



# University of Northern Colorado

## Human Resources Administrative Policy

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### **Out-of-State Employee Hiring Policy** **Faculty and Professional Administrative Staff**

#### **Scope:**

This policy applies to any employee (faculty or professional administrative staff) of the University of Northern Colorado who works or resides outside of the State of Colorado. This policy does not apply to applicants who currently reside out-of-state but who intend to move to Colorado if offered employment nor to Colorado-based employees whose job requires business travel for short periods of time outside of the state on a temporary basis.

#### **Authority:**

This policy was approved by the Senior Vice President for Finance and Administration in cooperation with the President's Cabinet. The Chief Human Resources Officer in coordination with the Chief Financial Officer, interprets this policy and has delegated authority to revise or amend this policy.

#### **Purpose:**

The University recognizes the occasional need to hire or allow an employee who will, due to the nature of a particular position or business need, reside and perform their work outside of Colorado. Such employees may not be tenure-track or tenured faculty but may be faculty whose primary assignment is in primarily online academic programs.

Employees who work and reside outside of Colorado subject the University to other laws and may result in additional insurance and payroll requirements and costs (e.g., workers' compensation, liability insurance, unemployment insurance, payroll tax withholding/reporting, administrative costs, and other reporting requirements to other states). As a result, the University reserves the right to determine in advance whether an employee's principal work location can be outside of the State of Colorado.

Accordingly, departments or business units that wish to hire or allow an employee to work or work remotely out-of-state must seek and obtain prior approval following the procedure established in this policy. No employee who resides outside of Colorado and intends to maintain such residency can be hired or begin employment or work remotely outside of Colorado until this approval is granted.

The purpose of this policy is to establish guidelines for the hiring of university employees performing work outside of Colorado, and help the University comply with workers compensation insurance requirements and other state laws resulting from out of state employment.

## **Guidance:**

### **A. Obtaining Advance Approval for New Hires**

University employees are subject to all employment-related laws of the state in which they work. State taxes, employment tax, and workers compensation provisions vary from state to state and foreign nations. University employees who work outside Colorado may also trigger additional compliance requirements besides those relating to employment. Therefore, the hiring or allowing of employees to work outside Colorado must be supported by an important university business purpose and not be merely an accommodation to the employee.

In order to facilitate the process, the hiring department must notify the University of any prospective employment arrangements involving university employees outside the state of Colorado as soon as possible, and no later than the specified deadlines, by submitting a written request form. The written request shall use the form provided and explain the reasons and business necessity for hiring or assigning an employee to work outside of Colorado. The deadline for submitting a written request is no later than 60 calendar days prior to the start date. No employment offer can be made to a candidate prior to receiving written approval.

This deadline is necessary to ensure that the University is compliant with the related laws and regulatory requirements of the other state or, in strictly limited circumstances, country. Failure to notify the University within these timelines may result in financial or legal penalties to the University and a delayed start date for the employee.

The written request will be reviewed and are subject to the approval of the relevant Supervisor (including department chair or school director), Dean/AVP, and Vice President, and then must receive final approval from the Chief Human Resource Officer.

### **B. Obtaining Approval for Current Employees**

Departments and business units must advise the Chief Human Resources Officer of any employee who resides in another state. In each instance, the Office of Human Resources must verify that the University is in compliance with the laws and regulations of such jurisdiction where the employee resides and take such steps as may be necessary to bring the University into

compliance. If the Office of Human Resources is not notified of employees who perform work outside of Colorado, and if it is later discovered that an individual is working outside of Colorado, such individual may not be able to continue working outside of Colorado and may be subject to appropriate disciplinary action, up to and including dismissal.

In order to request permission to allow a current employee to work out of state, the hiring department must notify the University of any prospective employment arrangements involving university employees outside the state of Colorado as soon as possible, and no later than sixty (60) calendar days prior to desired start date in another state by submitting a written request form. The written request shall use the form provided and explain the reasons and business necessity allowing employee to work outside of Colorado. The deadline for submitting a written request is no later than sixty (60) calendar days prior to the start date. No employee shall be allowed to reside out of state and perform work for UNC without prior written approval.

