

You have no contract with the IRS unless you applied or received notice; neither does the IRS have any statutory authority to interfere into the private affairs between you and your "employer" as those relate to the voluntary withholding agreement a.k.a. W4. Should one decide to press the issue, the question could be put in front of the employer as follows: "Are you the agent designated by the Secretary per 26 USC section 3504? If you are, please show me a copy of Form 2678". The OMB control number for 2678 is 1545-0748. There are folks (employers) who are required to have this form; they are listed in ADP IDRS Document 6209 Employment codes at 3-16. One may be fairly certain your employer is not listed there; if he is then you're out of luck.

You should also draw your employer's attention to 31 CFR, Part 215 and 27 CFR part 70.161 et seq. specifically at (a)(4) (A)(B)(ii) and (iii). Absent a notice from the Secretary to you, per 26 CFR 1.6001(d), there can be no liability issue relating to 26 USC as far as your person is concerned. See also 26 CFR § 301.7512-1 b, c and d especially and again ask your employer if he is doing everything by the book, after all, he claims to be handling the government's money and that duty is not to be undertaken lightly. Any deviation from the plan is generally being frowned upon by the government's agents.

Lastly, you can reference ADP IDRS Document 6209 Tax Returns and Forms at 2-1, 2 and 7 and afterwards ask your employer if he expects you to make this gift per 31 USC sec. 321. I doubt your "human resource manager" (anyone else grossly offended by that term?) will present this information to his "attorney", if he did, and if I were a betting man, three to one his attorney could not explain it to you on his best day.

"sayitaintso"

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