

Wisconsin Withholding Tax Guide

Effective for Withholding Periods
Beginning On or After October 1, 2009

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TABLE OF WISCONSIN WITHHOLDING FORMS AND FEDERAL COUNTERPART

WI FORM NUMBER	FORM TITLE	FEDERAL COUNTERPART
BTR-101	Application for Business Tax Registration	SS-4
WT-4	Employee's Wisconsin Withholding Exemption Certificate & New Hire Reporting	W-4
WT-4A	Wisconsin Employee Withholding Agreement	None
WT-4B	Working Families Tax Credit - Exemption From Withholding	None
WT-6	Withholding Tax Deposit Report	Form 8109
WT-7	Employer's Annual Reconciliation of Wisconsin Income Tax Withheld from Wages	W-3
None*	Wage and Tax Statement	W-2 & 1099-R
Form 9b	Wisconsin Information Return	1099, W2-G
WT-11	Nonresident Entertainer's Receipt for Withholding by Employer	None
W-200	Certificate of Exemption from Wisconsin Income Tax Withholding	None
W-220	Nonresident Employee's Withholding Reciprocity Declaration	None

* Wisconsin uses federal Form W-2

IMPORTANT NEWS

No Changes in Withholding Rates for 2012. The current rates are found in the back of this publication.

Form WT-7 Revised. Wisconsin's advance earned income credit program was discontinued for tax years beginning on or after January 1, 2011. The corresponding lines on Form WT-7 were removed. In addition, new lines were created to separate the number of W-2s prepared for the calendar year of the return from all other wage statements (Forms 1099, W2-G, etc.).

Health Care Benefits for Adult Children Under the Age 27. Effective for taxable years beginning on or after January 1, 2011, Wisconsin has adopted the federal law provisions relating to the treatment of health insurance benefits provided to an adult child who has not attained the age of 27 as of the end of the tax year. For more information, visit www.revenue.wi.gov/taxpro/news/111107.html.

2011 Treatment of Health Savings Accounts (HSAs). Effective for taxable years beginning in 2011 and thereafter, Wisconsin will follow the federal provisions relating to HSAs. The only difference is the imposition of penalties. For details, see www.revenue.wi.gov/taxpro/fact/hsa2011.pdf.

My Tax Account. We've redesigned our web site. Look for an improved My Tax Account login page and navigation that makes it easier for businesses to find our online features.

My Tax Account is the Department of Revenue's free online business tax service. It allows you to file withholding tax reports, reconciliations, and Form W-2, initiate payments via electronic funds transfer or credit card, notify us of changes to your address or account inactivation, and request extensions to file. It also allows you to review the filing and payment history of your account and identify any tax periods that need attention. To register for My Tax Account, go to <https://tap.revenue.wi.gov>.

My Tax Account is the Department of Revenue's free online business tax service. It allows you to file withholding tax reports, reconciliations, and Form W-2, initiate payments via electronic funds transfer or credit card, notify us of changes to your address or account inactivation, and request extensions to file. It also allows you to review the filing and payment history of your account and identify any tax periods that need attention. To register for *My Tax Account*, go to <https://tap.revenue.wi.gov>.

CAUTION

The information in this publication reflects the position of the Wisconsin Department of Revenue of laws enacted by the Wisconsin Legislature as of December 1, 2011. Laws enacted after that date, administrative rules, and court decisions may change the interpretations in this publication.

I. FEDERAL EMPLOYER'S TAX GUIDE

The Wisconsin income tax law for individuals generally conforms with the federal Internal Revenue Code. Most definitions and instructions for Wisconsin purposes are identical with those used by the Internal Revenue Service and published in the Federal Employer's Tax Guide Circular E (Publication 15) and Employer's Supple-

mental Tax Guide (Publication 15-A). The federal Circular E and Supplement to Circular E may be obtained at your local Internal Revenue Service office, or call their toll-free telephone number at 1-800-829-3676. You may also download these publications at the IRS web site at www.irs.gov.

II. REGISTRATION AND GENERAL WITHHOLDING TAX PROVISIONS

A. Application Process

The Wisconsin income tax withholding system requires that every employer register with the Wisconsin Department of Revenue, and obtain a Wisconsin withholding tax account number when the employer has a requirement to begin withholding on employees. You may register online at www.revenue.wi.gov (from the Business tab, select "Register for Wisconsin tax") or complete a paper application, Form BTR-101, Application for Business Tax Registration. An application may also be obtained by calling or visiting any local office of the department, or by calling our Madison office at (608) 266-2776.

When completing Form BTR-101, it is important to answer all questions on the form. Failure to include the first date of withholding or to estimate the amount of tax withheld could delay the processing of your application. It is recommended you keep a copy of this application for your records.

Except as explained in the instructions for Form BTR-101, persons applying for a Wisconsin tax account number are required to pay a \$20 Business Tax Registration Fee.

Business Tax Registration Renewal Fee: The initial \$20 Business Tax Registration fee covers a period of two years. At the end of that period, a \$10 Business Tax Registration renewal fee applies. The renewal fee applies to all persons holding permits or certificates subject to Business Tax Registration provisions.

Expedited Fee: Persons may receive immediate service on their application for a Wisconsin tax account number or other permit or certificate. This service is available when you visit the department's Madison office located at 2135 Rimrock Road or when you fax your Application for Business Tax Registration as explained below. A \$10 expedite fee is charged for this service.

Applicants who register online will receive a Wisconsin withholding tax account number within 1-2 business days. No expedite fee is charged for this service.

Faxing The Application: The Application for Business Tax Registration (Form BTR-101) may be faxed to the department at (608) 264-6884. When faxing the application you should:

- Include a cover sheet with the contact person's name and fax and telephone numbers.
- Use black ink.
- If you want the processing of your application expedited as described above, write "Expedite" across top of application (there is an additional \$10 fee for this service).

B. Wisconsin Withholding Tax Account Number

Employers should use the 15-digit Wisconsin withholding tax account number that is assigned to your business for all state withholding tax reporting.

