

# Oregon Withholding Tax Formulas

Effective January 1, 2012

## **To Oregon employers:**

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The Oregon Withholding Tax Formulas include:

- Things you need to know.
- Phase-out information for high income employees.
- Formulas for the new 9.9 percent.
- Frequently asked questions.

For more information, call

**503-945-8091**

**or**

**503-378-4988**



**955 Center Street NE  
Salem OR 97301-2555**

# Things you need to know

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The updated Oregon Withholding Tax Formulas reflect the last phase of increasing the federal tax subtraction to \$6,100 and changes due to recently enacted legislation. Employees may notice a change in the amount of Oregon tax withheld. If your employee wishes to adjust for too much or too little tax withheld, refer them to publication 150-206-643, *Oregon Income Tax Withholding*, available at [www.oregon.gov/dor/business/](http://www.oregon.gov/dor/business/).

## You may be personally liable for withholding taxes.

As a corporation officer or employee, you can be held personally responsible for unpaid withholding taxes owed by the corporation. That's because Oregon laws ORS 316.162 and ORS 316.207 make it possible to transfer the liability for unpaid taxes from the corporation to the responsible officers and employees when the corporation fails to remit the tax withheld.

## Interested in Electronic Funds Transfer (EFT)?

Payments for combined payroll taxes can be made electronically using the Department of Revenue's Electronic Funds Transfer (EFT) program. A business must register with the department and indicate the Automated Clearing House payment type (ACH Debit or ACH Credit) they plan to use before starting payments.

The IRS has changed the rules on the use of the Electronic Federal Tax Payment System (EFTPS) for withholding payments. Oregon law states that if a business is required to use EFTPS for federal purposes, they must use EFT for Oregon purposes. If a change to the federal rules affect you and you must begin paying your federal taxes with EFTPS, then you must pay your Oregon taxes with EFT.

Even though many businesses are required to make their payments this way, employers may voluntarily participate in the EFT program. Additional information and registration materials are available from the department's internet site: [www.oregon.gov/dor/e-filing](http://www.oregon.gov/dor/e-filing) or you may call the EFT Help/Message Line at 503-947-2017 to receive a program guide.

## Alternative withholding method for supplemental wage payments

Employers may use a 9 percent flat rate to figure withholding on supplemental wages that are paid at a different time than an employee's regular payday. Supplemental wages include bonuses, overtime pay, commissions, or any other form of payment received in addition to the employee's regular pay.

### Have questions? Need help?

**General tax information** ..... [www.oregon.gov/dor](http://www.oregon.gov/dor)  
Salem ..... 503-378-4988  
Toll-free from an Oregon prefix..... 1-800-356-4222

#### Asistencia en español:

En Salem o fuera de Oregon ..... 503-378-4988  
Gratis de prefijo de Oregon..... 1-800-356-4222

#### TTY (hearing or speech impaired; machine only):

Salem area or outside Oregon ..... 503-945-8617  
Toll-free from an Oregon prefix..... 1-800-886-7204

**Americans with Disabilities Act (ADA):** Call one of the help numbers above for information in alternative formats.

# Things you need to know

## Must I round withholding amounts to the nearest dollar?

When employers use the percentage method, the tax for the pay period may be rounded to the nearest dollar, but it's not required.

## When are withholding payments due?

Due dates for paying Oregon withholding tax are the same as due dates for depositing your federal tax liability.

