

Exception to Work Out-of-State via Kelly Services

Background

Human Resources Center of Excellence, Taxation, and General Counsel have contracted with Kelly Services to provide UCF the ability to hire individuals who reside outside of Florida to perform services for UCF. **Kelly Services will be their employer.** This service can only be used for individuals residing within the United States.

This form should only be used with respect to individuals who work in another state (outside of Florida); further, permission to work in another state should be granted only when necessary due to a critical business need (adhering to the guiding principles) that cannot be met through Florida-based employment.

Considerations

References: The UCF hiring official should ensure appropriate references checks are completed of external candidates prior to submission of this form.

International Employment: International (F-1, J-1, H-1B) employment authorization is employer specific. This means that their immigration documentation must reflect their employer. Individuals on a F-1 (excluding individuals on OPT), J-1, and H1B visa, cannot be employed by Kelly Services due to the immigration implications.

Foreign Influence bill applies to the individuals who will be conducting research and meet the criteria under the foreign influence bill. Additional screening is required prior to hiring them through Kelly Services.

Graduate Assistantships: for new hires/rehires on a graduate assistantship, they cannot be hired via Kelly Services. They must reside in Florida to be eligible for a graduate assistantship.

Employer of Record: Kelly Services will be their employer, not UCF. They will not be considered UCF employees. Their benefits, retirement, leave, etc. will be different from UCF employees. They will receive their benefits, retirement, and leave based on what Kelly Services provides to them. They will receive a W-2 form from Kelly Services.

Security/Access: This individual will not be on UCF's payroll. Process the individual in Workday as a **contingent worker, contingent worker type of Kelly Svcs Out-of-State.** All out-of-state employees processed through Kelly Services, will need to have an active contingent worker record.

What does this service provide?

Kelly Services will administer pay, benefits, retirement, unemployment compensation, workers compensation, employment verifications, medical leave requests, etc. They will handle all the tax payments and reporting requirements. This will allow the individual, who resides outside of Florida, to perform services for UCF.

Why is this needed?

The staffing augmentation agency can handle the various issues listed below while allowing UCF to remain in compliance. When employees are allowed or assigned to work for UCF or any of UCF's direct support organizations from a jurisdiction other than Florida, such as another state, the possibility exists that additional taxes, expenses, and liabilities may be incurred because of the work being performed in a different legal jurisdiction. These liabilities could include payroll taxes to the non- Florida jurisdiction, unemployment compensation or workers compensation obligations in the different jurisdiction, additional employee benefits or insurance requirements, registration fees, etc.

Am I required to use the staffing augmentation agency?

Yes, if you intend to employ an individual to perform services for your department and the individual resides outside of Florida.

Charge for this Service

There is an administrative fee of (22%-26%), in addition to the direct health insurance and (retirement) 401(k) costs. For residents of Puerto Rico, it is 48%. Please see below.

For example, if you have an A&P employee who earns \$50,000/yr. You would be charged \$61,000 (which includes the salary and the administrative fee of \$11,000); in addition to any of the direct benefit and (retirement) 401(k) costs. The UCF fringe rate **will not** be charged for these individuals.

Kelly Services Rate Card

Employee Classification	Billing Percentage
Administrative & Professional (A&P)	1.22
University Support Personnel (USPS)	1.24
Adjunct Faculty, Hourly Non-Students, Post-Docs, and OPS Students	1.26
Puerto Rico Residents Only (all classifications)	1.48

2024 Annualized Health Insurance Direct Costs

Plan Type	Employee	Employee + Spouse	Employee + Child(ren)	Employee + Family
Kelly CDHP	\$5485.44	\$11,179.60	\$10,311.05	\$15,356.23
PPO Plan	\$8705.23	\$20,033.05	\$20,033.05	\$22,013.32
MCS (Puerto Rico Only)	\$2526.60	\$4587.84	N/A	\$6111.60

401(k) Direct Costs

Department will be charged 5.14% for eligible employees. For individuals residing in Puerto Rico, there is no 401K or retirement option.



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Submit the signed form directly to Kelly Fernandez at Kelly.Fernandez@ucf.edu at least two weeks prior to the hire date.

As required by the Provost, for academic units, attach a justification to the form or why the out-of-state hire is necessary rather than hiring within Florida.

Complete the following information:

- Name of Out-of-State Individual:
- Email Address of Out-of-State Individual:
- Phone Number of Out-of-State Individual:
- Home Address of Out-of-State Individual:

Anticipated Kelly Services Hire Date:

Anticipated End Date (i.e., adjuncts)

Hourly Rate/Salary Rate

Standard Hours/FTE

Employee Type (Select One) A&P USPS OPS Adjunct Post-Doc

Position Number (if applicable)

Emplid (if applicable)

Job Title:

Division/College:

Supervisor's Name:

Supervisor's Email Address

Submitted By:

Contact Number:

Department Worktags to be Charged:

Cost Center ID Division ID: Program ID: Fund ID:
 Financial Site ID: Other Worktags:

A&P and USPS positions only

Please select if the position is exempt or non-exempt under FLSA. If exempt, **attach** a copy of the **position description** to this form. Non-Exempt Exempt

Expense Card

Does or will the individual have an Expense card? Yes No

International Status

Is this individual on a F-1, J-1 or H-1B visa? Yes No

Internationals cannot be hired through Kelly Services due to immigration implications.

References

For external candidate prior to offer, UCF hiring official should ensure appropriate reference checks are completed. Have reference checks been completed? Yes No

Foreign Influence Bill

Will the employee be conducting research? Yes No

If yes, please check any of the below statements that apply.

Individual is a citizen of a foreign country and is not a permanent U.S. resident.

Individual has an affiliation with an institution or program in a "country of concern." (China, Russia, Iran, North Korea, Syria, Cuba, or Venezuela).

Individual has been employed or received training for at least a year in an



organization in a country of concern (excluding those employed by the U.S. government in a country of concern).
None of the Above.

Guiding Principles for Out-of-State Employment

Select all that apply to this employee/position.

Contributes of UCF’s teaching and/or research mission such that otherwise it could not be met by another employee or Florida resident new hire.

Provides required support services to students or staff that can’t be appropriately or effectively provided by another employee or Florida resident new hire.

Skills and background required for the job are so specialized and unique that required services for students and/or critical staff functions could not be provided by another employee or Florida resident new hire.

The out-of-state relationship is of substantial benefits to UCF’s ability to meet our academic, research, or efficiency needs and could not be provided by another employee or Florida resident new hire.

Approval Signatures

By agreeing to the employment arrangement, I acknowledge that the account numbers provided will be charged for the salary, administrative fee, and any direct benefit and retirement costs.

Department Chair/Director Signature:

Date:

Budget Director of Designee Signature:

Date:

Dean/Vice President Signature:

Date:

Provost Signature:

Provost signature required for all academic unit requests.

Date: