

Work Opportunity Tax Credit (WOTC)

Information for Consultants Who Are Just Starting

Welcome to using the WOTC! We're excited to help you navigate this federal program. While WOTC has specific rules, we're here to answer any questions you have.

1. **ETA Form 9198 Employer Representative Declaration:**

- Third-party consultants **must** have an [ETA Form 9198 Employer Representative Declaration](#) completed and signed by the employer before they can submit forms 8850 and 9061 on behalf of an employer.
- Form 2848 Power of Attorney and Declaration of Representative can be accepted through May 31, 2024. ETA 9198 will be required as of June 1, 2024.
- On the Form 9198, authorization begins the date the employer signs the form and cannot go beyond 5 years from that date.
- Years or periods of designated authorization cannot be retroactive from the employer's signature date.
- A sample Form 9198 can be found on the last page of this document for your reference.
- Brand new Consultant accounts need to send the Form 9198 (or Power of Attorney) to the WOTC Unit for approval and account creation. Once we create your account, we request that you upload additional representative declaration forms through the online portal.
- You can email the first authorization form to WOTC@employ.oregon.gov or mail it in:
Oregon Employment Department WOTC Unit
875 Union St NE, Room 201
Salem, OR 97311
- Once we create your account, we will call and/or email you with your login credentials and you will be able to access the [online portal](#).
- Additional authorization forms can be submitted by clicking on "Upload or View ETA Form 9198 Documentation" of the Consultant Representative Menu.
- Download the "Consultant User Guide" for more information on all the functionality available through the online portal.

2. **IRS Form 8850 (Pre-Screening Notice and Certification Request for the Work Opportunity Credit):**

- Download the latest IRS Form 8850 from OregonTaxCredit.org or on the IRS website.
- The applicant should complete the front and sign it. The employer or the employer's authorized representative should complete the back and sign it.
- We recommend that Form 8850 be included as part of the application process, although it is voluntary for applicants to complete.

3. **ETA Form 9061 (Individual Characteristics Form):**

- Download the latest ETA Form 9061 from OregonTaxCredit.org or www.doleta.gov.
- Do **not** include Form 9061 in the job application packet.

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4. Completing forms for eligible applicants:

- If an applicant chosen to move forward in the hiring process ticks a box on Form 8850 during the hiring process, the employer or the employer's authorized representative fill out Form 9061 together when they accept the job offer.
- Complete Form 9061 by the employee's first day of work.
- Note that only new hires are eligible. Previous employees are not eligible for the Work Opportunity Tax Credit.

5. Submitting WOTC application:

- To submit Forms 8850 and 9061 on behalf of the hiring employer, log into the [online portal](#).
- Enter the information from both Forms within **28 days** of the new hire's start date by clicking on "Enter New Application- 2023 Version" on the Consultant Representative Menu of your account.
- All applications submitted after 28 days will be denied.
- Input the data electronically into our system. You do not need to attach or send us the physical forms, but keep them for potential audits.
- You can check the status of your applications and print/download certifications or denials by clicking on "View Status of Applications" on the Consultant Representative Menu.
- The system does not send notifications of determinations; please check back for updates.

6. Alternate submission method:

- If you will be submitting many applications on a regular basis, we have a **bulk upload** process that you can put in place with the help of our system vendor. If this is an option you would like to explore, please contact us for those instructions.
- If you can't file online or through **bulk upload**, mail original signed Forms 8850 and 9061 within 28 days of the employee's start date to:
Oregon Employment Department WOTC Unit
875 Union St NE, Room 201
Salem, OR 97311
- Keep copies for your records and consider getting proof of mailing.

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Additional WOTC Program Information

- ❖ **Tax credits:** Employers can earn \$1500-\$9600 in tax credit for every eligible new hire. There is no limit on the number of WOTC-eligible new hires an employer can claim. The employee must work a minimum of 120 hours in the first 12 months of employment to qualify. The maximum credit is available when they work at least 400 hours and earn \$6,000 in their first year on the job. To see tax credit amounts by qualifying wages and worked hours for each category, visit www.OregonTaxCredit.org and click on “Eligible workers.”

- ❖ **Qualifying categories in Oregon:**
 - Certain Veterans (with disabilities, SNAP recipients, or unemployed)
 - People with a recent felony conviction or release from prison
 - SNAP or TANF recipient
 - Long-term unemployed
 - Vocational Rehabilitation participants
 - Recent Supplemental Security Income or Ticket to Work recipient

- ❖ **Restrictions:** A business may not claim a WOTC credit for hiring an employee who is a relative of the owner(s). Eligible tax-exempt employers can claim the WOTC against the employer’s share of Social Security taxes, but only for eligible members of the qualified veteran categories.

- ❖ **Additional documentation for Veterans with disabilities:** If your new employee is a Veteran with a disability, please upload Veteran Affairs (VA) documentation verifying their service-connected disability rating. You can upload supporting documentation by clicking “Upload or View Applicant Documentation” on the menu of your online account.

- ❖ **Retrieving WOTC information:** In most cases, we will be able to retrieve the information needed to determine if an individual meets criterion for WOTC qualifying categories. If your new employee received TANF benefits and/or SNAP benefits in a state other than Oregon or has a felony conviction/served a prison term in any state other than Oregon, please tell us the name(s) of the state(s) involved on the 9061 so we can ask the state(s) for information.

- ❖ **Claiming the WOTC credit:** To claim Work Opportunity Tax Credit you will need to obtain your WOTC certificate and submit it to the IRS at tax time.
 - After logging into the online portal, on the Employer Menu, click “View Status of Applications” and specify the date range with “Date Type: Determination Date.” Click “All” to see which applications have been certified or denied. Use “Print New Certifications” and “Print New Denials” for necessary documents.
 - For certified applications, submit them to the IRS. For guidance on the process, read the “Claiming the Credit” section on the IRS page [Work Opportunity Tax Credit | Internal Revenue Service \(irs.gov\)](http://www.irs.gov).

Did anything on this list raise questions? Please contact us!

Email WOTC@employ.oregon.gov Website www.OregonTaxCredit.org Phone 1-(800)-237-3710, option 3