

May 19, 2020

To: Department Chairs, Directors, and Academic Department Business Officers and Academic Personnel Analysts (via SBCHR-L, SBDIR-L, and SBADM-L)

From: Cindy Doherty, Academic Personnel Director

Re: International Remote Employment: Academic Employees

As the campus is planning for fall quarter, questions are arising related to the possibility of academic employee remote work from locations outside the U.S. International remote employment is possible, but legally challenging. The largest risk to the University is in relation to payroll and employment laws in the country in which the employee is physically located. These laws vary from country to country and include payroll withholding, reporting, and benefits obligations on the part of the employer. These factors are based on the “place of employment,” which is determined based on the location of the employee, not of the employer. The level of risk associated with these requirements increases the longer the employee is working remotely. Since it is unclear how long the current COVID-19 related travel restrictions may apply, the length of time international remote employment may need to be in place is particularly difficult to assess.

The Office of the President (UCOP) is actively working on providing campuses with further guidance regarding international remote work. As part of this effort, they are asking for information from each campus in regard to number of employees impacted, as well as the countries in which those employees reside and are performing remote work. Along with the general guidance, we will need to evaluate each situation individually to assess the risk and specific approach to the remote work.

If you are aware of **non-student academic employees** who currently are or will need to work remotely from outside the U.S., please provide the requested information via this link: <https://forms.gle/GJoTVwzEJ8uJkafg6> no later than Friday, May 22. We will consult centrally with UCOP and then reach back out to departmental contacts as soon as we have further guidance.

Thank you in advance for your assistance.

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