The Wisconsin withholding tax account number has 15 digits and appears as follows: 036-0000000000-00. The 036 indicates the type of tax (withholding). The next 10 digits represent the separate and distinct account number assigned to each employer upon registration. The last two digits vary depending upon the number of permits a particular taxpayer holds.

The employer retains the number permanently or until the employer ceases to have a withholding requirement. If an employer has been issued more than one withholding tax account number, the department should be notified. The department will then inform the employer which identification number should be used.

Each corporation (subsidiary) of an affiliated group, which has its own employees and its own federal employer identification number, must apply for its own Wisconsin tax account number. Each corporation is considered a separate employer. Unlike the Internal Revenue Service, **Wisconsin does not permit the use of a Common Paymaster.** However, each division of a corporation, with the same federal employer identification number, should file a consolidated return using the parent corporation's Wisconsin tax account number.

The Wisconsin withholding tax account number is different from the federal employer identification number. An employer should always use the Wisconsin withholding tax account number when corresponding with the Wisconsin Department of Revenue. Please contact the Department of Revenue Technical Assistance Staff at (608) 261-6261 or e-mail dorwithholdingtax@revenue.wi.gov if you have any questions.

C. Filing Frequency

The initial filing frequency is assigned by the department based on the information you provide in your application. If your withholding liability changes, the department may change your filing frequency effective January 1 of the next calendar year. Employers are notified in writing of the new deposit frequency.

Requests for change in filing frequency should be submitted in writing. Include the reason(s) you are requesting a change in filing status and your Wisconsin tax account number. Mail your request to Wisconsin Department of Revenue, Mail Stop 3-80, P.O. Box 8902, Madison, WI 53708-8902 or email your request to dorwithholdingtax@revenue.wi.gov.

Continue to file according to the filing frequency assigned until an approval to change is obtained from the department. If approved, a letter with the new filing frequency and effective date will be sent.

D. Reactivate Withholding Account

An employer who resumes business or rehires employees, and who previously held a Wisconsin withholding tax account number, should request reinstatement of that prior identification number. However, the ownership must be the same as previously registered. To reactivate a withholding tax account number call (608) 266-2776 or e-mail your request to dorregistration@revenue.wi.gov.

E. Change In Business Entity

An employer who changes the type of business entity (e.g., sole proprietorship to partnership or corporation, or partnership to corporation) must obtain a new Wisconsin withholding tax account number. An employer who acquires the business of another employer must NOT use the tax account number issued to the former employer. The new employer must apply for his or her own identification number, see page 2, Section II.A.

Note: The department has adopted a policy similar to the federal Internal Revenue Service regarding partner changes. Generally, if you are required to obtain a new federal employer identification number, you are also required to register for a new Wisconsin withholding tax account number.

A continuing partnership that has had an ownership change of less than 50% may continue using the same Wisconsin withholding tax account number. When the change in ownership is 50% or more, follow federal requirements. If a new federal identification number is

required, a new Wisconsin withholding account number is required. Send the names, addresses, and social security numbers of the added or dropped partners to the department within 10 days after a change takes place.

If you do not receive your Wisconsin withholding tax account number by the time a withholding deposit is due, write “**Wisconsin withholding tax account number Applied For,**” the period for which tax is being deposited and the legal name of the business in letter form and send the letter and your remittance to Wisconsin Department of Revenue, Mail Stop 3-80, P.O. Box 8902, Madison, WI 53708-8902.

A separate annual reconciliation (Form WT-7) and wage and tax statements must be filed for each legal entity. See item B on page 10 for further information concerning items which must be filed under the discontinued Wisconsin withholding tax account number.

Single Member LLC:

Previously if an LLC was disregarded as a separate entity under IRC section 7701, its owner, not the LLC, was considered to be the employer. A single member LLC disregarded was not required to obtain a separate Wisconsin withholding tax account number.

Effective January 1, 2009, a disregarded entity is automatically considered to be an “employer” for purposes of federal withholding taxes. Wisconsin will follow this treatment. Thus, for wages paid on or after January 1, 2009, a single-owner entity that is disregarded as a separate entity under IRS Sec. 7701, is an “employer” for Wisconsin withholding tax purposes.

As an “employer”, a disregarded entity must obtain a Wisconsin withholding tax account number. To obtain a Wisconsin withholding tax account number, refer to the application process within this publication.

F. Employee’s Withholding Exemption Certificate

Every newly hired employee is required to file a completed Wisconsin Withholding Exemption Certificate (Form WT-4) with each of his or her employers. Form WT-4 is used to determine the amount of Wisconsin income tax to be withheld from employee wages. Follow Form WT-4 instructions to comply with new hire reporting laws. For more information on new hire reporting, see item I on page 5.

G. Special Situations Regarding Form WT-4 And Form WT-4A

ADDITIONAL WITHHOLDING: If the amount withheld is insufficient to meet an employee's annual income tax liability, the employee can avoid making estimated tax payments or paying a large amount with their income tax return by reducing the number of withholding exemptions claimed. If no exemptions are claimed, and underwithholding still results, the employee may designate an additional amount to be withheld using Wisconsin Form WT-4 or submit a written request to the employer to have an additional amount withheld each pay period.

LESSER WITHHOLDING: If the maximum number of allowable exemptions is being claimed and overwithholding still occurs, the employee may request the employer to withhold a lesser amount. In such instances, the employee must complete an Employee Withholding Agreement (Form WT-4A).

The employee must provide one copy of the agreement to the employer. The employer must send one copy to the Department of Revenue. The department is authorized to void an agreement by written notification to the employer and employee if it is determined that the agreement is incorrect or incomplete.

NO WITHHOLDING: An employer is not required to deduct and withhold Wisconsin income tax from the employee's wages when the employee certifies to the employer on Form WT-4 that the employee incurred no income tax liability for the preceding taxable year and anticipates that no liability will be incurred for the current year. Federal Form W-4 cannot be used by an employee to claim complete exemption from Wisconsin withholding. See item G, for an explanation of the employer's responsibility to furnish a copy of the exemption certificate to this department.

