

# **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO**

Thank you for downloading Agent 77's **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO**.

This form is provided to you **as is**. As provided, we believe it meets all requirements needed for Federal compliance, as applicable, at the time you download it. We offer it to you in a form to which you can easily add your company name and logo if desired.

However, **any** substantive change to the contents of this document may result in potential legal liability for you and your company. Agent 77, Inc. accepts no liability or responsibility for any of our documents that have had the contents altered beyond simply filling in the appropriate "blanks" and/or replacing "place holder" text and adding your company logo and information.

This document is sold to you with the understanding it is **not** a legal or accounting opinion and should not be construed as such, and that Agent 77, Inc. is not engaged in the business of rendering legal or accounting services. If you need specific advice on any legal or accounting issue, the services of a competent professional should be sought. Please see [www.agent77.com/legal](http://www.agent77.com/legal) for more information.

This and all documents downloaded from our website are Copyright 2004, 2008  
© Agent 77, Inc.

Reminder: The license that you previously agreed to prohibits you from copying and distributing this **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO** to anyone outside of your company. Doing so is a violation of your license and will result in the revocation of your subscription and/or prosecution under Federal copyright laws — as well as possible civil litigation. Please see [www.agent77.com/legal](http://www.agent77.com/legal) for a copy of the current license agreement.

# **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO**

## **1. What is the new hire law?**

The “Personal Responsibility and Work Opportunity Reconciliation Act” (PRWORA) of 1996 was passed as part of the larger welfare reform legislation. This Act requires that all employers report information on people they hire or re-hire to a state directory shortly after they are hired. Although a Federal law, this legislation looks to the individual states to implement the law and to maintain the directories of new hires. Ohio Revised Code Title 31, Chapter 3121, Sections 3121.89 through 3121.99 is the implementation of PRWORA within the State of Ohio.

## **2. Why is new hire reporting required?**

New hire reporting was designed to speed up any child support withholding order processes by expediting collection of child support from parents who change jobs frequently. It also helps locate non-custodial parents to help in establishing paternity and child support orders. Thus, employers serve as key partners in ensuring financial stability for many children and families by helping them receive the financial support they deserve.

## **3. Who is required to report?**

Employers doing business in the state of Ohio must report on the following employees:

- **New Employees:** Employers must report information on newly hired employees who reside or work in the State of Ohio. This includes employees of all ages, those who work less than a full day, those still in a probationary period, part-time and seasonal employees. This information must be reported even if the employee is employed for only one day before termination.
- **Rehired or recalled employees:** Employers must report information on employees who are rehired or recalled to work after being laid off, furloughed, separated, granted a leave without pay or are terminated from employment if the employee is required to complete a new federal W-4 form.
- **Temporary employees:** Temporary agencies are responsible for reporting information on any employee hired to report for an assignment. This need be done only once, employees do not need to be re-reported each time they report to a new client, unless there is a break in service or gap in wages, in which case they need to be reported as a rehire.
- **Independent contractors:** Individuals who provides contract services to an employer as an independent contractor and who is an individual, the sole shareholder of a corporation, or the sole member of a limited liability company (including domestic employees), who is paid \$2,500 or more in a calendar year and for who you are required to file a Form 1099 for the services performed.

Employers doing business in the state of Ohio must report information on all others hired if the individual is considered an employee for purposes of paying federal income tax withholding. This includes employees of all ages, those who work less than a full day, those still in a probationary period, part-time, seasonal employees and employees who are rehired. This information must be reported even if the employee is employed for only a few hours before termination.

Employers are not required to report information on terminated employees.

# **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO**

## **4. Are there any exceptions to reporting?**

Professionally licensed person providing services to an employer under that license need not be reported.

Also, state agency employees performing intelligence or counterintelligence functions do not have to be reported if the agency head has determined that reporting could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

## **5. What information must be reported?**

In accordance with the Federal legislation, the State of Ohio requires the following information to be reported:

- The employer's Federal Employer Identification Number (FEIN). If the employer has more than one FEIN, use the same one used to report quarterly wage information
- The employer's name
- The employer's address
- The type of hire (employee or contractor)
- For employees:
  - The employee's name (full name: first, middle and last)
  - The employee's home address
  - The employee's Social Security Number
  - The employee's date of birth
  - The employee's date of hire
  - The employee's state of hire (optional)
- For independent contractors:
  - The contractor's name (full name: first, middle and last)
  - The contractor's home or business address (physical address, not a P.O. box)
  - The contractor's Social Security Number (SSN) or Federal Employer Identification Number (FEIN)
  - The contractor's date of birth
  - The date payments began for the contractor
  - The expected number of months that the contractor will be working for the employer
  - The contractor's state of hire (optional)

## **6. How and where is this information reported?**

The Ohio New Hire Reporting Center offers several options that make it easy for employers to report new hires. The options available are:

### **Electronic Reporting**

- Go to <http://newhire-reporting.com/OH-Newhire/default.aspx> and click "Register" to register to report any new hires on-line or to send a secure file electronically through the Ohio New Hire Reporting site.

