including administrative mistakes and employee elections not processed on time, may be corrected by requesting that the funds be returned. To the extent not recovered by the end of the tax year, excess employer contributions must generally be reported as wages on the employee's Form W-2.

Awards, prizes, gifts

Gifts to employees are included in income and reporting is required, with limited exceptions as described by the Internal Revenue Code, IRS, and Treasury Department regulations. Gift cards or gift coupons that may be redeemed for cash amounts are considered taxable compensation by the IRS.⁵

Group-term life insurance

Employers generally are required to impute amounts as taxable income for employer-provided group-term life (GTL) plans that exceed \$50,000 in benefit value.⁶ Although federal income taxes need not be withheld for this income, FICA taxes generally must be withheld when the income is assigned, and these amounts are reportable on Form W-2. The cost of the additional benefit value, in addition to being added to taxable compensation on Form W-2 in Boxes 1, 3, and 5, must be reported in Box 12, using Code C. The amount included as wages is reduced by any amount paid by the employee with after-tax dollars for the insurance. These rules may be different for key employees if they are favored under the GTL plan.

While the basic calculation for employers providing GTL is not difficult, one area that often is forgotten is when employers offer employees the ability to purchase additional GTL coverage, often referred to as "optional life" or "supplemental life." When employees pay for the entire additional coverage, sometimes the employee purchased coverage amount should be added to the calculation for the overall valuation of GTL.

⁴ I.R.C. Sections 106(d), 223.

⁵ IRS Publication 15-B, *Employer's Tax Guide to Fringe Benefits*.

Under the I.R.C., amounts carried directly or indirectly by the employer through arranged payments, negotiated rates, and other arrangements for the coverage to be available should be included when calculating the attributed income. These amounts may be figured using IRS Uniform Table 1, which is included in Publication 15-B, *Employer's Tax Guide to Fringe Benefits*.

More complexity occurs when supplemental term life insurance rates qualify under the "straddle test," in which case that coverage should be included in the overall GTL calculation. The definition of the straddle test is when at least one employee is charged a rate lower than the IRS Uniform Table I rates and at least one employee is charged a rate higher than those in the IRS Uniform Table I.

If all age bracket rates charged to the employees are higher or are all lower than the IRS Uniform Table I rates, the amounts generally are not considered carried by the employer. Thus, the coverage should not be included in the overall group-term life calculation.

State, local paid leave

In 2021, employers experienced changes to existing family-leave insurance programs in some states. **California, Connecticut, Massachusetts, New York, Rhode Island, Washington**, and the **District of Columbia** all have active family-leave insurance programs.

Connecticut's family-leave insurance program started collecting contributions from employees on Jan. 1, 2021. Employees are to be able to receive benefits starting in 2022.

Washington expanded the definition of a family member for the purpose of determining program eligibility. Effective since July 25, 2021, an employee may receive family-leave insurance benefits to care for a person who regularly lives in the employee's home or where the relationship creates an expectation that the employee care for the person, and the person depends on the employee for care.

Employers also may look forward to new family-leave insurance programs, which steadily are releasing guidance to help employers prepare to comply with program requirements.

Colorado's family-leave insurance program, is to start in Jan. 1, 2023. The program is to be funded by a contribution split between employers and employees and is set to provide 12 weeks (up to 16 weeks in certain cases) of paid leave (with a maximum benefit of \$1,100 per week).

New Hampshire also is to launch a voluntary family-leave insurance program in 2023, under a measure (H.B. 2) signed June 25, 2021. Participating employers are to be able to receive a tax credit equal to 50% of the insurance premium paid. Employers with more than 50 employees are to be able to purchase coverage by contracting directly with the insurance provider selected by the state; employers with fewer than 50 employees may purchase coverage by remitting premiums into a family-leave insurance premium fund.

Oregon's family-leave insurance program initially was scheduled to start Jan. 1, 2022, with benefits available Jan. 1, 2023. However, a measure (H.B. 3398) signed July 27, 2021, delayed the start of required employer and employee contributions to Jan. 1, 2023. Employees are to be able to receive family-leave insurance benefits starting Sept. 3, 2023.

