

EMPLOYER'S OBLIGATIONS FOR THE *EMPLOYEE'S WITHHOLDING ALLOWANCE CERTIFICATE (DE 4)*

Beginning January 1, 2020, the Internal Revenue Service (IRS) [*Employee's Withholding Allowance Certificate \(Form W-4\)*](#) (irs.gov) will be used for federal income tax withholding **only**. You must file the state form [*Employee's Withholding Allowance Certificate \(DE 4\) \(PDF\)*](#) (edd.ca.gov/pdf_pub_ctr/de4.pdf) to determine the appropriate California Personal Income Tax (PIT) withholding.

If the number of withholding exemptions an employee is entitled to changes and the new amount is less than the number claimed by him/her on the DE 4, the employee must complete a new DE 4. Within 10 days of the change occurring, the employee must provide the employer with a new DE 4 with an updated number of withholding exemptions that the employee now claims.

The DE 4 is considered invalid* if either of the following two conditions exist:

- The employee makes major changes to the DE 4, such as crossing out words or writing more than is asked.
- The employee admits that the DE 4 is false.

When you receive an invalid DE 4, do not use it to calculate California PIT withholding. Tell the employee that it is invalid and ask for another one. If the employee does not give you a valid one, withhold California PIT as if the employee was single and claiming no withholding allowances. However, if you have an earlier DE 4 for this worker that is valid, withhold in accordance with the prior exemption certificate. The Franchise Tax Board or the Employment Development Department (EDD) may, by special direction in writing, require an employer to submit a DE 4 when such forms are necessary for the administration of the withholding tax programs.

For further assistance, please contact the EDD Taxpayer Assistance Center at 1-888-745-3886.

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Requests for services, aids, and/or alternate formats need to be made by calling 1-888-745-3886 (voice) or TTY 1-800-547-9565.

*Pursuant to section 31.3402(f)(2)-1(e) of [Title 26, Code of Federal Regulations](#) (law.cornell.edu/cfr/text), and section 4340-1(b) of [Title 22, California Code of Regulations](#) (govt.westlaw.com/calregs/Index?bhcp=1&transitionType=Default&contextData=(sc.Default)).