

<b>TAX YEAR</b> <b>2021</b>	<b>WAGE TAX REFUND PETITION</b> <b>COMMISSION EMPLOYEES</b> (Not to be used by Salaried Employees)	OFFICE USE ONLY
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Read the instructions for both the Employer as well as the Employee on the reverse side of this form prior to completing this petition. Print or type all information. The completed petition must include:

- W-2 showing Federal, State, Medicare and Local wages**
- Signature of Employee and Employer**
- PA Schedule UE if claiming expenses on Line 2E. If PA Schedule UE has an entry on Line 15, submit a breakdown of those expenses.**

EMPLOYEE'S NAME	SOCIAL SECURITY NUMBER	DAYTIME TELEPHONE NUMBER
HOME ADDRESS	OCCUPATION	
CITY	STATE	ZIP CODE
EMPLOYER		IF PARTIAL YEAR, PROVIDE DATES: From _____ To _____
		EMPLOYER IDENTIFICATION NUMBER (EIN)

PLACE OF EMPLOYMENT	COLUMN A January 1, 2021 to June 30, 2021	COLUMN B July 1, 2021 to December 31, 2021
1. <b>Gross Compensation</b> per W-2	.00	.00
A. Non-Taxable Stock Options included in Line 1 <b>(Must reflect on W-2)</b>	.00	.00
B. Adjusted Gross Compensation (Subtract Line 1A from Line 1)	.00	.00
2. Computation of taxable compensation and/or allowable expenses		
A. Total Sales	.00	.00
B. Sales outside of Philadelphia. Supply breakdown of sales activity performed (i.e. solicited) outside of Philadelphia including client's name, address, and sales amounts attributable to each client.	.00	.00
C. Percentage of sales outside of Philadelphia Divide Line 2B by Line 2A and round the resulting percentage to 4 decimal places.	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> %	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> . <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> %
D. Commissions earned outside of Philadelphia. Multiply Line 1B by 2C.	.00	.00
E. (i) Total non-reimbursed business expenses allowable under Income Tax Regulation Section 204. Please Submit Pennsylvania Schedule UE.	.00	.00
(ii) Multiply amount on Line E (i) by the percentage on Line 2C	.00	.00
(iii) Deductible non-reimbursed employee business expenses. Subtract Line E (ii) from Line E (i)	.00	.00
F. Non-taxable commissions/deductible employee business expenses Add Line 2D and Line 2E (iii)	.00	.00
3. Net Taxable compensation (Line 1B minus Line 2F)	.00	.00
4. <b>TAX</b> <b>Resident of Philadelphia</b> multiply Line 3, Column A by .038712 and Column B by .038398. <b>DUE</b> <b>Non-Resident of Philadelphia</b> Line 3, Column A by .035019 and Column B by .034481.	.00	.00
5. TOTAL TAX DUE (Add Line 4, Column A and Line 4, Column B.)		.00
6. Wage tax withheld per W-2		.00
7. <b>REFUND REQUESTED</b> (Line 6 minus Line 5)		.00

**EMPLOYER CERTIFICATION**

*I certify that the facts shown above supporting employee's claims are correct based on available payroll records. Individuals serving as authorized official signatories should be familiar with employee's time and attendance, as well as applicable Wage Tax Regulations. Income Tax Regulations Section 401 through 404 requires that the employer withhold and allocate wages for tax purposes. General Regulation Section 306 (2) provides that the employer, for and on behalf of the employee, requests the refund.*

AUTHORIZED OFFICIAL SIGNATURE <i>(Signature must be clear and legible.)</i>	PRINTED NAME	DAYTIME TELEPHONE NUMBER
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**EMPLOYEE CERTIFICATION**

*I HEREBY CERTIFY that the statements contained herein and in any supporting schedule or exhibit are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statements herein, I am subject to such penalties as may be prescribed by City Ordinance.*

EMPLOYEE'S SIGNATURE <i>(Signature must be clear and legible.)</i>	DATE
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**ELECTRONIC FILING NOW AVAILABLE ON THE PHILADELPHIA TAX CENTER** – You can now file this Wage Tax petition at [tax-service.phila.gov](http://tax-service.phila.gov). You do not need a username and password to file a Wage Tax petition on the Tax Center, simply select “Request a Wage Tax refund” from the front page. Although paper forms are available, we encourage you to file through the Tax Center to avoid delays.

## **INSTRUCTIONS FOR FILING WAGE TAX REFUND PETITION (Commissioned Employees Only)**

You must attach the applicable W-2 indicating Federal, Medicare, State and Local wages to the petition. A separate petition must be filed for each W-2 issued by employers that may have over withheld Wage Tax.

