

## Attachment 2C – Employer Enforcement Summary

**WAVE 1**

| Penalty Type                           | Count of Employers at Beginning of First Due Process Cycle (9/1/2021) | Currently in First Round of Due Process | First FTB Penalty Notice Issued | Still Non-Compliant after First FTB Penalty, Currently in Second Round Due Process Cycle | Percent Resolved After First Penalty Notice | Address Issues/Stop Mail Flag (Non-Compliant) | Total Outstanding Non-Compliant | Total Resolved |
|----------------------------------------|-----------------------------------------------------------------------|-----------------------------------------|---------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------|---------------------------------|----------------|
| Type 01: Failure to Register           | 1,021                                                                 | 0                                       | 216                             | 65                                                                                       | 69.9%                                       | 0                                             | 65                              | 93.6%          |
| Type 02: Failure to Upload Roster      | 156                                                                   | 11                                      | 34                              | 21                                                                                       | 38.2%                                       | 0                                             | 32                              | 79.5%          |
| Type 03: Failure to Facilitate Payroll | 260                                                                   | 16                                      | 109                             | 38                                                                                       | 65.1%                                       | 0                                             | 54                              | 79.2%          |
| <b>Total</b>                           | <b>1,437</b>                                                          | <b>27</b>                               | <b>359</b>                      | <b>124</b>                                                                               | <b>65.5%</b>                                | <b>0</b>                                      | <b>151</b>                      | <b>89.5%</b>   |

**WAVE 2**

| Penalty Type                           | Count of Employers at Beginning of First Due Process Cycle (8/1/2022) | Currently in First Round of Due Process | First FTB Penalty Notice Issued | Still Non-Compliant after First FTB Penalty, Currently in Second Round Due Process Cycle | Percent Resolved After First Penalty Notice | Address Issues/Stop Mail Flag (Non-Compliant) | Total Outstanding Non-Compliant | Total Resolved |
|----------------------------------------|-----------------------------------------------------------------------|-----------------------------------------|---------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------|---------------------------------|----------------|
| Type 01: Failure to Register           | 619                                                                   | 210                                     | 337                             | 207                                                                                      | 38.6%                                       | 0                                             | 417                             | 32.6%          |
| Type 02: Failure to Upload Roster      | 525                                                                   | 76                                      | 119                             | 49                                                                                       | 58.8%                                       | 0                                             | 125                             | 76.2%          |
| Type 03: Failure to Facilitate Payroll | 415                                                                   | 197                                     | 65                              | 22                                                                                       | 66.2%                                       | 0                                             | 219                             | 47.2%          |
| <b>Total</b>                           | <b>1,559</b>                                                          | <b>483</b>                              | <b>521</b>                      | <b>278</b>                                                                               | <b>46.6%</b>                                | <b>0</b>                                      | <b>761</b>                      | <b>51.2%</b>   |

**WAVE 3**

| Penalty Type                           | Count of Employers at Beginning of First Due Process Cycle (8/1/2022) | Currently in First Round of Due Process | First FTB Penalty Notice Issued | Still Non-Compliant after First FTB Penalty, Currently in Second Round Due Process Cycle | Percent Resolved After First Penalty Notice | Address Issues/Stop Mail Flag (Non-Compliant) | Total Outstanding Non-Compliant | Total Resolved |
|----------------------------------------|-----------------------------------------------------------------------|-----------------------------------------|---------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------|---------------------------------|----------------|
| Type 01: Failure to Register           | 16,491                                                                | 14,320                                  | 0                               | 0                                                                                        | 0.0%                                        | 4                                             | 14,324                          | 13.1%          |
| Type 02: Failure to Upload Roster      | 14,030                                                                | 9,651                                   | 0                               | 0                                                                                        | 0.0%                                        | 0                                             | 9,651                           | 31.2%          |
| Type 03: Failure to Facilitate Payroll | 19,225                                                                | 12,812                                  | 0                               | 0                                                                                        | 0.0%                                        | 1                                             | 12,813                          | 33.4%          |
| <b>Total</b>                           | <b>49,746</b>                                                         | <b>36,783</b>                           | <b>0</b>                        | <b>0</b>                                                                                 | <b>0.0%</b>                                 | <b>5</b>                                      | <b>36,788</b>                   | <b>26.0%</b>   |

