

Office of Human Resources

Out-of-State Employees Procedures

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Procedures Statement

The University of the Pacific does not consider its self an out-of-state employer. However, the university does recognize the need to hire specialized professionals who reside outside of California who can contribute to meeting our institutional goals and objectives.

If your department would like to hire an out-of-state employee, pre-authorization is required.

Approval must be obtained 6 weeks in advance of an official employment offer for potential out-of-state work arrangements or as soon as an out-of-state finalist is identified to fill an open position at Pacific

Employment laws and payroll tax regulations vary significantly by state. In addition, workers' compensation and unemployment insurance coverage must be obtained in each state in order to be compliant.

The hiring department understands they will be responsible for the cost of initial tax structure research and setup, and for monthly and annual processing charges and fees related to reporting, processing and maintenance of systems required for tax compliance reporting. Additionally, the hiring department will be responsible for the cost of Worker's Compensation insurance secured for the out of state employee and remittances associated with this request and subsequent appointments.

For more information about these procedures, please contact Human Resources at:

Stockton: 3601 Pacific Ave., Stockton, CA 95211
Phone: 209.946.2124 **Fax:** 209.946.2835
Email: Human_Resources@pacific.edu

Sacramento: 3200 Fifth Ave., Sacramento, CA 95817
Phone: 916.739.7031 **Fax:** 916.739.7196

San Francisco: Arthur A. Dugoni School of Dentistry, 155 Fifth Street Suite 406, San Francisco, CA 94103
Phone: 415.929.6468

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**Document
Needed:**

[Authorization to Hire Out-of-Sate Form](#)

**Special
Instructions:**

The authorization to is mandatory prior to initial hire, when an approved out-of-state employee changes address, and when a current Pacific employee is relocating and will reside and perform work off-site in a location outside of California.

Definitions

Who is considered an out-of-state employee?

- Any current employee who relocates to another state and continues to work for Pacific from that state.
 - Example: A tenured instructor who resides in California and teaches courses online relocates to Florida and continues to work for Pacific from Florida. This employee is now going to be considered an out-of-state worker and an Authorization form is required.
 - Example: A student employee is graduating and moving back to their home state of Oregon. The department has decided to rehire this employee now as a temp and allows them to work remotely from Oregon. This employee is now going to be considered an out-of-state worker and an Authorization form is required.
- Any employee who is living in a state other than California and is working remotely from that state.
 - Example: A person who resides in Montana is hired by Pacific as a recruiter to work remotely from their home office in Montana. They are considered an out-of-state worker and an Authorization form is required.
 - Example: An employee lives in Seattle. They do the majority of their work for Pacific from a home office in Seattle. They may travel to Pacific once a month for a meeting. Since the majority of their work is done outside of California they are considered an out-of-state worker and an Authorization form is required.

Who is not considered an out-of-state employee?

- Employees who live in another state but travel to California to work.
 - Example: A Nevada employee who travels to California each day to work but might sometimes telecommute.
- Employees who have temporarily relocated to California for a special contract or for seasonal work.
 - Example: A Seattle resident comes to California 6 months out of the year as a researcher.
- Student or Grad Assistant who are living in California while attending school and working for Pacific.
 - Example: A student's permanent address is in Colorado and has moved to California to take course while working part-time on campus.

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Procedures University of the Pacific Out-of-State Procedures Overview

The following procedure is mandatory prior to initial hire, when an approved out-of-state employee changes address, and when a current Pacific employee is relocating and will reside and perform work on behalf of Pacific, off-site in a location outside of California:

1. The hiring department must submit a fully signed “[Request for Authorization to Hire an Employee Residing and Performing Work Outside of California form](#)” at least six **(6) weeks before the proposed appointment date.**

Processing time is essential because:

- The hiring Department must work with HR to identify and authorize an employer representative (proxy) in the candidate’s residence location to act on behalf of Pacific in the completion of regulatory employment authorization documents (federal Form I-9)
- Pacific must complete business registration processes and obtain an employer tax ID, and Worker’s Compensation coverage with the other state
- Pacific must obtain the employee’s tax documents as required by the other state and/or local government

2. Justification Comments: The request for authorization form must include a brief description of work to be performed and justification for the authorization request, specifically, what unique qualifications or contributions the candidate offers and how these qualifications enhance Pacific’s academic programs.

3. HR will notify the hiring department of approval to hire and next steps, or of denial.

4. After approval, typical next steps include:

- Department makes official employment offer to the candidate consistent with hiring practices of the school/college
- HR and candidate/new employee work together to identify an “Authorized Employer Representative” in the candidate’s residence location to complete the federal Form I-9 on Pacific behalf. This is typically, but not always, the employee’s home institution or another nearby institution
- HR contacts the proposed institution to confirm they are agreeable to act as Pacific’s “Authorized Employer Representative” for I-9 completion, and to supply the new Pacific’s employee’s name and contact information
- HR contacts the new employee with instructions on Form I-9 and employment document completion (employee information, W-4, direct deposit, other tax withholding forms for home state, etc.)
- HR submits background check
- HR coordinates Pacific computer systems InsidePacific account creation and access with new employee.
- Department and candidate/new employee complete a [Telecommuting Authorization](#) and attach it to the employment letter and forward to HR office

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5. When renewing/extending appointments for Out-of-State Employees:

- Attach a copy of the Telecommuting Authorization to the letter of offer, updating as necessary.

**Example of
Request for
Authorization
to Hire Out-of-
State Form:**



**Request for Authorization to Hire an Employee
Residing and Performing Work outside of California**

Department and Position Information		
Department Requesting:	Request Date:	
Department Contact Name:	Contact Email:	
Position Title:	Position Number:	Employee Class:
Candidate Name:	Pacific ID# (if available):	
Proposed Appointment		
Start Date:	Appointment End Date:	Appointment Amount: \$
Candidate's Home Address (Street, City, State, County, Zip Code):		
Proposed Work Address (Street, City, State, County, Zip Code):		
Description of Duties (instruction, research, other):		
Justification Comments (unique qualifications this individual offers that justify out of state hiring):		

Department's Understanding and Commitment to Comply
1. The hiring department must notify HR as soon as possible that a out-of-state employee will be hired. HR needs ample time to request new hire documents and process federal Form I-9 near the employees resident location.
2. The hiring department understands that work cannot begin until registration as an employer in the candidate's state of residence is completed and tax identification is received by Pacific's HR and Payroll office. This process takes a minimum of six weeks for completion.
3. The hiring department understands they will be responsible for the cost of initial tax structure research and setup, and for monthly and annual processing charges and fees related to reporting, processing and maintenance of systems required for tax compliance reporting and remittances associated with this request and subsequent appointments.

Department Chair, Program Director Signature _____ Date _____

Dean, AVP Signature _____ Date _____

Completed by HR - Approval to Hire

Approved Employment Start Date: _____ Approved Classification: _____

Authorized Human Resources Representative: _____ Date: _____