

District Office

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TO: Milan Area Schools 2013-2015 School Employees
FROM: Bryan Girbach
RE: 2013, 2104, 2015 FICA Tax Requests (NOT 3% ORS Refund)
DATE: 2-13-18

Hello MAS Employees from 2013, 2014, 2015,

In November of 2017, Milan Area Schools provided each of you with paperwork that allowed you to make a request to the IRS to recover the FICA tax that you paid on the ORS 3% health care payments in 2013, 2014, and 2015. The district provided you those documents under guidance from the IRS. Following IRS recommendations, MAS also filed updated 941's on behalf of the district and they were accepted by the IRS.

Using the paperwork MAS provided to you, many of you filed a form 843 with the IRS for each of the three tax years. It has been brought to our attention that you are receiving different responses, even though the paperwork was filed in the exact same manner and mailed to the same IRS office. It appears that each IRS agent is handling these claims differently. So far, the responses people have received include:

1. The IRS needs 60 more days to process your request.
2. The IRS needs a different letter from your employer in order to process your request.
3. The IRS is denying your claim because you did not file within three years of the tax year.
4. The IRS is denying your claim, you need to file a 1040X, form 8959, and the employer needs to file an updated 941 in order to have your claim processed.

Below is the best information that the district can provide you about each of these responses:

1. At some point, you should receive additional communication from the IRS.
2. The district wrote the new letters with continued guidance from the IRS. They are available for you to download and print from the MAS web site. Here is the link:
<https://www.milanareaschools.org/Page/5080>. You can mail these new letters in as requested.
3. You will have to work with the IRS. They will not communicate with MAS regarding an individual's claim. We wish we had a better response, but our hands are tied.
4. You will have to work with the IRS. They will not communicate with MAS regarding an individual's claim. The district did file updated 941's. We wish we had a better response, but our hands are tied.

We apologize for the inconvenience. We do not know what the final outcome for each of these requests will be; however, the district will continue to do everything we are requested to do as an employer in order to help facilitate these IRS requests.

Thank You,
Bryan Girbach Krista Hendrix
Superintendent Finance Director