**WAVE 2022**

| Penalty Type                           | Count of Employers at Beginning of First Due Process Cycle (6/13/2023) | Currently in First Round of Due Process | First FTB Penalty Notice Issued | Still Non-Compliant after First FTB Penalty, Currently in Second Round Due Process Cycle | Percent Resolved After First Penalty Notice | Address Issues/Stop Mail Flag (Non-Compliant) | Total Outstanding Non-Compliant | Total Resolved |
|----------------------------------------|------------------------------------------------------------------------|-----------------------------------------|---------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------|---------------------------------|----------------|
| Type 01: Failure to Register           | 3,431                                                                  | 2,867                                   | 0                               | 0                                                                                        | 0.0%                                        | 0                                             | 2,867                           | 16.4%          |
| Type 02: Failure to Upload Roster      | 1,263                                                                  | 939                                     | 0                               | 0                                                                                        | 0.0%                                        | 0                                             | 939                             | 25.7%          |
| Type 03: Failure to Facilitate Payroll | 2,259                                                                  | 1,475                                   | 0                               | 0                                                                                        | 0.0%                                        | 0                                             | 1,475                           | 34.7%          |
| <b>Total</b>                           | <b>6,953</b>                                                           | <b>5,281</b>                            | <b>0</b>                        | <b>0</b>                                                                                 | <b>0.0%</b>                                 | <b>0</b>                                      | <b>5,281</b>                    | <b>24.0%</b>   |

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**Totals by Type**

| Penalty Type                           | Full Count at Beginning of Enforcement | Currently in First Round of Due Process | First FTB Penalty Notice Issued | Still Non-Compliant after First FTB Penalty, Currently in Second Round Due Process Cycle | Percent Resolved After First Penalty Notice | Address Issues/Stop Mail Flag (Non-Compliant) | Total Outstanding Non-Compliant | Total Resolved |
|----------------------------------------|----------------------------------------|-----------------------------------------|---------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------|---------------------------------|----------------|
| Type 01: Failure to Register           | 21,562                                 | 17,397                                  | 553                             | 272                                                                                      | 50.8%                                       | 4                                             | 17,673                          | 18.0%          |
| Type 02: Failure to Upload Roster      | 15,974                                 | 10,677                                  | 153                             | 70                                                                                       | 54.2%                                       | 0                                             | 10,747                          | 32.7%          |
| Type 03: Failure to Facilitate Payroll | 22,159                                 | 14,500                                  | 174                             | 60                                                                                       | 65.5%                                       | 1                                             | 14,561                          | 34.3%          |
| <b>TOTAL FOR ALL WAVES</b>             | <b>59,695</b>                          | <b>42,574</b>                           | <b>880</b>                      | <b>402</b>                                                                               | <b>54.3%</b>                                | <b>5</b>                                      | <b>42,981</b>                   | <b>28.0%</b>   |

**Totals by Wave**

| Wave (deadline)            | Full Count at Beginning of Enforcement | Currently in First Round of Due Process | First FTB Penalty Notice Issued | Still Non-Compliant after First FTB Penalty, Currently in Second Round Due Process Cycle | Percent Resolved After First Penalty Notice | Address Issues/Stop Mail Flag (Non-Compliant) | Total Outstanding Non-Compliant | Total Resolved |
|----------------------------|----------------------------------------|-----------------------------------------|---------------------------------|------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------|---------------------------------|----------------|
| Wave 1 (9/30/2020)         | 1,437                                  | 27                                      | 359                             | 124                                                                                      | 65.5%                                       | 0                                             | 151                             | 89.5%          |
| Wave 2 (6/30/2021)         | 1,559                                  | 483                                     | 521                             | 278                                                                                      | 46.6%                                       | 0                                             | 761                             | 51.2%          |
| Wave 3 (6/30/2022)         | 49,746                                 | 36,783                                  | 0                               | 0                                                                                        | 0.0%                                        | 5                                             | 36,788                          | 26.0%          |
| Wave 2022 (12/31/2022)     | 6,953                                  | 5,281                                   | 0                               | 0                                                                                        | 0.0%                                        | 0                                             | 5,281                           | 24.0%          |
| <b>TOTAL FOR ALL WAVES</b> | <b>59,695</b>                          | <b>42,574</b>                           | <b>880</b>                      | <b>402</b>                                                                               | <b>54.3%</b>                                | <b>5</b>                                      | <b>42,981</b>                   | <b>28.0%</b>   |