Employers must retain copies of Forms WT-4 and WT-4A submitted by their employees. **Note:** A claim for total exemption from withholding tax must be renewed annually. Employers should review their records at the beginning of each year to ensure they have a current Form WT-4 on file for each employee claiming total exemption from withholding tax.

EMPLOYEES WHO PREPAY THEIR WISCONSIN INCOME TAX: An employee may prepay with the Department of Revenue 100 percent of his or her estimated tax for the next year before the last day of the current year.

When this is done, the department will, upon request by the employee, issue a Certificate of Exemption From Wisconsin Income Tax Withholding (Form W-200) for the employee to present to his or her employer. The employee is then entitled to a complete exemption from Wisconsin withholding for the designated year. This is a voluntary action by the employee and may not be forced by the employer. The employer should not ask the employee to complete, nor should the employer accept, a Form WT-4 which claims total exemption for the year of the prepayment.

H. Employees Claiming Exemption From Withholding (Forms W-4 and WT-4)

Wisconsin law requires that a copy of the appropriate exemption form be filed with the department whenever either of the following conditions exists:

- The employee claims more than 10 exemptions
- The employee claims complete exemption from Wisconsin withholding and earns over \$200 a week.

Form WT-4 is the only form that can be used to claim complete exemption from Wisconsin withholding. Federal Form W-4 cannot be substituted.

Employers. Send Forms W-4/WT-4 copies claiming more than 10 exemptions or, Form WT-4 copies claiming complete exemption from withholding to: Wisconsin Department of Revenue, Audit Bureau, P.O. Box 8906, Madison, WI 53708-8906.

Copies of employee exemption certificates filed during a quarter must be submitted at the end of the quarter. No copy is required if the employee is no longer working for the employer at the end of the quarter.

Department of Revenue personnel will review certificates filed by the employer upon receipt. Unless employers receive written instructions from the Department of Revenue to withhold on some other basis, employers are to withhold taxes as requested by their employee.

Employees. When an employee is claiming complete exemption from Wisconsin withholding tax, a new Form WT-4 must be filed annually. The employer must receive a completed Form WT-4 for the current income year on or before April 30, of that year. If the employee fails to furnish an exemption form, then the employee shall be considered as claiming zero withholding exemptions.

I. New Hire Reporting Requirements

All employers with a federal employer identification number must report all newly hired or rehired employees to the New Hire Program. A newly hired employee is someone who has not worked for you before or is rehired, recalled, or returning after an unpaid interval of more than 90 days. Employers must report all their newly hired employees within **20 days** after the employee starts working for them (or returns to work when rehired or recalled).

The easiest and most cost effective way to report new hires is via the Internet. To begin reporting, visit the New Hire web site www.wi-newhire.com.

Both state and federal law require the New Hire program. For more information, call the New Hire Processing Center toll free at 1-888-300-4473.

J. Wages Paid To Residents Who Work Outside Wisconsin

All wages paid to Wisconsin residents are subject to Wisconsin withholding, whether paid for services performed entirely in Wisconsin, partly in and partly outside Wisconsin or entirely outside Wisconsin. The Secretary of Revenue may authorize special withholding arrangements in hardship cases resulting from situations in which persons domiciled in Wisconsin are subjected to withholding in some other state because they perform substantial personal services in such other state.

K. Special Minnesota Withholding Arrangement

The Secretary of Revenue has authorized a special withholding arrangement for employers of Wisconsin residents working in Minnesota. Wisconsin withholding will not be required under the following circumstances:

- The employee is a legal resident of Wisconsin (i.e., domiciled in Wisconsin) when the wages are earned in Minnesota, and
- The same wages earned by the Wisconsin resident are subject to Minnesota withholding and would be subject to Wisconsin withholding.

Employees who do not have Wisconsin income tax withheld from the wages earned in Minnesota will be required to make regular estimated tax payments if they expect to owe \$200 or more with their Wisconsin income tax return for the year. For more information see, www.revenue.wi.gov/faqs/ise/mnrecipro.html.

L. Wages Paid To Nonresidents Who Work In Wisconsin

All wages paid to nonresidents (persons domiciled outside Wisconsin), for services performed in Wisconsin*, are subject to withholding unless:

1. Employers are interstate rail or motor carriers, subject to the jurisdiction of the federal Interstate Commerce Commission and the employee regularly performs duties in two or more states.
2. Payment is for retirement, pension and profit sharing benefits received after retirement.
3. Employees are residents of a state with which Wisconsin has a reciprocity agreement; refer to the **Reciprocity** section.
4. Employees are residents of a state with which Wisconsin does not have a reciprocity agreement and either:
 - a. the employer is an interstate air carrier subject to the jurisdiction of the federal Interstate Commerce Commission and the employee earns 50% or less of his or her compensation in Wisconsin, or
 - b. the employer can reasonably expect the annual Wisconsin earnings to be less than \$1,500.

If the employee wage estimate in 4b above exceeds \$1,500, the employer is required to withhold from wages paid thereafter sufficient amounts to offset amounts not withheld from wages previously paid.

*If a nonresident earns wages both in and outside of Wisconsin, only that part of the wages earned in Wisconsin in each payroll period is subjected to Wisconsin withholding. It may be necessary for the employer to make a reasonable division of wages for each payroll period with regard to services performed in and outside of Wisconsin. The employer may also be responsible to withhold income tax for the employee's state of residence. Contact the Department of Revenue in that state for more information.

Reciprocity: Wisconsin has reciprocity agreements with Illinois, Indiana, Kentucky, and Michigan. Persons who employ residents of those states are not required to withhold Wisconsin income taxes from wages paid to such employees. Written verification is required to relieve the employer from withholding Wisconsin income taxes from such employee's wages. [Form W-220, Nonresident](#)

[Employee's Withholding Reciprocity Declaration](#), may be used for this purpose.

M. Nonresident Employers

Employers engaged in business in Wisconsin (e.g., organized under Wisconsin law, licensed to do business in Wisconsin, or transacting business in Wisconsin) have the same requirements to withhold as Wisconsin employers.