**Again, the hiring or allowing of employees to work outside Colorado must be supported by an important University business purpose and not be merely an accommodation to the employee.**

The written request will be reviewed and are subject to the approval of the relevant Supervisor, Department Head, Dean/Director or Vice President, and Chief Human Resource Officer.

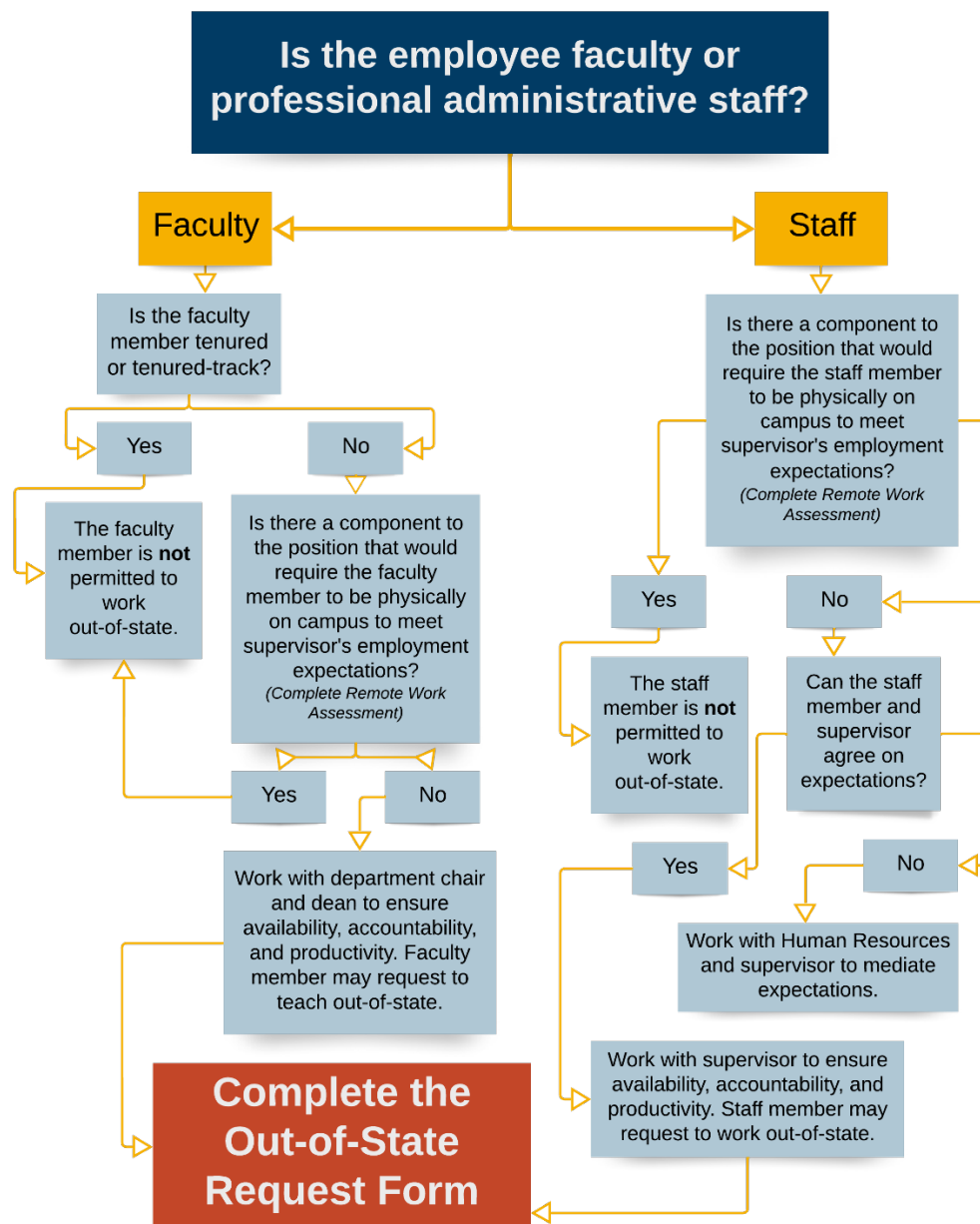
### **Benefits**

Employees accepting employment at UNC while residing out-of-state simultaneously accept the reality that the choices of health and welfare benefit plans may be more limited for employees who work outside of Colorado. For more information, please contact the Human Resources Office.