If your federal tax liability is:	Oregon withholding tax payments are due:		<b>Payrolls paid in:</b>  <b>Quarter 1</b> January, February, March  <b>Quarter 2</b> April, May, June  <b>Quarter 3</b> July, August, September  <b>Quarter 4</b> October, November, December
<ul style="list-style-type: none"> <li>• Less than \$2,500 for the quarter → by the quarterly report due date</li> </ul> <p>Example: If your Federal Tax Liability is \$2,300 and your State Income Tax Liability is \$1,500, you deposit quarterly.</p>			
<ul style="list-style-type: none"> <li>• \$50,000 or less in the lookback period* → by the 15th of the month following payroll</li> </ul> <p>Example: If your Federal Tax Liability is \$5,000 and your State Income Tax Liability is \$2,500, you deposit monthly.</p>			
<ul style="list-style-type: none"> <li>• More than \$50,000 in the lookback period* → <b>Semiweekly Deposit Schedule</b></li> </ul>	<i>If the day falls on a:</i> Wednesday, Thursday, and/or Friday	<i>Then pay taxes by:</i> the following Wednesday	
	Saturday, Sunday, Monday and/or Tuesday	the following Friday	
<p>Example: If your Federal Tax Liability is \$60,000 and your State Income Tax Liability is \$25,000, you deposit semi-weekly.</p>			
<ul style="list-style-type: none"> <li>• \$100,000 in a single pay period* → within one banking day</li> </ul> <p>Example: If your Federal Tax Liability is \$120,000 and your State Income Tax Liability is \$75,000, you deposit within the next business day.</p>			
<p><u>New Business</u> Per federal rules, all new businesses should deposit monthly until a lookback period is available; this is the same for the State of Oregon. See Publication 15 Circular E, page 20.</p> <p>* The lookback period is the 12-month period that ended the preceding June 30. The lookback period for agricultural employers is the calendar year prior to the calendar year just ended.</p>			

## When are withholding reports due?

Employers with household employees, or employers who file federal Form 943 for agricultural employment, may file annual returns, Oregon Form WA for agricultural employees and Form OA for domestic employees. All other employers must file a quarterly tax report, Oregon Form OQ.

As long as you are registered as an employer, you must file an *Oregon Combined Tax Report*, Form OQ, even if you have no payroll during the reporting period.

# Computer formula

To figure Oregon withholding amounts, you may use the formulas shown below. If you use your own formula, it must be approved by the Oregon Department of Revenue before use.

To use the formulas, you must figure a 'base wage' (BASE) amount. The base is the employee's wage minus the federal tax withheld minus standard deduction. The federal tax adjustment in the formula can't be more than \$6,100 per year in 2012. That's because Oregon personal income tax law limits the amount of federal income tax that is subtracted from federal adjusted gross income (AGI). For payroll periods of less than a year, figure the annual withholding divided by the number of pay periods (see page 5 or 6).

Once you figure the base, use the base in the formulas below to compute your Oregon withholding (WH).

**Example 1:** A single employee has an annual wage of \$15,000 and claims one allowance. If the federal withholding for this employee is \$1,050 and standard deduction is \$2,025, then the base is \$11,925 = (\$15,000 - \$1,050 - \$2,025). The amount of annual Oregon withholding from the table below would be \$852.

$$\text{WH} = \$677 + [(\text{BASE} - \$7,950) \times .09] - (\$183 \times \text{Allowances})$$

$$\text{WH} = \$677 + [(\$11,925 - \$7,950) \times .09] - \$183 \times 1 = \$852$$

You can figure Oregon withholding for this employee as follows:

1. Wage.....	\$15,000
2. Less federal withholding.....	- \$1,050
3. Less standard deduction.....	- \$2,025
4. BASE .....	\$11,925
5. Amount of BASE over \$7,950 .....	\$3,975
6. Tax on first \$7,950 of BASE.....	\$677
7. Tax on excess (0.09 × \$3,975) .....	\$358
8. Total tax from rates (lines 6 + 7) .....	\$1,035
9. Less personal exemption credit (\$183 × 1).....	- \$183
10. Net tax to be withheld annually.....	\$852

**Example 2:** To figure monthly withholding based on the same information listed above, take the annual "net tax to be withheld" (\$852) & divide by 12 = \$71. For twice a month, take the \$852 and divide by 24 = \$36. For every two weeks, take the \$852 and divide by 26 = \$33. For weekly, take the \$852 and divide by 52 = \$16. For daily, take the \$852 and divide by 260 = \$3.