Employers who are not engaged in business in Wisconsin, but who employ Wisconsin residents outside of Wisconsin, may voluntarily register to withhold Wisconsin tax. If the employer chooses not to withhold the tax, the employee may be required to make estimated payments of Wisconsin income tax using Form 1-ES, Estimated Tax for Individuals, Estates and Trusts.

N. Income Tax Credit Available

Wisconsin law provides an income tax credit called the Working Families Tax Credit for certain lower income individuals. As a result of the Working Families Tax Credit, some employees are permitted to claim exemption from Wisconsin income tax withholding on their wages. To claim exemption from withholding because of the Working Families Tax Credit, employees must provide their employer with a completed Form WT-4B.

If employees claim exemption from withholding because of the Working Families Tax Credit, and subsequent changes in their income or marital status will result in their being ineligible for the Working Families Tax Credit, the employee must revoke the exemption by notifying their employer to resume withholding Wisconsin income tax from their wages.

The exemption provided by the Working Families Tax Credit expires each year on December 31. A new Form WT-4B must be filed by the employee each year to continue claiming exemption. It is not necessary to provide a copy of the WT-4B to the Department of Revenue.

If you have questions about the Working Families Tax Credit (Form WT-4B), contact the Department of Revenue office in Madison at (608) 266-2776 or e-mail: dorwithholdingtax@revenue.wi.gov.

O. Withholding On Nonresident Entertainers

Wisconsin Statutes require Wisconsin employers to withhold a flat 6% tax from the gross contract fee of any nonresident entertainer who will be paid in excess of \$3,200 for a performance(s) in Wisconsin. This with-

holding is separate from any other withholding from regular employees and applies only to nonresident entertainers. Any tax withheld under this nonresident entertainer law *must be submitted separately* from regular withholding taxes. Send the properly completed Nonresident Entertainer's Receipt for Withholding by Employer (Form WT-11) to the address shown on the form.

A surety bond or cash deposit must be made in the amount of 6% of the total contract price at least seven days prior to the Wisconsin performance. A Nonresident Entertainer's Application and Receipt for Surety Bond or Cash Deposit must be mailed or delivered to the address shown on the form. If you need more information on Form WT-11, call (608) 266-3645.

A nonresident entertainer is:

- A nonresident person who furnishes amusement, entertainment, or public speaking services, or performs in one or more sporting events in Wisconsin for consideration or,
- A foreign corporation, partnership, or other type of entity, not regularly engaged in business in Wisconsin, that derives income from amusement, entertainment, or sporting events in Wisconsin or from the services of a nonresident person as defined above.

For more information, see [Publication 508](#), *Wisconsin Tax Requirements Relating to Nonresident Entertainers*.

P. Withholding For Noncash Fringe Benefits

Taxable noncash fringe benefits provided to employees must be treated as additional wages that are subject to withholding. Generally the determination of whether a fringe benefit is taxable for Wisconsin is based on federal income tax law. Noncash fringe benefits that are subject to federal withholding tax are also subject to Wisconsin withholding, at the same value and for the same payroll period. Examples of taxable noncash fringe benefits that are subject to withholding include: use of employer provided automobiles for commuting, an employer provided vacation, free or discounted commercial airline flights, and employer provided tickets to entertainment events.

The amount of Wisconsin income tax to be withheld from an employee who receives taxable noncash fringe benefits can be determined by:

1. Combining the employee's taxable noncash fringe benefits and regular wages and determining the

withholding as though the total constituted a single wage payment.

2. Treating the taxable noncash fringe benefit as a supplemental wage payment and determining the amount to be withheld by following the instructions for supplemental wage payments found on page 15 of this guide.

Note: Federal law permits an employer to elect not to withhold federal income tax for taxable noncash fringe benefits which employees realize from the use of an employer-provided vehicle. Employers who make this election for federal purposes will not be required to withhold Wisconsin income tax for the same vehicle fringe benefits.

Q. Health Savings Accounts

Effective for taxable years beginning in 2011 and thereafter, Wisconsin will follow the federal provisions relating to HSAs. The only difference is the imposition of penalties. For details, see www.revenue.wi.gov/taxpro/fact/hsa2011.pdf.

R. Third Party Sick Pay

Wisconsin does not follow the federal provisions relating to payments of sick pay made by third parties (e.g., an insurance company). Wisconsin statutes provide that when a third party payor of sick pay makes payments directly to the employee and the employee has provided a written request to withhold Wisconsin income tax from those payments, the third party payor must report and remit the income tax withheld from sick pay, not the employer.

Therefore, for Wisconsin purposes, the payor of third party sick pay plans who are withholding Wisconsin income tax must issue a wage statement (federal Form W-2) directly to the individual who received the sick pay. The Form W-2 must report the amount of taxable sick pay and the total amount of Wisconsin income tax withheld.

S. Pensions

If the recipient of a pension requests in writing that Wisconsin income tax be withheld from his or her pension, the payor is required to withhold tax in accordance with the withholding tables in this booklet or the amount that the pension recipient designates to the payor. However, the amount withheld from each pension payment may not be less than \$5.

T. Reporting Of Wages For Agricultural, Domestic, Or Other Employees Exempt From Withholding

"Wages" means all remuneration for services performed by an employee for an employer. Wages are subject to Wisconsin withholding tax with the exception of agricultural, domestic or other employee wages exempt from withholding as provided in Wisconsin Statutes 71.63.

All entities with activities in Wisconsin whether paying taxable wages or not, are required to provide their payees a federal Forms W-2, 1099-MISC or 1099-R and should follow these reporting guidelines:

- Wages regardless of the amount are to be reported on federal Form W-2.
- All payments which are not wages but from which Wisconsin income tax has been withheld are to be reported on Federal Forms W-2, 1099-MISC or 1099-R as appropriate.
- Payments of \$600 or more that are not wages and from which no Wisconsin income tax has been withheld are to be reported on federal Form 1099.

If you do not hold a Wisconsin withholding tax number because you are not required to withhold on any of your employees, indicate the type of employment (agriculture, domestic, etc.) on the state copy of the W-2 in the space noted "Employer's State I.D. Number."