## University of Northern Colorado Out of State Employee Decision Tree

As an institution of higher education with a mission of immediate and sustained success, UNC is embarking on a post-pandemic view of work including incorporating out of state employees into our workforce. The decision tree below incorporates current best practices regarding out of state work arrangements with a commitment to balance the wellbeing and success of faculty, staff, and students. The decision tree should be used to assist a supervisor if a faculty or staff member requests to work primarily if not exclusively outside of the State of Colorado.



## Remote Work Assessment

You and your supervisor are expected to assess your position to determine if your duties can be performed remotely. Upon determining that your position is conducive to remote work, your supervisor should ensure you possess the appropriate resources for remote work. Read each of the numbered sections below and check the box that most accurately describes your position. These questions can help you and your supervisor make decisions regarding remote work arrangements.

### 1. Is the position conducive to remote work?

- Job responsibilities can be arranged so there is no difference in the level of service provided.
- Job responsibilities do not require regular access to documents, databases, or equipment that must remain and/or must be accessed on-campus.
- Job responsibilities will not require the transportation of documents which may include confidential information.
- Job responsibilities require minimal direct supervision and/or contact with students, faculty, or staff.
- Job responsibilities include communication which can be handled via telephone, email, or messaging/Teleconferencing (Teams, Zoom, etc.).
- Job responsibilities include tasks that can be done away from the office such as:

Analysis	Design	Graphics	Reports
Auditing	Drafting	Project	Research
Batch Work	Editing	Management	Teleconferencing
Calculating	Evaluations	Reading	Writing
Data Entry	Field Visits	Record Keeping	Word Processing

### 2. Consider the following productivity questions:

	Always	Frequently	Occasionally	Rarely
Employees poised for success as remote workers can develop regular routines and successful strategies (prioritize, set, and meet their own deadlines). Is the employee self-motivated, self-disciplined, and able to work/solve problems independently; does the employee effectively manage time while generally completing projects on time with minimal supervision and feedback; and is the employee productive without direct supervision?				
If the employee has previously been or currently is and employee of UNC, prior job performance is a strong indicator of an employee's potential success as a remote worker (consider whether performance or developmental needs were evident during the past twelve months that might impact the employee's remote work experience). Has the employee successfully met or exceeded expectations?				
Does the employee have strong organizational and time-management skills? Is the employee results-orientated? Can the employee remain focused while working remotely?				
Is the employee comfortable working alone and/or through tele/video conferences? What assistance/tips would be helpful to ensure the employee is able to adjust to the relative isolations of remote work? Would the employee have the self-control to work neither too much nor too little and set a comfortable and productive pace while working remotely?				

3. Consider the following interpersonal questions:

	Yes	No
Remote workers should have a good understanding of the departmental and organizational “culture.” If so, will the employee have access to resources that will allow them to stay connected to the organization’s culture?		
Is the employee knowledgeable about the organization’s procedures and policies? Is the employee effective at completing assignments/tasks in accordance with the organization’s procedures and policies?		
Does the employee have, or will they be able to develop, an effective working relationship with coworkers such that there would be no disruption in the employee’s ability to provide support to coworkers and maintain adequate in-office communication while working remotely?		
Remote workers should be adaptable to changing routines, expectations, and environments. Is the employee willing to adjust their remote work schedule and/or report to campus as needed (e.g., special events or meetings, to fill-in for a colleague who is on leave, etc.)?		
Is the employee an effective communicator and team player (i.e., communicates well with their supervisor and coworkers), are they able to express needs objectively and develop solutions, and have they developed, or will they be able to develop ways to communicate regularly with their supervisor and coworkers that can be used when working remotely?		

4. Does the employee have an appropriate remote workspace?

- Employee’s workspace is safe, comfortable, and private in a way that makes it easy to concentrate on work?
- The level of internet and document security meets minimum guidelines established by the University.
- Office equipment such as telephone and other software meets the University’s needs.
- Household members understand employee’s work schedule, so employee can remain focused during working hours.