**Example 3:** A single employee earns \$130,000 a year and claims four allowances on her federal W-4. Because the employee makes more than \$125,000 annually, the employee's subtraction for federal withholding is limited. For example, if the employee's federal tax withheld is \$9,368 for the year, they may only subtract \$3,650 of that amount.

**Example 4:** A married employee earns \$175,000 a year and claims four allowances on his federal W-4 but he requests his employer to withhold at the higher single rate even though he is married. Because his annual income is higher than \$145,000 which is the final step in the phase-out for the single withholding rates, his employer would not give any subtraction for federal tax withheld.

A list of questions and answers about the withholding formula is on page 7.

## Use the formula that matches your payroll period:

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### Annual wages up to \$50,000

#### Annual wages formula:

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##### Single with less than 3 allowances

**BASE = wages – federal tax withheld (not to exceed \$6,100) – standard deduction (\$2,025[S])**

If BASE is:

At least	But Not Over	
0 -	3,150	WH = 183 + [BASE × 0.05] – (183 × allowances)
3,150 -	7,950	WH = 341 + [(BASE – 3,150) × 0.07] – (183 × allowances)
7,950 -	50,000	WH = 677 + [(BASE – 7,950) × 0.09] – (183 × allowances)

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##### Single with 3 or more allowances, or Married

**BASE = wages – federal tax withheld (not to exceed \$6,100) – standard deduction (\$4,055[M])**

If BASE is:

At least	But Not Over	
0 -	6,300	WH = 183 + [BASE × 0.05] – (183 × allowances)
6,300 -	15,900	WH = 498 + [(BASE – 6,300) × 0.07] – (183 × allowances)
15,900 -	50,000	WH = 1,170 + [(BASE – 15,900) × 0.09] – (183 × allowances)

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#### To determine other pay periods, figure the annual formula. Then for:

Monthly:	Divide by 12	Weekly:	Divide by 52
Twice a month:	Divide by 24	Daily:	Divide by 260
Every two weeks:	Divide by 26		

# Use the formula that matches your payroll period:

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## Annual wages of \$50,000 or higher

### Annual wages formula:

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#### Single with less than 3 allowances

**BASE = wages – federal tax withheld (not to exceed [PHASE OUT]) – standard deduction (\$2,025[S])**

[S] PHASE OUT =

wages ≥ \$50,000 and <\$125,000	= \$6,100
wages ≥ \$125,000 and <\$130,000	= \$4,850
wages ≥ \$130,000 and <\$135,000	= \$3,650
wages ≥ \$135,000 and <\$140,000	= \$2,400
wages ≥ \$140,000 and <\$145,000	= \$1,200
wages ≥ \$145,000	= \$0

If BASE is:

At least	But Not Over	WH =
41,875 - 125,000		$494 + [(BASE - 7,950) \times 0.09] - (183 \times \text{allowances})$
125,000		$11,028 + [(BASE - 125,000) \times 0.099] - (183 \times \text{allowances})$

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#### Single with 3 or more allowances, or Married

**BASE = wages – federal tax withheld (not to exceed [PHASE OUT]) – standard deduction (\$4,055[M])**

[M] PHASE OUT =

wages ≥ \$50,000 and <\$250,000	= \$6,100
wages ≥ \$250,000 and <\$260,000	= \$4,850
wages ≥ \$260,000 and <\$270,000	= \$3,650
wages ≥ \$270,000 and <\$280,000	= \$2,400
wages ≥ \$280,000 and <\$290,000	= \$1,200
wages ≥ \$290,000	= \$0

[S] PHASE OUT =

wages ≥ \$50,000 and <\$125,000	= \$6,100
wages ≥ \$125,000 and <\$130,000	= \$4,850
wages ≥ \$130,000 and <\$135,000	= \$3,650
wages ≥ \$135,000 and <\$140,000	= \$2,400
wages ≥ \$140,000 and <\$145,000	= \$1,200
wages ≥ \$145,000	= \$0