# **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO**

- Go to <http://newhire-reporting.com/OH-Newhire/media.aspx> for the data specifications and other instructions on how to send a tape, CD or diskette with new hire reporting information. Mail any diskettes, CDs or tapes to the address below.
- Go to <http://newhire-reporting.com/OH-Newhire/electronic.aspx> and click the links for instructions on how to send a secure file electronically through the Ohio New Hire Reporting site or using SSL file transfer protocol.
- Contact the Ohio New Hire Reporting Center at (614) 221-5330, or toll-free at (888) 872-1490 for instructions and information on sending new hire reports as an attachment to an encrypted e-mail.

## **Non-Electronic Reporting**

- Printed List: If you cannot or do not wish to report new hire information electronically, you might be able to have your accounting, payroll, or personnel software create a printed list containing your new hire data. The printed list must contain all of the required information, use at least a 10-point font size, and have the employer's name, Federal Employer Identification Number, and address clearly displayed at the top of the report.
- New hire and independent contractor reporting form: Go to <http://newhire-reporting.com/downloads/ohform.pdf> to download the form or use the one attached.
- W-4 form: You may choose to submit a W-4 form as a new hire report. If you do, please ensure that the W-4 is easily readable and has the employer's name, Federal Employer Identification Number, and address written in blocks 8 and 10 on each form and includes all other required information.
- W-9 form: You may choose to submit a copy of a contractor's W-9 form to report independent contractors. If you do, please ensure that the W-9 is easily readable and has the contractor's name, address, Federal Employer Identification Number and includes all other required information.
- New hire reports may either be faxed or mailed to the following:

**Mail reports, diskettes, CDs or electronic tapes to:**  
Ohio New Hire Reporting Center  
P.O. Box 15309  
Columbus, OH 43215-0309

**Fax reports to:**  
(614) 221-7088  
Toll-free: (888) 872-1611

## **Other Reporting Methods**

- Payroll Service: Leading payroll services are already electronically reporting new hires for thousands of employers. If you use one a payroll or accounting service see if the service can report new hires for you.

## **7. How often must the information be reported?**

Employers are required to submit new hire reports within 20 days after an employee is hired, rehired or returns to work or within 20 days of when the first payment is made to an independent contractor. Be sure to report an independent contractor each time you enter into a new contract. If you do not enter into contracts with an independent contractor, report them once per year. If you have multiple new hires in a month and are submitting electronic files, these files must be submitted in two monthly transmissions not more than sixteen days apart.

# **NEW HIRE AND INDEPENDENT CONTRACTOR REPORTING INFORMATION FOR OHIO**

## **8. What is the penalty if the report is late?**

A penalty of \$25 per employee per month may be assessed for each failure to report a new hire. Also, a penalty of \$500 may be assessed for the failure to report new hire information if the failure is the result of conspiracy between the business or government entity and the employee.

## **9. How will the information be used?**

Federal and State laws contain strict regulations on how new hire reporting information may be used. New hire reporting information is matched against any open child support orders to locate non-custodial parents and enforce these orders.

This information will also be fed into a national directory to provide more current information for locating out-of-state noncustodial parents.

New hire information may also be used by states to help detect and prevent fraudulent payments to recipients of unemployment insurance, worker's compensation and welfare benefits.

The use of this information helps maintain financial stability in Ohio families and helps to keep down the cost of welfare, unemployment and worker's compensation insurance.

## **10. What to do if you have never reported new hires or independent contractors.**

Begin by reporting any new employees you've hired or rehired in the last 180 days. Then going forward be sure to report any new hires or rehires within 20 days of the hire date. You do not need to report any independent contractors you currently have under contract until and unless they renew their contract. If you do not enter into contracts with an independent contractor, report them once per year.

## **11. Additional information.**

For questions about new hire reporting you can contact the Ohio New Hire Reporting Center at (614) 221-5330, or toll-free at (888) 872-1490. The telephone system is available 24 hours and help desk staff is available Monday through Friday from 8:00 am to 5:00 pm Eastern Time.

You can also submit questions electronically by going to: <http://newhire-reporting.com/OH-Newhire/feedback.aspx>

