



Seminar

Welcome

*Employing and
Hiring Abroad –
the Do's and Don'ts*

UF Human Resources

Internationalization is critical in all aspects of the university's programs for research, students, employees, and graduates.

The university must pursue programs and policies that enable it to compete successfully in the global economy.





As the University expands its global workforce presence, hiring employees and consultants abroad is a complex and challenging issue.

Labor laws, taxation, and immigration requirements vary considerably from one country to another and tend to be quite different from regulations in the U.S.

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**"It's hard to compete in a global economy
when you're not allowed to cross the street."**

SO WHAT'S THE PROBLEM?

- Beginning work in a foreign country without proper work authorization is illegal.
- “At will” employment is a purely American concept.
- Local labor standards govern the relationship between a college and its employees working overseas.
- Local labor-union agreements often provide mandatory coverage for employees working in certain job categories.
- Failure to provide mandatory benefits to eligible nationals on staff can trigger significant penalties and fines.

SO WHAT'S THE PROBLEM?

- American employees working overseas are not usually considered tourists.
- For the purposes of income taxation and income-tax withholding, it does not generally matter where an employee receives his or her pay.
- The classification as independent contractors in a foreign country is risky.
- It takes only a single employee.
- Criminal liability can rest with both the institution and the employee.

- Independent contractors come forward in EU claiming to be employees with settlements in excess of \$500,000 each.
- Foreign partner non-compliance.
 - Multi-million-dollar tax issue.
 - No registration or required filings.
 - Illegally paying employees as contractors.
- Faculty member detained in India.
 - Stopped and boarder and jailed until visa and tax issues were resolved.





For the University to legally pay employees located outside of the U.S., the University is required to:

- Establish in-country presence approved by the Board of Trustees.
- Working with UF Procurement and UFHR, partner with an in-country university or college to hire the employee on the University's behalf.
- Contract with an UF approved 3rd party vendor that has registered presence, such as a staffing agency.

- Faculty, staff and students from countries that are comprehensively sanctioned by the Office of Foreign Assets Control (OFAC) may be exempt from employment outside of the U.S.





Remote Work Location Agreement

Instructions & Acknowledgment

- If an employee is scheduled to work in another location, especially in another country, it is important for the employee and his/her department to submit an alternate work location agreement.
- The agreement must be approved prior to the employee begin working in his/her alternate work location, and it is important to indicate the address of the employee's alternate work location on the agreement.
- The employee's department must update the work location in the system to reflect the new work location.



More Information:

- <https://hr.ufl.edu/manager-resources/employment-abroad/>
- <https://hr.ufl.edu/forms-policies/policies-managers/working-remotely-abroad/>
- <https://hr.ufl.edu/forms-policies/policies-managers/alternate-work-location/>

UF Research Integrity

UF Research Integrity (UFRI)

UF Research Integrity oversees the following compliance areas:

- Export Controls
- Research Conflict of Interest
- Research Integrity and Research Misconduct
- International Engagement and Collaborations
- Miscellaneous other research compliance areas





Export Controls at a Glance

- United States Export Controls are a complex set of regulations in place to ensure national security, economic stability, prevent the proliferation of weapons of mass destruction, and further U.S. foreign policy.
- U.S. Export Control laws govern the transfer of commodities, software, and technical data (information) overseas or to a foreign national within the United States.



Export Controls at a Glance

- Export controls primarily include three sets of regulations:
 - International Traffic in Arms Regulations (ITAR)
 - Export Administration Regulations (EAR)
 - Economic and Trade Sanctions governed by the Office of Foreign Assets Control (OFAC)

UF Research Integrity >> [Export Controls Website](#)

UFRI Reviews:

