



Exception to Work Out-of-State via Kelly Education

The Offices of Human Resources, Taxation, and General Counsel have contracted with Kelly Education to provide UCF the ability to hire individuals who reside outside of Florida to perform services for UCF. **Kelly Education 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.

This form is not to be used for employees seeking a Remote Work Arrangement under Policy EP-20-6.13-012 as remote work arrangements require a remote work location in the State of Florida.

Considerations

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 Education 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 Education.

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

Employer of Record: Kelly Education 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 Education provides to them. They will receive a W-2 form from Kelly Education.

Security/Access: This individual will not be on UCF's payroll. If they will need Workday access, process the individual in the system as a **contingent hire**. If they will not need Workday Access, submit a Sponsored Account Request form, <https://sponsoredaccounts.infosec.ucf.edu/>, to request the necessary access.

What does this service provide?

Kelly Education 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. 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.

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

2022 Health Insurance Direct Costs

	<u>Employee</u>	<u>EE + Children</u>	<u>EE + Spouse</u>	<u>Family</u>
Kelly HDHP w/\$500/\$1,000 HSA contribution	\$341.66	\$375.40	\$344.72	\$549.26
Kelly PPO	\$530.46	\$943.89	\$1204.41	\$1327.93

401(k) Direct Costs

Department will be charged 3.3% or 5.14% depending on the employee classification and retirement plan eligibility.



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

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 Hire Date:
Anticipated End Date (i.e., adjuncts):
Hourly Rate/Salary Rate:
Standard Hours/FTE:

Employee Type: (Select one)

- A&P
Adjunct
OPS Hourly Non-Student
OPS Hourly Student
Post-Doctoral Scholar
USPS

Position Number (if applicable):
Emplid (if applicable):
Job Title:
Division/College:
Supervisor Name:
Supervisor Email Address:
Submitted by:
Contact Number:
Cost Center to be Charged:

A&P & USPS positions only (please select if the position is exempt or non-exempt under FLSA)
Non-Exempt or Exempt (If exempt, attach the position description to this form)

P-Card

Does the individual or will the individual have a P-Card? Yes or No

International Status

Is this individual on a F-1, J-1 or H1B visa? Yes or No (internationals on F-1 (excluding OPT card holders), J-1, and H1B visas cannot be hired through Kelly Education, due to immigration implications)

Foreign Influence Bill

Will the employee be conducting research? Yes or No

If yes, please check any that apply:

- Individual is a citizen of a foreign country and is not a permanent U.S. resident.
Individuals is U.S. citizen/permanent resident who has an affiliation with an institution or program in a "country of concern" (China, Russia, Iran, North Korea, Syria, Cuba, or Venezuela)
Individual is a U.S citizen/permanent resident who 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 to 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 benefit 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 number provided above will be charged for the salary, administrative fee, and any direct benefit and retirement costs.

Department Chair/Director Signature

Date

Budget Director or Designee Signature

Date

Dean/Vice President Signature

Date

Michael Johnson, Provost Signature

Date

(Provost signature required for all academic unit requests)

Contact Kelly.Fernandez@ucf.edu with any questions.