Exception: When there is no Wisconsin withholding requirement, you do not need to send Forms W-2 or 1099 to the Wisconsin Department of Revenue if 1) there is no Wisconsin income tax withheld, **and** 2) Forms W-2 or 1099 are submitted to the IRS. We will receive this information from the IRS.

If Wisconsin income tax was withheld, you must provide Forms W-2 or 1099 to the Wisconsin Department of Revenue along with the annual reconciliation, Form WT-7. Form WT-7, wage statement and information return filing information is provided in this publication.

U. Willful Misclassification Penalty for Construction Contractors

Any employer engaged in the construction of roads, bridges, highways, sewers, water mains, utilities, public buildings, factories, housing, or similar construction projects who willfully provides false information to the department, or who willfully and with intent to evade any withholding requirement, misclassifies or attempts to misclassify an individual who is an employee of the

employer as a nonemployee shall be fined \$25,000 for each violation.

III. DEPOSITING WITHHELD TAXES

A. Reporting Requirements

Wisconsin income taxes are to be withheld from employees in accordance with the instructions in this guide. Withholding liability is incurred when wages are paid to employees, not when wages are earned. The tax withheld is to be held in trust for the state by the employer and remitted via the withholding deposit report (Form WT-6) or annual reconciliation (Form WT-7), according to each employer's assigned filing frequency.

Withholding deposit reports (Form WT-6), the annual withholding reconciliation return (Form WT-7) and withholding deposits must be submitted electronically unless you've been granted a department waiver for electronic filing.

B. Deposit Report (Form WT-6) Filing Options

Form WT-6 filing and payment options include:

- [My Tax Account](#)
- [Telefile](#)
- [Credit Card](#)
- [ACH Credit](#)
- [WT-6 File Transmission](#)

If an [electronic filing waiver](#) has been granted, you may mail your deposit report.

WAGE ATTACHMENTS: Amounts collected from certification (garnishment) of employee wages should NOT be remitted with the Wisconsin income tax withheld from employees. The Wisconsin Department of Revenue requires all employee wage attachment payments being withheld for a delinquent tax debt to be withheld electronically.

Wage attachment payment options include:

- [My Tax Account](#)
- [ACH Credit](#)
- [Wage Attachment File Transmission](#)

For more information, visit www.revenue.wi.gov/eserv/wage/wage.html.

C. Reporting Periods

The filing frequency assigned to you by the department has a set number of reporting periods per calendar year.

Filing Frequency	# of Reporting Periods Per Calendar		Tax Period End Date
	WT-7	WT-6	
Annual	1	*	12/31
Quarterly	1	4	3/31, 6/30, etc.
Monthly	1	12	1/31, 2/28, etc.
Semi-monthly	1	24	1/15, 1/31, etc.

*No WT-6 deposit report required

When determining the appropriate reporting period, it is helpful to remember that withholding liability is incurred when wages are paid to the employee, not when wages are earned.

Example: Each month a semi-monthly filer must file a report for the 1st through the 15th of the month and a report for the 16th through end of month. An employer that files on a semi-monthly basis pays employees on January 11. As a result, the income tax withheld is reported in the period ending January 15 (tax period end date). This report is due to the department by January 31 (tax period due date).

Example: An employer that files on a monthly basis pays employees on December 26. As a result, the income tax withheld is reported in the period ending December 31 (tax period end date). This report is due to the department by January 31 (tax period due date).

A withholding deposit report must be submitted whether or not any taxes are withheld during the period.

ACH debit payments made via the *My Tax Account* program must be initiated by 4:00 p.m. central standard time of the due date to be considered timely paid. The electronic withholding deposit report must be made by the due date to be considered timely filed.

All withholding filers with an active withholding tax account number are required to file an annual reconciliation (Form WT-7). See section IV.

D. Reporting Changes To Wisconsin Employer Account Information

Employers are obligated to keep the department current of any changes of name or address. You can notify the department by one of the methods below.

- Submit address change through *My Tax Account*
- Email: dorregistration@revenue.wi.gov
- Write: Wisconsin Department of Revenue, PO Box 8902, Madison, WI 53708-8902
- Fax to: (608) 264-6884, ATTN: Registration Unit

E. Filing Due Dates

Form WT-6, Wisconsin Withholding Deposit Report

Annual filers - No Form WT-6 required. Withholding is reported on Form WT-7.

Monthly or quarterly filers - Form WT-6 is due on or before the last day of the month following the monthly or quarterly withholding period.

Semi-monthly filers - When the employee pay date is on or between the 1st and the 15th of the month, the amount deducted and withheld for the period ending the 15th of the month is due on or before the last day of the month.

When the employee pay date is on or between the 16th and the end of the month, the amount deducted and withheld for the period ending the last day of the month is due on or before the 15th of the following month.

Example: An employee is paid December 16. The employer reports withholding on the deposit report for period ending December 31. This deposit report is due January 15.

Form WT-7, Annual Reconciliation

All filers - Form WT-7 and wage statements (Forms W-2, W2-G, 1099-R, 1099-MISC, etc.) are due to the department by January 31, the last day of the month following the calendar year. When the withholding account is closed before December 31, Form WT-7 and wage statements are due within 30 days of the account cease date.

F. Extensions

The department may grant a one-month extension to file the deposit report (Form WT-6). Extension requests must be received by the original due date of the deposit report. **Note:** Interest will be imposed during the one-month extension period at the rate of one percent. To request an extension, do one of the following:

- Complete the *Request Extension to File in My Tax Account*
- E-mail DORRegistration@revenue.wi.gov

- Write to Wisconsin Department of Revenue, P.O. Box 8902, Madison, WI 53708-8902
- Fax to (608) 264-6884

G. Failure To File Or Pay By The Due Date

Failure to receive a Wisconsin withholding tax account number does not relieve the employer from timely reporting and depositing the tax withheld.

LATE FILING FEE: Any person who is required to file a withholding report and deposit withholding taxes that fails to do so timely and the department shows that the taxpayer's action or inaction was due to the taxpayer's willful neglect and not to reasonable cause, shall be subject to a \$50 late fee, except for corporations taxed under subch. IV or insurance companies taxed under subch. VII of ch. 71, Wis. Stats., the late fee is \$150.

