



Albert Einstein College of Medicine

Documentation and Approval of Spousal and Family Travel Form

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 Assoc General Counsel
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You should complete this form when:

1. You are claiming reimbursement or your department is paying for travel costs incurred by your spouse and/or family member(s) to accompany you on a Albert Einstein College of Medicine, Inc. trip, and
2. A bona fide business purpose exists for your spouse/family member(s) to make the trip

Instructions:

Complete the form and attach the completed and approved form as part of your RFP documentation. Keep a copy of the completed form for your files. For specific information or guidance regarding this form, please contact John Scarfone, Assoc General Counsel or David Wasserman, Director of Accounts Payable.

Note:

If this form is not attached to your request for a travel reimbursement or advance, the amount of reimbursed expenses associated with your spouse/family member(s) will be automatically added to your taxable wages. Applicable Federal and state income and employment taxes will be withheld on those amounts.

Employee Information		
Employee Name	Last 4 Digits of Employee Social Security Number	
Department	Date Submitted	
Travel Information		
Place of Travel	Date(s) of Spousal/Family Travel	Cost of Spousal/Family Travel Expense
Business Purpose of Spousal/Family Travel (see reverse side for guidance)		
Duties Performed by Spouse/Family (see reverse side for guidance)		
Comments:		
Signatures and Dates		
Requestor's Name	Requestor's Signature	Date
Approver's Name [†]	Approver's Signature [†]	Date

[†]Deans, Directors, or other designee responsible for fiscal administration

SPOUSAL AND FAMILY TRAVEL

College Paid Travel May Be Taxable

On certain occasions, travel expenses for a spouse or other family members of a Einstein employee are reimbursed or paid directly from Einstein funds. Under the tax laws, college-funded travel for spouses and family members is taxable compensation to the employee **UNLESS** there is a documented “bona fide business purpose” for the presence of the spouse or family member. If a bona fide business purpose does not exist, any amounts reimbursed or paid directly for spousal travel will be included in the taxable compensation income of the employee, subject to the withholding of federal and state income and employment taxes.

Guidance on the definition of a “bona fide” business purpose is limited. Therefore, each case is determined on its specific facts and circumstances. In general, decisions of the tax authorities have focused on the following:

1. Whether the predominant purpose of the non-employee family member was to serve the employee’s business purpose in making the trip;
2. Whether the presence of the spouse/family member is essential (not just beneficial) to carrying out the university’s business purpose; and
3. Whether the non-employee family members spent substantial amounts of time fulfilling that purpose.

Incidental services performed by a non-employee family member (e.g., note-taking or mere accompaniment) do not fulfill a business purpose. In addition, it is often difficult to justify the business purpose of children or other relatives.

The Following Matrix Provides Guidance For Individual Decisions.

Expenses more likely to be taxable when:	Expenses more likely “bona fide” when:
No formal request for family member to attend event(s)	Formal or official correspondence requests spouse or other family members of Einstein employees make the trip or attend event(s)
Family members are not required to attend meetings, given assignments in advance or make a presentation at the event(s)	Spouses or other family members are required to attend meetings, given assignments in advance or make a presentation at the event(s)
Family member performs only “helpful” services, such as limited note taking, secretarial services, etc.	Family member performs “necessary” services by acting as a representative of the University in a substantial manner
Only Einstein employees and family members attend event(s)	Non Einstein individuals (alumni, donors, recruits, etc.) attend events
Family members participate in substantial tourist activities (shopping, sightseeing, etc.)	Family members do not participate in tourist activities
Children or other family members make trip	Children or other family members do not make trip

Please address any questions regarding the above policy to John Scarfone, Ass General Counsel at john.scarfone@einstein.yu.edu