

Guidance for departments wishing to hire graduate students working abroad

The number of University of Colorado employees working from outside of the U.S. has escalated over the years. Employee Services (ES) identified numerous vulnerabilities in paying these employees using the standard procedures. According to ES, "The University of Colorado is not a Global Employer; that is, the university is not a legal hiring authority in any country outside the U.S. and its territories. This presents a risk to the University. CU employees working outside of the U.S. and its territories cannot be serviced by Employee Services through the current payroll and benefits systems."

Some limitations include but are not limited to:

- the inability to pay the employee
- the employee having no access to their benefits
- legal ramifications for the university and/or employee for non-compliant business practices identified by the country in which the employee is working

Due to these concerns, the university system contracted with a global professional employer organization, Global PEO Services (GPS). GPS "allows departments greater flexibility to hire remote employees outside of the U.S. and its territories. GPS offers human resource consulting, safety and risk mitigation services, payroll processing, employer payroll tax filing, workers' compensation insurance, health benefits, employers' practice and liability insurance (EPLI), retirement vehicles (equivalent of 401(k)), and regulatory compliance assistance to University of Colorado departments hiring a CU Global Employee."

Employee Services recommends that it is best practice to utilize GPS when hiring any employee of the University of Colorado, regardless of their country of citizenship, permanent residency, or tax residency, whose work site is located outside of the U.S. and its territories for any relevant tax purposes.

Graduate Students Residing Outside the U.S.

The Graduate School in consultation with Employee Services, Campus HR, and the Campus Controller's office we offer the following guidelines for those departments who want to employ students residing outside of the U.S. and its territories:

Any decision to allow this type of arrangement should be predicated on it being in the best academic interest of the student. Considerations include:

- Will the student be able to make adequate progress in their degree while participating in a remote format?

- Can the student do all of their requisite coursework remotely, taking into account F1 status and availability of online courses?
 - 1) Students who do not yet have F1 status have no limitations on the number of on-line courses they can take.
 - 2) Students with F1 status should reach out to ISSS to confirm enrollment requirements.
- Can the work for which the student is receiving a stipend or other payment (e.g. teaching, research) be performed at a standard equivalent to the work that would be performed if the student were physically present?
- Is the position paid with university funds and not sponsored project funds from sources external to CU (Fund 30/31)?

If the answer to all of the above is “yes” and the department would like to move forward with employing a graduate student working abroad:

When To Use the Standard Employment Process:

The student living abroad may be employed using the standard employment process if they meet the following three conditions: 1) the student has an SSN, 2) the student has an existing US bank account, AND 3) the total duration of the employment while abroad will last less than six months of the calendar year. If all three conditions are met, units should advise the student to schedule an appointment with the International Tax Office <https://booknow.appointment-plus.com/43rspqeq/> for the management of U.S. tax obligations related to the work arrangement.

- Note: If the student has been working abroad spring or summer term of 2021, those months should be included in the six month limit.

Additional offices that the department may need to contact before setting up the appointment may include:

- International Student and Scholar Services - <https://www.colorado.edu/iss/>
- Human Resources - <https://www.colorado.edu/hr/>
- The Office of Contracts and Grants - Alexa Van Dalsem alexa.vandalsem@colorado.edu
<https://www.colorado.edu/ocg/>
- The Office of Export Controls - <https://www.colorado.edu/researchinnovation/Office-of-Export-Controls>
- CU Boulder Research Cyber Security Program - <https://www.colorado.edu/researchinnovation/2018/09/13/cu-boulder-research-cybersecurity-program>

- I-9 and E-Verify Coordinator - <https://www.colorado.edu/hr/employment-eligibility>

Graduate Students Who Do NOT Meet the Three Conditions Above

If the student DOES NOT meet all three conditions for the standard employment process (have an SSN AND have an existing US bank account AND the employment duration will be less than six months) then the department must work with the university's Global PEO Service (GPS) to hire and pay these students.

Due to policies regarding sponsored projects, student employees funded by sponsored projects, may NOT be employed using the Global PEO Service. Such students will therefore need to meet the conditions outlined in the Standard Employment Process section (i.e. SSN, US bank account, and less than six-month appointment) in order to work while abroad. Additional information can be found on the [Office of Contracts and Grants \(OCG\) website](#).

All associated costs (ongoing administrative and social fees) will need to be paid by the hiring department. Full Information regarding this process and associated costs can be found on the [CU Global Employee](#) site.