PENALTIES: Any employer who fails or refuses to file a report or statement or remit taxes withheld from employee wages on the due date prescribed may be subject to penalties upon a showing by the department that the taxpayer's action or inaction was due to the taxpayer's willful neglect and not to reasonable cause.

A negligence penalty of 5% of the tax due for each month the report is filed after the due date may be imposed. The maximum negligence penalty for late filing is 25% of the tax due. The negligence penalty may be waived on appeal if a return is filed late due to reasonable cause.

A penalty of 25% of the amount not withheld or properly reported, deposited or paid over may also be imposed.

INTEREST: Interest accrues at the rate of 18% per year on any taxes that are not deposited in a timely manner. During a period in which an extension is granted, interest accrues at the rate of 1% per month.

H. Failure To Report Amount Of Taxes Withheld

An estimated tax amount may be assessed to an employer who fails to timely report the amount of tax withheld for a period. This estimated amount, if left unanswered, may become final and due. An estimated tax amount, once delinquent, may only be adjusted by filing of an actual deposit report and/or annual reconciliation and accompanying employee wage and tax statements.

I. Refund/Credit For Overpayment(s)

A claim for refund of an overpayment must be filed within four years from the due date of the income or franchise return. A written request for a refund must be

submitted to the department within the four-year period and the request must be accompanied by an amended annual reconciliation and employee wage and tax statements (if changed).

Mail claims for refund to Wisconsin Department of Revenue, Mail Stop 3-14, P.O. Box 8920, Madison, WI 53708-8920.

EXCEPTION: When an overpayment occurs on a prior period, the withholding liability and payment may be reduced on a later period within the same calendar year, provided the annual reconciliation for that year has not been filed.

J. Other

A person required to collect, account for, or pay withholding taxes, who willfully fails to collect, account for, or pay those taxes to the Department of Revenue, may be held personally liable for such taxes, including interest and penalties.

IV. RECONCILIATION PROCESS

A. Furnishing Employees With Wage And Tax Statements

A wage and tax statement (federal Form W-2) must be prepared for each employee to whom wages were paid during the previous calendar year, regardless of the amount of wages paid, and, *even though no tax was withheld*; refer to item T on page 7 regarding the reporting requirements for certain *exempt* wages. Give the proper copies of this statement to the employee by the following January 31, or at the time employment is terminated. See Section F regarding “Discontinuing Withholding” on page 12 for more information. The copy designated for the department must be sent to the department along with the annual reconciliation, Form WT-7, Wage statement and Form WT-7 filing options are provided in this publication.

If it is necessary to correct a wage and tax statement after it has been given to an employee, a corrected statement clearly marked “Corrected by Employer” must be issued to the employee. The corrected statement should be reflected in the employer’s annual reconciliation (Form WT-7). Corrected wage statements, which are prepared after Form WT-7 is filed, must be sent to Wisconsin Department of Revenue, Mail Stop 3-80, P.O. Box 8920, Madison, WI 53708-8920, along with a letter explaining the changes made on each statement, the number of W-2’s involving changes, and your assigned Wisconsin tax account number. If a wage

statement is lost or destroyed, a substitute copy clearly marked “Reissued by Employer” should be furnished to the employee.

Any “employee” copies of wage statements which, after reasonable effort, cannot be delivered to employees should be retained by the employer for four years.

Note: Any employer who furnishes a false or fraudulent wage statement, or who intentionally fails to furnish a wage statement is subject to penalty under Wisconsin law.

B. Annual Reconciliation (Form WT-7) Filing Options

On or before January 31 of each year, each filer with an active withholding tax account number must file a Form WT-7, for the prior year. The department requires Form WT-7 to be filed electronically and will no longer mail Form WT-7.

Annual Reconciliation (Form WT-7) filing and payment options include:

- My Tax Account
- [Telefile](#)
- [File Transfer](#)

If an [electronic filing waiver](#) has been granted, you may mail Form WT-7 along with your wage statements.

Form WT-7 reconciles the amount withheld from wages paid to employees, with the amount deposited throughout the calendar year on the Form WT-6 deposit reports. In addition to filing Form WT-7, submit all Forms W-2 along with the Forms 1099 with Wisconsin tax withheld.

Note: Amounts collected from the certification (garnishment) of wages should NOT be included as Wisconsin tax withheld on the W-2 form or Form WT-7.

Failure to file a completed Form WT-7 or its equivalent can result in the disallowance of the wage deduction on your individual income tax return or corporation franchise or income tax return.

LATE FILING FEES: Any person who is required to file a withholding report and deposit withholding taxes that fails to do so timely, and the department shows that the taxpayer's action or inaction was due to the taxpayer's willful neglect and not to reasonable cause, shall be subject to a \$50 late fee, except for corporations taxed under subch. IV or insurance companies taxed under subch. VII of Ch. 71, Wis. Stats., the late fee is \$150.

PENALTIES: A penalty of 25% of the amount not withheld, properly deposited or paid over may be imposed, upon a showing by the department that the taxpayer's action or inaction was due to the taxpayer's willful neglect and not to reasonable cause.

C. Wage Statements (Forms W-2)

Employers or organizations with 50 or more wage statements are required to file Forms W-2 electronically using one of the three methods below.

- Create a PDF file or EFW2 text file on the Social Security Administration's web site and then transmit the file to DOR. For step by step instructions, [click here](#).
- New! Submit W-2s when filing the WT-7 through My Tax Account.
- Submit an EFW2 text file through [DOR's website](#).

A confirmation number or receipt number will be issued upon completion.

If you have less than 50 wage statements, you may use one of the methods above or, do all of the following:

- Complete [Form WT2](#) (Paper W2 Transmittal Sheet)
- Attach Form WT2 to the W-2 wage statements
- Mail to the address indicated at the bottom of the Form WT2

We cannot confirm receipt of Forms W-2 using this method. To receive a confirmation number or receipt number, use one of the electronic filing methods instead.

