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GG&G News - Employee Benefit Plan Audits

Independent Contractor or Employee? Varying Tests



It is not unusual to read news stories about companies being sued for classifying workers as independent contractors when they claim to be employees. Being designated an employee can have a profound effect on everything from overtime pay to fringe benefits to, of course, taxes. Numerous articles have been written about the advantages and disadvantages for both the worker and the business of how an individual is classified. The present focus is what criteria are to be used in the determination.

There is no uniform test to distinguish employees from independent contractors. Government agencies such as the IRS, the U.S. Department of Labor (DOL), and the National Labor Relations Board (NLRB) each look at their own set of factors. The same is often true of the state where the business is located.

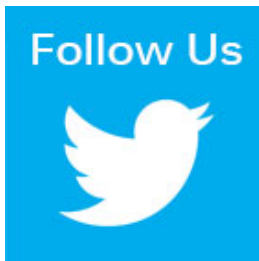
While the tests for determining a worker's classification differ, there is a common thread: Definitive answers can be difficult to find. [Read more here.](#)

As always, if you have any question regarding how this might affect you, please contact our Tax Department at (781) 407-0300.

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Employee Benefits

Ensure the Value of 401(k) Plans



401(k) plans are primarily self-directed by participants once they are set up. But as a sponsor, your company does have obligations. Continue reading for seven factors to help ensure your company's plan works in the best interests of employees.

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Benefit Tax Issues

Generous Health Plan May Not Preclude HSA Contribution

If you're covered only by a health insurance plan with a high-deductible, you may be eligible to contribute to a tax-advantaged health savings account, even if your spouse has other, more generous coverage. The rules can be confusing, but the IRS has clarified who qualifies and who doesn't with some examples. Here are the specifics.



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Retirement Plans

Will Your Employees' Retirement Plans be Within Reach?



Is your employees' future standard of living in jeopardy? Research suggests that a large number of people who are poised to retire within the next couple of decades will be in for a rude financial awakening. Almost 45% of American households are "at risk" of being unable to maintain their pre-retirement standard of living in retirement, according to one study. Read on for more details.

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-New England Sports Network (NESN)

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