

EMPLOYEE GIFTS & VOUCHERS

Conditions of validity and
exemptions

November 2023



Preamble

During certain events, the Social and Economic Committee or the employer directly may give employees gifts, vouchers or gift vouchers. This allocation is optional; no collective agreement or employment contract can make it compulsory. The total amount over the year must not exceed **183 euros for 2023**.

1. What type of gift?

There are three types of benefits that can be offered to employees:

- **Vouchers** : credit notes with a certain monetary value to be used in one or more stores or commercial brands
- **Gift vouchers**: a voucher of a certain value offered as a gift for the purchase of a good or service in the designated store(s) or business(es)
- **Gifts** : Any type of physical item.

2. For which employees

The awarding of gifts must respect the principle of equal treatment between the company's employees. Thus, the award of the gift must in no way be discriminatory. As such, this advantage must be attributed indiscriminately to all members of the company and not be used as a penalty.

Please note: seniority is considered a discriminatory criterion.

The following are eligible:

- **Employees**: all types of employees (including professionalization contracts) regardless of their hierarchical position, years of seniority or level of skills.
- **Managers**: can benefit in the same way as employees as long as they have an employment contract.
- **Interns** : the law stipulates that they must have the same access to social and cultural activities as the company's employees. As such, they must benefit from gift vouchers, gifts and vouchers.

3. How much is exempt ?

The amount of the benefit is exempt from social security contributions up to a limit of 5% of the monthly social security ceiling, **i.e. €183.30 for 2023 during the same calendar year and per employee.**

It is then quite possible to give several gifts per year and to each employee of the company.

4. Beyond this limit, can the amount be exempted?

Beyond the limit, gifts and/or vouchers are also exempt, subject to meeting the following 3 cumulative conditions:

- **The award of the voucher must be linked to a specific event**

The list of events concerned is exhaustive: marriage, PACS, birth, adoption, retirement, Mother's Day/Father's Day, St Catherine/St Nicolas, Christmas for children up to 16 years of age and employees, start of the school year for children under 26 years of age.

- **The use of the voucher must be related to the event for which it is awarded**

Its purpose must be related to the event, it must mention either the nature of the benefit, or one or more departments of the store, or the name of one or more stores. And it can't be exchanged for fuel or foodstuff, unless they're festive.

- **The value of the voucher must be in accordance with practice**

This condition is presumed to be met if the amount of benefits granted to the employee for an event does not exceed the threshold of 5% of the monthly social security ceiling per calendar year.

If these three conditions are not met at the same time, the voucher and/or gift is subject to social security contributions for its total amount.

5. No exemption

The tolerance relating to the exemption does not apply to vouchers or gifts awarded by the employer when there is a Social and Economic Committee in companies with more than 50 employees.

In addition, it is the non-discriminatory nature between employees that determines the granting of the exemption from contributions.

This fact sheet contains summarized information that does not cover all possible situations, nor the legal texts applicable in France.

Please contact us for advice tailored to your situation. We cannot be held responsible for any misinterpretation of this factsheet.

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