Exception: Employers who are not required to withhold from *any* of their employees, do not need to send Forms W-2 to the Wisconsin Department of Revenue if 1) no Wisconsin income tax is withheld and 2) Forms W-2 are sent to the IRS. We will receive this information from the IRS.

D. Federal Information Returns (Forms 1099-R and 1099-Misc)

The Department of Revenue requires employers or other payers with more than 50 information returns to file electronically. Filing options include:

- [Form 1099 File Transfer](#)
- Combined Federal/State Filing Program

Employers or payers with less than 50 information returns may use one of the methods above or, attach your

Forms 1099 to Form WT2 and mail them to the address on the bottom of Form WT2.

Exception: The requirement to submit Form 1099 to the department for a payment other than rents or royalties is waived if: 1) no Wisconsin income tax is withheld **and** 2) Forms 1099 are submitted to the IRS. We will receive this information from the IRS.

If Wisconsin income tax was withheld, you must file Forms 1099 using one of the methods above, in addition to filing the annual reconciliation, Form WT-7, to the department.

If you are required to file Forms 1099 with the department because they include Wisconsin income tax withheld and you are seeking an extension or e-file waiver, send your request to:

Extensions: Wisconsin Department of Revenue, PO Box 8902, Madison WI 53708-8902

E-file waivers: Wisconsin Department of Revenue, PO Box 8949, Madison, WI 53708-8949

For more information, see Publication [509](#), *Filing Wage Statements and Information Returns Electronically* and Publication [117](#), *Guide to Wisconsin Information Returns*.

E. Extensions

The department may grant a one-month extension to file the deposit report (Form WT-6), the annual reconciliation (Form WT-7), and wage and tax statements (Forms W-2). Extension requests must be received by the original due date of the deposit report or return. To request an extension, do one of the following:

- Complete the *Request Extension to File in My Tax Account*
- E-mail DORRegistration@revenue.wi.gov
- Write to Wisconsin Department of Revenue, P.O. Box 8902, Madison, WI 53708-8902
- Fax to (608) 264-6884

Note: Interest will be imposed during the one-month extension period at the rate of one percent.

The date for furnishing wage statements to employees (January 31) cannot be extended.

F. Discontinuing Withholding

When an employee goes out of business they must notify the Department of Revenue, in writing, of the last date of

withholding. The former employer will be sent a letter confirming the inactivation of their withholding account and instructing them to file a Form WT-7. **This annual reconciliation must be filed with the department within 30 day after withholding is discontinued.**

If the employer ceases to pay taxable wages, or all of the employees are exempt from withholding based on the Employees Wisconsin Withholding Exemption Certificate (Form WT-4), the employer should request to have their Wisconsin withholding account inactivated.

If taxes are again withheld, the employer can request that the account be reactivated by calling (608) 266-2776 or e-mailing dorregistration@revenue.wi.gov.

G. Wisconsin Information Return Form 9b

Who Must File—Any person, including individuals, partnerships, fiduciaries, and corporations, making payments to individuals of rents, royalties, or other income reportable on federal Forms 1099R and 1099 MISC.

Note: Federal Form 1099 may be used in lieu of Wisconsin Form 9b. The due dates shown below apply to both forms.

Items Reportable on Forms 9b Due January 31—Annuities, pensions, and other nonwage compensation of \$600 or more not reported on a wage statement. Report only payments made to Wisconsin residents or payments to nonresidents for services performed in Wisconsin. If an employee receives wages subject to withholding and additional amounts not subject to withholding, the total compensation must be reported on a wage statement.

Items Reportable on Forms 9b Due March 15 for Corporations and February 28 for Persons Other Than a Corporation—Rents and royalties of \$600 or more paid to a Wisconsin resident, regardless of the location of the property to which such payments relate. Rents and royalties of \$600 or more paid to a nonresident of Wisconsin on property located in Wisconsin.

Where to File—Send Form 9b to the Wisconsin Department of Revenue, P.O. Box 8905, Madison, WI 53705-8905.

Exception: The requirement to submit Form 1099 to the department for a payment other than rents or royalties is waived if: 1) no Wisconsin income tax is withheld **and** 2) Forms 1099 are submitted to the IRS. We will receive this information from the IRS.

Note: If there is Wisconsin tax withheld reported on a Form 1099, along with the annual reconciliation,

Forms WT-7. Filing instructions for Forms 1099 and Forms WT-7 are provided in this publication.

Combined Federal/State Filing Program—Payers who participate in the Combined Federal/State Filing Program are not required to file Forms 1099 with the Wisconsin Department of Revenue unless there is Wisconsin withholding. The information reported to the IRS is forwarded the IRS to the department.

Any Form 1099 with Wisconsin withholding must be filed along with the annual reconciliation, Form WT-7. Filing instructions for Forms 1099 and Forms WT-7 are provided in this publication.

V. OTHER TAXES TO BE AWARE OF

If you have business activities or earn income in Wisconsin, you also may be subject to Wisconsin taxes other than withholding tax. Although the information below is not intended to be all inclusive, it may help you in obtaining information about other Wisconsin taxes.

SALES AND USE TAX: A state sales and use tax is imposed in Wisconsin. In addition, some counties in the state impose a county sales/use tax. Also, Brown County has a 0.5% football stadium tax and the counties of Milwaukee, Ozaukee, Racine, Washington and Waukesha have a 0.1% baseball stadium tax. A chart showing the State, county and stadium tax rates by county is available on the department's web site at:

www.revenue.wi.gov/faqs/pcs/taxrates.html#txrate4.

The sales tax is imposed on the gross receipts from the retail sale, lease, or rental of all tangible personal property, unless specifically exempt, and on selected services. If you make retail sales of items subject to the Wisconsin sales and use tax, you must register with the Wisconsin Department of Revenue and obtain a Wisconsin Seller's Permit.

Wisconsin also imposes a use tax on the purchase of tangible personal property or taxable services that are stored, used, or consumed in this state on which sales tax was not charged. This most commonly occurs when tangible personal property is purchased from out-of-state retailers and no sales tax is charged.