If BASE is:

At least	But Not Over	WH =
39,845 - 250,000		$987 + [(BASE - 15,900) \times 0.09] - (183 \times \text{allowances})$
250,000		$22,056 + [(BASE - 250,000) \times 0.099] - (183 \times \text{allowances})$

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#### To determine other pay periods, figure the annual formula. Then for:

Monthly:	Divide by 12	Weekly:	Divide by 52
Twice a month:	Divide by 24	Daily:	Divide by 260
Every two weeks:	Divide by 26		

# Frequently asked questions about the withholding computer formula

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- 1. Does the federal withholding amount subtracted include FICA?**  
No.
- 2. What standard deduction amount should be entered for the Oregon formula?**  
For employees claiming single status, use \$2,025 divided by the number of pay periods. For employees claiming married status, use \$4,055 divided by the number of pay periods. For single employees with three or more allowances, use \$4,055 divided by the number of pay periods.
- 3. What do you do if the federal tax withholding exceeds \$6,100 on an annual basis?**  
Use \$6,100 (or the phased-out amount for high-income earners).
- 4. What phase-out amount for federal tax withheld should I enter if my employee is Married, but wishes to be withheld at the higher Single rate?**  
Use the Single phase-out amounts.
- 5. What is included in “wages”?**  
All taxable amounts are included in wages (hourly wage, salary, bonuses, tips, etc.).
- 6. What is not included in “wages”?**  
Non-taxable amounts such as pre-tax deductions for insurance, cafeteria or flex spending plans (section 125 plans), retirement plans (section 401k, etc.), health savings accounts, etc.
- 7. What phase-out amount should I use if my employee claims single with three or more exemptions?**  
Use the Single phase-out amounts. Only use Married phase-out amounts for employees who check the “Married” box on the W-4.
- 8. What is the difference between twice a month and every two weeks?**  
The twice-a-month formula (often referred to as semi-monthly) is based upon 24 pay periods a year. The every two weeks or biweekly formula is based upon 26 pay periods a year.
- 9. Is there a straight percentage method that can be used instead of the formula?**  
No. Even though Oregon’s top tax rate is 9.9 percent, employees usually pay less than the highest rate due to the federal tax subtraction, the standard deduction, and the personal exemption credit. The actual percentage they pay depends on a number of factors.
- 10. If the withholding amount is negative, what do I use?**  
Zero, however, you should check your calculations to make sure your entries are correct.
- 11. Does my computer program need to allow for subtracting federal withholding from gross wages?**  
Yes, up to \$6,100 on an annual basis.
- 12. Is the personal exemption credit subtracted before or after the other calculations?**  
After.
- 13. Is the format of the Oregon withholding formula similar to that for the federal formula?**  
Yes; however, the tax brackets and rates are different. In addition, the Oregon formula requires subtracting the personal exemption credit after the other calculations.
- 14. What should I do if my “canned” computer package cannot use the Oregon withholding formula?**  
Most of the newer packages are flexible enough to use the Oregon formula. Usually you need to answer a menu of questions about items such as subtracting federal withholding and how to subtract the personal allowance. Some of the older packages do not allow for subtracting federal withholding or for subtracting the personal credit allowance after the other calculations. If your package does not accommodate the Oregon formula, you should contact the publisher of the package.
- 15. Do my employees need to adjust their W-4?**  
Maybe.  
If your employee feels like the formulas don’t accurately reflect their tax situation, they can change their withholding rate by updating the federal W-4 and writing “For Oregon Only” at the top. Your employee may go to [www.oregon.gov/dor/business/](http://www.oregon.gov/dor/business/) to find more information on Oregon Income Tax Withholding (150-206-643).
- 16. Can employees use different W-4 withholding information (allowances, etc.) for Oregon withholding than they do for federal withholding?**  
Yes, employees can fill out a different W-4 with different information for Oregon. They should indicate the change and write “For Oregon Only” at the top of the W-4.