

## Non-Salary Payments Policy

<b>Effective Date:</b>	August 15, 2016
<b>Supersedes:</b>	N/A
<b>Policy Review Date:</b>	2 years from effective date
<b>Issuing Authority:</b>	Research Foundation President
<b>Responsible Party:</b>	Chief Financial Officer
<b>Contact Information:</b>	518.434.7050 <a href="mailto:rffinance@rfsuny.org">rffinance@rfsuny.org</a>

### Reason for Policy

This policy seeks to ensure that the Research Foundation for The State University of New York ("RF") is compliant with applicable Internal Revenue Service ("IRS") rules when providing Non-Salary Payments to employees, such as gift cards and allowances. See "Taxation and Reporting for Non-Salary Payments– Guideline" for other common examples. Royalty payments made to an individual pursuant to SUNY's Patents and Inventions Policy are not subject to the requirements of this Policy.

### Statement of Policy

#### Documentation and Valuation Responsibilities

Non-Salary Payments can be provided to RF or The State University of New York ("SUNY") employees and must be consistent with any applicable sponsor requirements. Prior to providing the Non-Salary Payments to the employee, campus administrators must identify the amount or value of the Non-Salary Payment, determine if the same is taxable, reportable, if withholdings are required, and must maintain certain documentation concerning the Non-Salary Payments as set forth in the "Taxation and Reporting for Non-Salary Payments - Procedure." Operation Managers ("OM") or their designees must regularly monitor Non-Salary Payments for any personal use by an employee.

#### SUNY Employees

In addition to the reporting and withholding determinations described above, when RF provides Non-Salary Payments to a SUNY employee such provisions must be approved by appropriate SUNY Staff and the OM or their delegate. Note that these additional payments may require additional approval and reporting on the state side, internally to the campus Ethics Officer, and externally to the New York State's Ethics agency, the Joint Commission on Public Ethics, especially for those who are required to file an Annual Financial Disclosure Statement to JCOPE to report their earnings.

### Responsibilities

The following table outlines the responsibilities for compliance with this Policy:

Responsible Party	Responsibility
Operating Location	Determine the value of the amount subject to tax and reporting rules
Operation	Regularly monitor provision of Non-Salary Payments or business

Manager or delegate	expenses for any personal use
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## Definitions

*Employee* - an individual engaged to provide services to an organization where the organization controls what services are performed and how they are performed.

*Non-Salary Payments*– Amounts paid or provided to RF or SUNY employees outside the payroll process. For illustration purposes, see "Taxation and Reporting for Non-Salary Payments – Guidelines" and common examples

*Reportable* – Income required to be reported to the IRS on a year-end tax statement.

## Related Information

RF

[Taxation and Reporting for Non-Salary Payments Procedure](#)

[Taxation and Reporting for Non-Salary Payments Guidance](#)

[Unrestricted Fund Expense Policy](#)

[Compensation Reporting Guidelines](#)

**Internal Revenue Service**

[IRS 15-B Employers Tax Guide to Fringe Benefits](#)

[IRS Publication 5137 Fringe Benefit Guide](#)

## Forms

[Non-Salary Payments Determinations](#)

## Change History

Date	Summary of Change
January 26, 2022	Policy reviewed
August 15, 2016	New policy.