

## Minimum Requirements:

The Form W-2 contains the following six parts:

- **Copy A** – You are responsible for filing this copy with the Social Security Administration (SSA). Generally, you must file Form W-2 by January 31, except for when the due date falls on a weekend or legal holiday, in which case the deadline is the following business day.
- **Copy 1** – You are responsible for filing this copy with the appropriate state, city or local taxing authorities, if applicable. You should contact the state, city or local tax department to determine any filing requirements for your employees.
- **Copy B** – You are responsible for furnishing this copy to your employees. Employees file this copy with their federal income tax return, if applicable. It must be postmarked by January 31. If your employees give their consent, you may be able to furnish copies B, C and 2 of Forms W-2 to your employees electronically.
- **Copy C** – Employers are responsible for furnishing this copy to employees. Employees keep this copy for their records. It must be postmarked by January 31.
- **Copy 2** – Employers are responsible for furnishing this copy to employees, if applicable. Employees file this copy with their state, city or local tax return. It must be postmarked by January 31.
- **Copy D** – Employers must retain this copy for their records.

If any regular due date falls on a Saturday, Sunday or legal holiday, file by the next business day. You may request one non-automatic 30-day extension by submitting Form 8809 with justification before the due date. Extension requests on Form 8809 for the W-2 must be submitted on paper and postmarked by January 31. Any approved extension of time to file will only extend the due date for filing W-2's to the SSA. It does not extend the due date for furnishing statements to recipients, that request can only be done by faxing a letter to the IRS.

## Penalties:

If you fail to file a correct Form W-2 by the due date and cannot show reasonable cause or obtain a waiver, you may be subject to a penalty. Some of the reasons penalties can be assessed include not filing on time, not including all required and correct information, filing by paper when you were required to file electronically, reporting an incorrect tax identification number (TIN) or not reporting a TIN at all.

## Electronic Filing:

The Taxpayer First Act, which became Public Law 116-25 in July 2019, included regulations that reduce the electronic filing threshold from 250 W-2s to 10 informational returns (such as Forms W-2 or 1099), beginning January 2024. If you file 10 or more informational returns, you must file electronically unless granted a waiver or exemption. The e-file threshold of 10 is effective for returns required to be filed on or after January 1, 2024. More information can be found at: <https://www.ssa.gov/employer/returnfilers.html>.

Any employers required to file electronically must do so unless granted a waiver by the IRS, available by filing Form 8508. All employers are encouraged to file Forms W-2 electronically, even if filing fewer than the filing threshold. If you file your Forms W-2 electronically, the due date is generally January 31. If you file electronically, you do not need to file the same returns on paper.

Reporting instructions for electronic filing differ in a few situations from paper reporting instructions. The SSA publishes an instruction manual, which can be found at: <https://www.ssa.gov/employer/EFW2&EFW2C.htm>.

## Common Errors on Forms W-2:

Avoid making the following errors, which cause processing delays. **Do not:**

- Omit the decimal point and cents from entries
- Use ink that is too light to make entries – use only black ink
- Make entries that are too small or too large – use 12-point Courier font
- Add dollar signs to the money-amount boxes
- Inappropriately check the “retirement plan” checkbox in box 13
- Misformat the employee’s name in box e – you must enter the employee’s first name and middle initial in the first box, the last name in the second box, and any suffix (optional) in the third box

## Form W-2 Do’s & Don’ts:

- DO** also file Form W-3 with Copy A of your paper Forms W-2 with the SSA. Anyone required to file paper Forms W-2 must also file Form W-3 with Copy A of Forms W-2 to the SSA.
- DO** keep Copy D of Forms W-2 (and Form W-3, if applicable) for four years.
- DO** count all W-2s and information returns in the total to determine if you exceed the 10 return limit requiring you to electronically file.
- DO** make sure the Forms W-2 you furnished to employees are clear, legible and postmarked by Jan. 31.
- DO NOT** staple or tape Forms W-2 to each other. These forms are machine read by the SSA. Staple holes or tears interfere with machine reading.
- DO NOT** send cash, checks, money orders, etc. with the Forms W-2 you submit to the SSA.
- DO NOT** use Forms W-2 that do not comply with IRS standards or are not machine-readable. Use either IRS official Forms W-2 or privately printed substitute Forms W-2 that adhere to the specifications contained in IRS Publication 1141.