



Responsible Department: Human Resources & Inclusive Community

Recommended By: Vice Chancellor for Human Resources, Vice Chancellor for Information Technology, Executive Director for Enterprise Risk Management, Associate Vice Chancellor for University Financial Services, Senior Vice Provost for Research and Sponsored Programs, Senior Vice Chancellor for Legal Affairs and General Counsel

Approved By: Chancellor

Policy Number
HRIC 3.10.034

Effective Date
4/28/2023

I. INTRODUCTION

- A. This Policy addresses international workers who provide services to the University.
- B. The University does not have a registered legal presence outside of the United States. A registered, in-country legal presence is required for work to be performed lawfully in most countries outside the United States.
- C. For situations where the University wishes to retain the services of professionals located outside of the United States, the University has contracted with a third-party vendor for “Employer of Record” services for International Workers.

II. POLICY OVERVIEW

- A. All University employees must work within the United States.
- B. Faculty and staff of the University who choose to work outside of the United States must adhere to local tax, immigration, and labor laws, in the host country, and as such, must make arrangements with their supervisor, HRIC (who in turn may contract with the University’s Employer of Record for such host country) in advance of any relocation outside of the United States.
- C. Similarly, when a unit or department at the University wishes to utilize host-country (i.e., local) nationals in that country, the unit will work with HRIC to contract for such services with the University’s Employer of Record for such host country.

D. The following situations typically do not require an approval request:

1. Academic faculty who are on sabbatical and are traveling outside of the United States as part of their sabbatical.
2. Employees who are on a nine (9)-month appointment and travel outside of the United States during the summer.
3. Academic faculty, staff and student employees who are traveling internationally on short-term field research or on business trips to collaborate or consult with international partners outside the United States.

III. PROCESS OVERVIEW

A. Approval Process for an International Worker

A department or unit that wishes to either: (1) permit a current employee to continue to provide services to the University from a location outside of the United States, or (2) obtain the services of an academic or research professional located outside of the United States, must complete the following steps:

1. Request: The unit's business officer coordinates with the hiring supervisor to complete an [International Worker Request](#) form and submits the form to the [International Worker Coordinator](#).
2. Internal Review: The International Worker Coordinator will review the application with Information Technology (to address network access and cybersecurity risks), Enterprise Risk Management, Office of Research and Sponsored Programs (if applicable), and the Provost's Office. During the review process, the International Worker coordinator may request further input from the business officer and/or hiring supervisor.
3. Quote Solicited. If the request is approved after completion of the Internal Review, the International Worker Coordinator will request a quote from the University's Employer of Record and then coordinate with the business officer to contract with the Employer of Record for the services.

B. University employees who choose to become an International Worker in accordance with the process outline above will separate from the University and will no longer be employed by the University. International Workers are employed directly by the Employer of Record, who handles all associated personnel functions, including, but not limited to, payroll, taxes, workers' compensation, and offering and administering benefits.

IV. DEFINITIONS

A. "International Worker" means an individual who lives outside the United States for

not less than three (3) consecutive calendar months in a calendar year and provides services to the University through an outside vendor that is the individual's Employer of Record.

B. "Employer of Record" means a third-party vendor that the University has contracted with to provide Employer of Record services. An Employer of Record employs workers on behalf of an entity in countries where such entity does not have a registered legal presence.

V. RESOURCES

- A. University Policy HRIC 3.10.033 – *Flexible Work for Staff*
- B. University Policy HRIC 3.30.010 – *Leave of Absence*
- C. University Policy HRIC 3.30.030 – *Rehire*
- D. University Policy IT 13.10.010 – *Use of Computer and Network Systems*
- E. University Policy IT _____ - *Special Community Member*

Revision Effective Date	Purpose