**Eligibility for Wage Tax refunds** - For nonresidents, Philadelphia uses a “requirement of employment” test to determine whether Wage Tax withholding is required. This applies to all nonresidents whose base of operations is the employer’s location in Philadelphia. Under this test, a nonresident is exempt from the Wage Tax for the days when the employer *requires* him or her to perform a job outside Philadelphia. **A nonresident who works remotely for the sake of his or her convenience is not exempt from the Wage Tax, even with the employer’s authorization.**

**Taxability of Bonuses, Awards, and other similar payments** - Bonuses, awards, leave time (vacation, holiday compensation), and incentive payments are subject to Philadelphia Wage Tax. With respect to a non-resident employee working partly outside Philadelphia, the taxpayer can exclude the percentage of time worked outside Philadelphia when the compensation was historically earned.

### **Example:**

A non-resident employee of a Philadelphia-based company was required to work remotely and only worked in the Philadelphia office for 10% of his or her 2020 workdays. To be paid a yearly bonus for the year 2020, the employee must be employed on March 31, 2021, the date the bonuses are paid. Ten percent (10%) of the employee's bonus is subject to the Wage Tax because the compensation is attributable to the time, he or she worked in Philadelphia during 2020.

## **2021 TAX RATES**

### **Resident Rates:**

January 1, 2021 to June 30, 2021 = 3.8712% (.038712)

July 1, 2021 to December 31, 2021 = 3.8398% (.038398)

### **Non-Resident Rates:**

January 1, 2021 to June 30, 2021 = 3.5019% (.035019)

July 1, 2021 to December 31, 2021 = 3.4481% (.034481)

**Statute of Limitations** - any claim for refund must be filed within three (3) years from the date the tax was paid, or due, whichever date is later.

**Only non-resident employees are eligible for a refund based on work performed outside of Philadelphia.**

Resident employees are taxable whether working in or out of Philadelphia.

**Both the employer and employee must sign the petition for refund.** A petition for refund of “erroneously withheld wage tax from an employee must be made by the employer for and on behalf of the employee” (General

Regulations Section 306 (2)). The authorizing official signing this form should do so only if they know of the employee's whereabouts as they relate to this petition, as well as an understanding of how this information applies to Sections 401, 402, 403, 404, 405 and 407 of the Philadelphia Income Tax Regulations. These regulations are available at [www.phila.gov/revenue](http://www.phila.gov/revenue).

**Partial Year:** In the context of this form, a partial year is one in which your liability or status for Wage Tax changes. It could be the result of becoming a resident, starting a new job, terminating a job, etc. In any of these situations you need to indicate the period for which you were liable for Wage Tax with a particular employer.

## **WAGE TAX REFUND PETITION LINE INSTRUCTIONS**

**Line 1:** Enter your gross compensation (this will generally be the highest compensation figure on Form W-2).

**Line 1A:** Enter non-taxable stock options which reflects the amount shown on Form W2 box 14 Code V

**Line 1B:** Subtract Line 1A from Line 1 to determine adjusted gross compensation

**Line 2A:** Enter total sales

**Line 2B:** Enter total sales outside of Philadelphia

**Line 2C:** Divide Line 2B by Line 2A

**Line 2D:** Determine the amount of commission earned outside of Philadelphia. Multiply Line 1B by 2C.

**Line 2E (i):** Enter total non-reimbursed business expenses allowable. Remember to submit a PA Schedule UE

**Line 2E (ii):** Multiply amount on Line E (i) by the percentage on Line 2C

**Line 2E (iii):** Enter deductible non-reimbursed employee business expenses, then subtract Line E (ii) from Line E (i)

**Line 3:** This amount of your compensation is subject to Philadelphia Wage Tax

**Line 4:** Calculate the tax for January - June by multiplying column A by .035019, and July - December by .034481.

**Line 5:** Combine the tax due from Line 4, column A and Line 4, column B.

**Line 6:** Insert Phila Local wage tax withheld on box 19 of form W2.

**Line 7:** If Line 6 is higher than Line 5 the difference is your refund, If Line 6 is less than 5 that will be your balance due to the city of Phila and you would be subject to file an Earnings tax return.

Mail completed petition to:

**CITY OF PHILADELPHIA DEPARTMENT OF REVENUE**

**P.O. BOX 53360**

**PHILADELPHIA, PA 19105**

For further information you may reach the Revenue Department Refund Unit at:

(215) 686-6574, 6575 or 6578 Fax: (215) 686-6228

Send e-mail to [refund.unit@phila.gov](mailto:refund.unit@phila.gov)

Find previous year forms and instructions us on the web at: [www.phila.gov/revenue](http://www.phila.gov/revenue)