

# **ARE YOU NEGOTIATING TO PAY A NON U.S. BUSINESS OR INDEPENDENT CONTRACTOR?**



Activity conducted by a Non US Citizen in the US (and subsequent payments made) are highly regulated. Deviation could potentially jeopardize an individual's visa status and/or future travel to the US. The following procedures are instituted at Wesleyan primarily to protect the beneficiary of the payment.

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## **1. During Negotiations**

- a. Request the visa status. Common restrictions may include:
  - **H-1B and F-1:** May only accept payment from their visa sponsor. Stop. Cannot pay person or sponsor.
  - **J-1:** Requires an approval letter from payee's Responsible Officer prior to payment.
  - **O-1:** Requires an itinerary from payee's visa sponsor with Wesleyan listed as a venue.

## **2. Prior to Campus Visit**

- a. Direct the payee to complete a Foreign National Information Form (FNIF) and W-8BEN.
  - **FNIF:** <http://www.wesleyan.edu/finance/financeDept/foreignTax/infoGuideline.html> On-line submission to Christine Rodrigue.
  - **W-8BEN:**  
<https://wesfiles.wesleyan.edu/campus%20committees/WFS%20Implementation/Public%20WFS%20Documents/w8ben.pdf> Mail or email to Christine Rodrigue.
- b. Submit a WFS New Vendor Request, if necessary (Portfolio link).
- c. Create a WFS Accounts Payable Voucher. The Handling code should be set to Finance.
- d. Schedule an appointment, for yourself and the visitor, with Christine Rodrigue (x3502).

## **3. While the Visitor is on Campus**

- a. The visitor must meet in person with Christine Rodrigue at 287 High Street during an appointment that you must schedule in advance.

### **IMPORTANT:**

- If any of the steps are not completed, a payment to a visitor will be subject to the maximum federal income tax withholding of 30%.
- This document is not inclusive of every foreign tax situation. Payments to non US entities will be examined by Finance at the time of the payment request and the initiator may be contacted.

### **RESOURCES**

<http://www.wesleyan.edu/finance/financeDept/foreignTax/policyForiegn.html>

<http://www.wesleyan.edu/finance/financeDept/foreignTax/Navigate.htt>

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