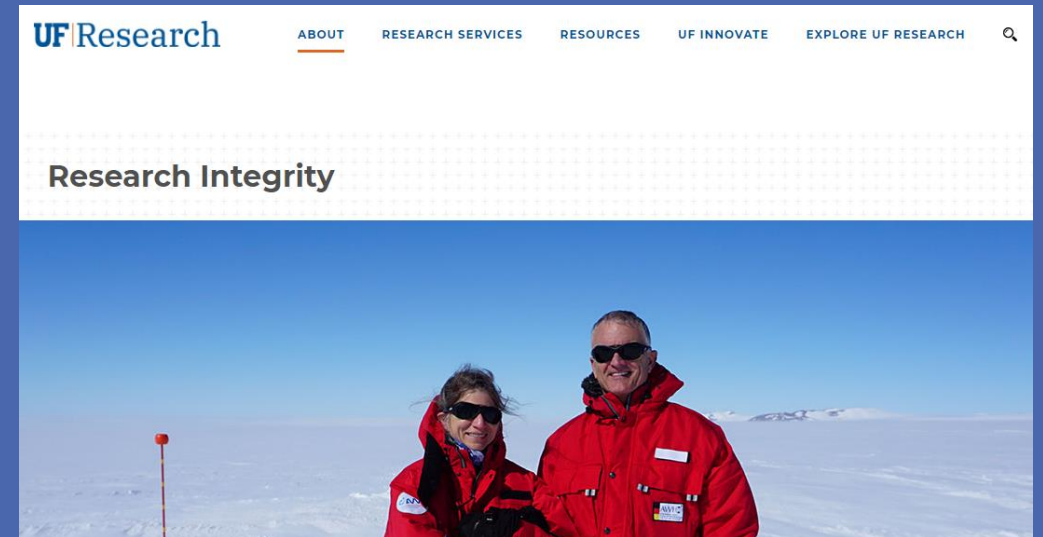
AWL Requests for Employment Abroad route to UFRI for additional review and comment if the following items are disclosed within the application.



- Work on a Sponsored Research Project.
- Engagement with a sensitive or comprehensively sanctioned country.
- Taking equipment abroad.
- Working at another institution on research.

UFRI Considerations

- Restricted Party Screening.
 - Screening to ensure engagement with a restricted or otherwise sanctioned party on behalf of UF does not occur.
 - With few exceptions, the University does not engage with entities listed as Restricted Parties.
- Review of the Research Plan.
- Review of award or contract terms.
- Agency Reporting Requirements.



UFRI considerations

- Registration of equipment traveling abroad
 - If you are traveling with any UF-owned equipment, including your laptop, request pre-approval from [UF Asset Management](#).
 - High risk country reviews route to UFRI for review of the equipment to ensure there are no additional requirements for registration.
- Registration with UFIC
 - When traveling internationally for UF business, registration is required in UF International Center's [travel registration system](#).



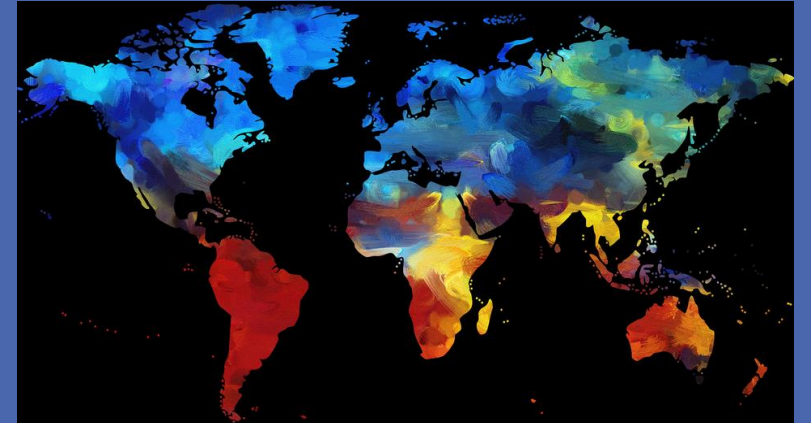
Sensitive or Sanctioned Countries

Sensitive Countries

- China, Russia, Venezuela or any country designated with a Level 4 Dept. of State Travel Warning.
- Possible registration requirements for items traveling abroad.
- New State of Florida requirements.

Comprehensively Sanctioned Countries

- The Crimea Region of the Ukraine, Cuba, Iran, N. Korea and Syria.
- Licensing requirements from the Office of Foreign Assets Control (OFAC).
- Specific License or General License.
- State of Florida requirements regarding State Sponsors of Terrorism.



Disclosing International Activities

All employees must report any activity that supports their research to sponsors and UF, examples include:

- Academic, research or admin. position at a foreign institution, including full-time, part-time, adjunct, honorary, or voluntary.
- Any contractual agreement with a foreign institution.
- Any non-UF agreement in which foreign funds or resources are provided to the faculty for activities.

For NIH funded activities, international engagements and work abroad (Foreign Components) must be reported and approved by NIH prior to occurrence.

Need more Information:

[International Collaborations and Engagements](#)



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Thank You