Washington's long-term services and support program, which is administered in conjunction with the state family-leave insurance program, is to require employers to withhold and remit a contribution of 0.58% of each employee's wages starting Jan. 1, 2022. Starting in 2025, eligible employees may receive benefits that pay service providers and caregivers on behalf of a beneficiary.

⁶ I.R.C. Section 79(a).

Although a federal paid-leave program has not been established, several states and localities have requirements in place for employers to provide paid leave to employees. Employers that have existing paid-leave programs should ensure those policies meet or exceed any accrual requirements for these jurisdictions.

For localities, **California** has several jurisdictions requiring employers to provide paid leave in 2022. Other states with these local requirements are **Illinois** (Chicago and Cook County), **Maryland** (Montgomery County), **Minnesota** (Duluth, Minneapolis, and St. Paul), **New Mexico** (Bernalillo County), **New York** (New York City and Westchester County), **Oregon** (Portland), **Pennsylvania** (Philadelphia and Pittsburgh), **Texas** (Austin, Dallas, and San Antonio), and **Washington** (Seattle and Tacoma).

Have questions about how your payroll will be affected? Let's connect.

Visit us at wipfli.com/HCM or contact our team at HCM@wipfli.com.

By the Numbers

Federal limits

	2022	2021
Social Security (OASDI) wage base	\$147,000	\$142,800
Basic deferral limits		
Sec. 401(k), 403(b), 457	\$20,500	\$19,500
Catch-up (age 50+)	\$6,500	\$6,500
SIMPLE	\$14,000	\$13,500
Catch-Up (age 50+)	\$3,000	\$3,000
Defined contribution max. annual addition	\$61,000	\$58,000
Defined-benefit plan limits	\$245,000	\$230,000
Compensation limits, credits and triggers		
Qualified plans	\$305,000	\$290,000
Highly compensated employee	\$135,000	\$130,000
Compensation limit	\$450,000	\$430,000
Dollar limit for key employee (top-heavy plan)	\$200,000	\$185,000
Compensation amount for control employee	\$120,000	\$115,000
Foreign-earned income exclusion limit	\$112,000	\$108,700
Adoption assistance	TBD	\$14,440

By the Numbers

Federal limits (continued)

	2022	2021
Per diem rates		
Standard	\$155	\$151
High-low method	\$296, \$202	\$292, \$198
Health plan limits		
Health flexible spending arrangements	\$2,850	\$2,750
Health savings account contributions — single	\$3,650	\$3,600
Health savings account contributions — family	\$7,300	\$7,200
Catch-Up (HSA single/family contributions) (age 55+)	\$1,000	\$1,000
Federal vehicle valuations <i>(mileage rates, per mile)</i>		
Business	58.5 cents	56 cents
Charitable	14 cents	14 cents
Medical	18 cents	16 cents
Luxury car definition <i>(ineligible for cents-per-mile use valuation)</i>		
Fair market value greater than listed for employer-provided	\$56,100	\$51,100
Vehicles first made available in 2022	\$56,100	\$51,100
Tax-free transportation benefits (monthly)	\$280	\$270
Fleet average maximum value		
Fair market value (before averaging) cars	TBD	at least \$51,000
Fair market value (before averaging) trucks	TBD	at least \$51,100

By the Numbers

2022 hourly minimum wage rates

Jurisdiction	Base hourly minimum wage
Federal	\$7.25
Federal Contractor	\$11.25
Alabama	\$7.25
Alaska	\$10.34
Arizona	\$12.80
Arkansas	\$11
California	\$15, \$14 ‡
Colorado	\$12.56 (Proposed)
Connecticut	\$13 until 7/1, then \$14
Delaware	\$10.50
District of Columbia	\$15.20 *
Florida	\$11
Georgia	\$5.15
Hawaii	\$10.10
Idaho	\$7.25
Illinois	\$12
Indiana	\$7.25
Iowa	\$7.25
Kansas	\$7.25
Kentucky	\$7.25
Louisiana	\$7.25
Maine	\$12.17
Maryland	\$11.60, \$11.75 ‡
Massachusetts	\$14.25
Michigan	\$9.87 *
Minnesota	\$10.33, \$8.42 ‡
Mississippi	\$7.25

