

Friday, May 5, 2023

3:00PM – 5:45PM

Employment Taxes

Co-Chairs: Chaya Kundra, Kundra & Associates, Rockville, MD; Priya Schwartzburt, Vialto Partners, Philadelphia, PA

3:00-3:45 PM

IRS Employment Tax Update. An overview of important developments since the January 2023 Meeting, including pertinent court decisions, guidance projects in connection with COVID relief and proposed legislation.

MODERATOR: Priya Schwartzburt, Vialto Partners

PANELISTS: Lynne Camillo and other invited Government Guests

LEARNING OBJECTIVES:

After attending the session, the participant will be able to:

- Understand the current legal landscape for employment taxation at the federal level
- Anticipate upcoming legal challenges
- Guide clients in planning for upcoming changes

3:45-4:15 PM

Making Sense of the Employee Retention Tax Credit (ERC): Eligibility, 2020 vs. 2021, IRS Guidance. The Employee Retention Credit (ERC), a refundable tax credit, was established through the CARES Act of 2020 to provide qualifying businesses relief from the economic impact of the pandemic. Although the ERC eligibility periods have ended, applications for the credit, and corresponding IRS guidance, are alive and well. This panel will discuss the eligibility rules for the ERC, IRS guidance, how the ERC interacts with other tax credits and programs, and more.

MODERATOR: Daizia Williams, Chamberlain, Hrdlicka, White, Williams & Aughtry

PANELISTS: Juan F. Vasquez, Jr., Chamberlain, Hrdlicka, White, Williams & Aughtry; Ashley Hogsette, Synergi Partners; Additional Panelists TBA

LEARNING OBJECTIVES:

After attending the session, the participant will be able to:

- Understand the rules and regulations governing ERC claims
- How the Paycheck Protection Program affects ERC eligibility
- American Rescue Plan Act of 2021 expanded eligibility for recovery start-up businesses
- IRS guidance in Notices 2021-20, 2021-23, 2021-49, and 2021-65
- Mistakes to avoid when applying for the ERC

4:15 - 5:00 PM

Think Globally: International Employment Tax Considerations. An overview of tax equalization rules, totalization agreements, special withholding procedures applicable to nonresident aliens working in the U.S., and U.S. citizens/residents working abroad.

MODERATOR: Chaya Kundra, Kundra & Associates, Rockville, MD

PANELISTS: Andrew Cain, Internal Revenue Service; Matthew Leiwant, Internal Revenue Services; Ligeia Donis, Vialto Partners

LEARNING OBJECTIVES:

After attending the session, the participant will be able to:

- Understand the general rules and requirements for employers with respect to nonresident aliens working in the U.S.
- Anticipate employment tax and related legal challenges involved when U.S. employees work abroad
- Understand how tax equalization rules apply to employment tax refunds after the calendar year expires

5:00 – 5:45 PM

Hot Topics – The Current State of Employment Tax: Highlights of the State Employment Tax issues that are currently top of mind for state taxing authorities and employers, including the rise in New York withholding tax audits and California worker classification challenges.

MODERATOR: Chaya Kundra. Kundra & Associates

PANELISTS: Priya Schwartzburt, Vialto Partners; William Hays Weissman, Littler

LEARNING OBJECTIVES:

After attending the session, the participant will be able to:

- Understand the challenges facing employers today with respect to New York withholding tax audits and California worker classification
- Understand some of the areas the New York Department of Taxation focuses on when conducting New York withholding tax audits
- Understand current worker classification rules in California and related audit activity by the California EDD