Individuals, partnerships, corporations and other organizations registered for sales or use tax with the department should report any use tax on their Wisconsin state and county sales and use tax return. Individuals who are not registered for sales or use tax with the department may report the tax from out-of-state purchases on their income tax return. A line is provided on indi-

vidual income tax returns called “Sales and Use Tax Due on Out-of-State Purchases.”

The form used to register for sales and use tax (BTR-101) may be obtained by visiting our web site at www.revenue.wi.gov. Or for faster service, complete the Business Tax Online Registration at www.revenue.wi.gov (from the "Business" tab select Register a business for Wisconsin tax).

INDIVIDUAL INCOME TAX: Every person who is a resident of Wisconsin and who has gross income exceeding a certain amount is subject to Wisconsin income taxes, regardless of where the income is earned.

A person who is a nonresident of Wisconsin is subject to Wisconsin income taxes if he or she has gross income of \$2,000 or more from personal services performed in Wisconsin or income from a business or property in Wisconsin. For more information, visit our web site at www.revenue.wi.gov.

CORPORATION INCOME OR FRANCHISE TAX: Every corporation organized under the laws of Wisconsin or licensed to do business in Wisconsin (except certain organizations exempt under sec. 71.26(1)(a) or 71.45(1), Wis. Stats.) is required to file a Wisconsin corporate franchise or income tax return, regardless of whether or not business was transacted. Unlicensed corporations are also required to file returns for each year they do business or have certain business activities in Wisconsin. For more information, visit our web site at www.revenue.wi.gov.

ESTIMATED TAX FOR INDIVIDUALS: Estimated income tax payments are generally required if you expect to owe \$200 or more of income tax with your income tax return. The estimated tax requirement applies to full-year residents, part-year residents, and nonresidents. Interest may be imposed if you fail to make these payments. For more information, visit our web site at www.revenue.wi.gov.

ESTIMATED TAX FOR CORPORATIONS: Corporations must generally make estimated income or franchise tax payments if their current year tax liability will be \$500 or more. For more information, visit our web site at www.revenue.wi.gov.

UNEMPLOYMENT INSURANCE: For more information write to Wisconsin Department of Workforce Development, P.O. Box 7945, Madison, Wisconsin 53707-7945 or call (608) 261-6700.

WORKERS COMPENSATION: For more information write to Wisconsin Department of Workforce Develop-

ment, P.O. Box 7901, Madison, WI 53707-7901 or call (608) 266-1340. Remittances for unemployment tax should be made payable to “Unemployment Compensation” and mailed according to Wisconsin Department of Workforce Development instructions. Funds are separate from employee withholding and may not be mailed together.

VI. KEEPING AWARE OF CHANGES IN WISCONSIN TAX LAWS

If you are required to file Wisconsin tax returns, you should be aware of changes in the tax laws, new interpretations, and court cases which may affect how you file returns and compute tax. Information available from our web site includes:

WITHHOLDING TAX UPDATE

The Withholding Tax Update is an annual publication that provides updated material on general withholding tax laws. The Withholding Tax Update is a supplement to the Wisconsin Employer’s Withholding Tax Guide and is available from our web site at www.revenue.wi.gov.

SALES AND USE TAX REPORT

The Tax Report is usually published one or more times each year by the Department of Revenue, and is available through our web site at www.revenue.wi.gov/ise/sales/index.html. It includes general information about sales and use tax, including descriptions of new tax laws enacted by the Legislature.

WISCONSIN TAX BULLETIN

The Wisconsin Tax Bulletin is a quarterly publication prepared by the Department of Revenue. The bulletin includes information on most taxes administered by the Department of Revenue, including sales and use, income, franchise, and excise taxes. It includes up-to-date information on new tax laws, interpretations of existing laws, information on filing various types of returns, and on current tax topics. It also gives a brief excerpt of major Wisconsin tax cases decided by the courts and the Wisconsin Tax Appeals Commission and is available through our web site at www.revenue.wi.gov.

RULES—WISCONSIN ADMINISTRATIVE CODE

The Wisconsin Administrative Code includes administrative rules that interpret the Wisconsin Statutes. Rules have the force and effect of law. The Department of Revenue has adopted a number of rules concerning interpretations of the various Wisconsin tax laws. A subscription to rules of the Department of Revenue may be obtained by writing to Wisconsin Department of Administration, Document Sales Section, P.O. Box 7840,

Madison, WI 53707-7840, or by calling (800) 362-7253. To place an order using Visa or Mastercard, call (608) 266-3358.

TOPICAL AND COURT CASE INDEX

The Topical and Court Case Index will help you find a particular Wisconsin Statute, Administrative Rule, Wisconsin Tax Bulletin article or tax release, publication, Attorney General opinion, or court decision that deals with your particular Wisconsin tax question. The Topical and Court Case Index is available through our web site at www.revenue.wi.gov/ise/top-cc.

VII. NEED TO CONTACT THE DEPARTMENT OF REVENUE?

Department of Revenue Assistance

If you have any questions about Wisconsin taxes, call or visit any Department of Revenue office or:

A. Contact Information

Wisconsin Department of Revenue
 Mail Stop 5-77
 P.O. Box 8949
 Madison, WI 53708-8949

dorwithholdingtax@revenue.wi.gov
 (608) 266-2776
www.revenue.wi.gov

B. Office Locations

Offices Providing Daily Assistance (Monday-Friday)

Location	Address	Telephone	Hours
Appleton	265 W. Northland Ave.	(920) 832-2727	7:45-4:30
Eau Claire	718 W. Clairemont Ave.	(715) 836-2811	7:45-4:30
Green Bay	200 N. Jefferson St., Rm. 526	(920) 448-5179	7:45-1:00
Madison	2135 Rimrock Rd.	(608) 266-2776	7:45-4:30
Milwaukee	819 N. Sixth St. Rm. 408	(414) 227-4000	7:45-4:30

Offices Providing Assistance on Mondays Only

Location	Address	Telephone	Hours
Wausau	710 Third St.	(715) 842-8665	7:45-1:00