Jurisdiction	Base hourly minimum wage
Missouri	\$11.15
Montana	\$9.20
Nebraska	\$9
Nevada	\$10.50, \$9.50 ‡
New Hampshire	\$7.25
New Jersey	\$13, \$11.90, \$11.05 ‡
New Mexico	\$11.50
New York	\$15, \$13.50 ‡
North Carolina	\$7.25
North Dakota	\$7.25
Ohio	\$9.30
Oklahoma	\$7.25 **
Oregon	\$14.75 - \$12.50 ‡ *
Pennsylvania	\$7.25
Puerto Rico	\$8.50 **
Rhode Island	\$12.25
South Carolina	\$7.25
South Dakota	\$9.95
Tennessee	\$7.25
Texas	\$7.25
Utah	\$7.25
Vermont	\$12.55
Virginia	\$11 *
Washington	\$14.49
West Virginia	\$8.75
Wisconsin	\$7.25
Wyoming	\$5.15

‡ Varies by employer size, location, benefits provided

* Subject to change

** Exceptions apply

By the numbers

Unemployment insurance wage bases

State	2022	2021
Alabama	\$8,000	\$8,000
Alaska	\$45,200	\$43,600
Arizona	\$7,000	\$7,000
Arkansas	\$10,000	\$10,000
California	\$7,000	\$7,000
Colorado	\$17,000	\$13,600
Connecticut	\$15,000	\$15,000
Delaware	*	\$16,500
District of Columbia	\$9,000	\$9,000
Florida	\$7,000	\$7,000
Georgia	\$9,500	\$9,500
Hawaii	\$51,600	\$47,400
Idaho	\$46,500	\$43,000
Illinois	\$12,960	\$12,960
Indiana	\$9,500	\$9,500
Iowa	\$34,800	\$32,400
Kansas	\$14,000	\$14,000
Kentucky	\$11,100	\$10,800
Louisiana	\$7,700	\$7,700
Maine	\$12,000	\$12,000
Maryland	\$8,500	\$8,500
Massachusetts	\$15,000	\$15,000
Michigan	\$9,000; \$9,500 ⁷	\$9,000; \$9,500 ⁷
Minnesota	\$35,000	\$35,000
Mississippi	\$14,000	\$14,000
Missouri	\$11,000	\$11,000
Montana	\$38,100	\$35,300

State	2022	2021
Nebraska	\$9,000; \$24,000 ⁸	\$9,000; \$24,000 ⁸
Nevada	\$36,600	\$33,400
New Hampshire	\$14,000	\$14,000
New Jersey	\$39,800	\$36,200
New Mexico	\$28,700	\$27,000
New York	\$12,000	\$11,800
North Carolina	*	\$26,000
North Dakota	\$38,400	\$38,500
Ohio	\$9,000	\$9,000
Oklahoma	\$24,800	\$24,000
Oregon	\$47,700	\$43,800
Pennsylvania	\$10,000	\$10,000
Puerto Rico	\$7,000	\$7,000
Rhode Island	* ⁸	\$24,600; \$26,100 ⁸
South Carolina	\$14,000	\$14,000
South Dakota	\$15,000	\$15,000
Tennessee	*	\$7,000
Texas	\$9,000	\$9,000
Utah	\$41,600	\$38,900
Vermont	\$14,100	\$14,100
Virginia	\$8,000	\$8,000
Washington	\$62,500	\$56,500
West Virginia	\$12,000	\$12,000
Wisconsin	\$14,000	\$14,000
Wyoming	*	\$27,300

Changes for 2022 are in **bold**. Wage bases that decreased are in **bold italic**.

* Wage bases to be announced

⁷ For each year when Michigan's unemployment trust fund balance was sufficiently high during the previous year, Michigan employers not delinquent in paying unemployment-related amounts are assigned a reduced taxable wage base.

⁸ Experienced Nebraska and Rhode Island employers that are assessed the maximum unemployment tax rate are assigned a higher wage base.