UCF | Human Resources

UNIVERSITY OF CENTRAL FLORIDA

Out-of-State Employment and Kelly Services – Frequently Asked Questions (Revised 11/07/2025)

Q 1. What is the difference between remote work and out-of-state employment?

Remote Work at UCF is defined as performing work at an alternate worksite within the State of Florida other than the employee's central workplace where official UCF business is performed. Out-of-State employment is when an individual is performing services for UCF at an alternate worksite outside the State of Florida.

Q 2. What is UCF's policy related to out-of-state employment?

The expectation is what all UCF employees reside in the state of Florida.

Q 3. What are the potential liabilities with an employee working outside the State of Florida?

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.

Q 4. Does UCF have a solution to allow departments to employ out-of-state individuals?

Yes, UCF has contracted with Kelly Services which will allow departments (with appropriate approval) to allow certain employee types to perform services for UCF who reside out-of-state.

Q 5. What is Kelly Services?

Kelly Services is a staffing augmentation firm with over 30 years of experience in supporting higher Services and has worked with 150+ higher Services institutions. Kelly Services will administer pay, benefits, retirement, unemployment compensation, workers compensation, employment verifications, medical leave requests, etc., for out of state employees if you choose to use their service. Kelly Services will handle all the tax payments and reporting requirements. This will allow the individual who resides outside of Florida to perform services for UCF.

Q 6. Are hiring departments required to use Kelly Services?

Yes, if they intend to employ an individual to perform services for their

department and the individual resides outside of Florida.

Q 7. What is the cost to use Kelly Services?

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 health insurance and (retirement) 401(k) costs. The UCF fringe rate **will not** be charged for these individuals.

Kelly Services Rate Card

Employee Type	Percent
Administrative & Professional	1.22%
USPS	1.24%
Adjuncts, Post-Docs, and OPS	1.26%
Puerto Rico Residents (all classifications)	1.48%

*UCF 2026 **Monthly** Health Insurance Direct Costs*

Plan Type	Employee	Employee + Spouse	Employee + Child(ren)	Employee + Family
Kelly CDHP	$598.26	$1,229.37	$1,135.35	$1,439.11
PPO Plan	$792.98	$1,830.52	$1,452.18	$1,646.67
MCS (Puerto Rico Only)	$219.76	$399.05	N/A	$531.64

401(K) Direct Costs

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

Q 8. What employee types cannot be hired through Kelly Services?

Faculty (excluding adjunct faculty) members, internationals in F-1, J-1, or H1B status, and student employees on a graduate assistantship.

Q 9. What happens if I have a student employee on a graduate assistantship or international employee on a F-1, J-1, or H1B status who moves out of state?

They would need to cease working for UCF once they move out-of-state. A termination action will need to be submitted.

Q 10. What if I have a current employee who is working for us but is temporarily out-of-state? Do they need to transition to Kelly Services?

If the line employee is working for you while out-of-state (in one of the fifty states) for no more than 6 weeks within a calendar year, they can remain an active employee with UCF and do not need to transition to Kelly Services. If it will be longer than 6 weeks within a calendar year, they will need to transition

to Kelly Services. Supervisors will need to monitor that employees are not working out-of-state for more than 6 weeks within a calendar year.

Please note that OPS employees are not provided the 6-week allowance. They will either need to be transitioned to Kelly Services, or their employment will need to be terminated.

Please note the above **does not include** individuals working in Puerto Rico for 6 weeks or less within a calendar year. You will need to secure the provost's approval, prior to allowing an individual to work from Puerto Rico, due to the different employment laws, rules, and taxation requirements in Puerto Rico.

Q 11. What if I have a current employee who tells me that they are moving out-of-state but would like to work for UCF remotely?

They will need to provide you with a resignation letter as UCF is a Florida-based employer. A termination action would need to be submitted. Permission for them to work remotely via Kelly Services will only be granted if one of the out-of-state employment guiding principles is met and is approved by the provost or appropriate VP.

Q 12. What if I have a current employee who informs me that they are moving out-of-state but would like to work for UCF remotely, but the department does not have the budget to use Kelly Services?

They would need to provide a resignation letter, and cease working for UCF once they move out of Florida. A termination action will need to be submitted.

Q 13. Are we authorized to actively recruit new hires to work remotely outside of Florida?

No, permission to work in another state will only be granted if one of the following out- of-state employment guiding principles is met and is approved by the provost or appropriate VP:

1) 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.
2) Provided required support services to students or staff that cannot be appropriately or effectively provided by another employee or Florida resident new hire.
3) 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.
4) 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.

Q 14. If the above criteria are met, what steps do I need to take for approval to

hire an out-of-state employee?

The Exception to Work out-of-State via Kelly Services form will need to be completed/ signed by all appropriate individuals prior to offering employment to an individual working out-of-state. If the form is approved, submit directly to Kelly.Fernandez@ucf.edu at least two weeks prior to the hire date. The individuals would be employed through Kelly Services and not UCF. Please be advised that USPS and A&P must go through the normal recruitment process at UCF.

Q 15. Does the foreign influence bill apply to employees hired through Kelly Services?

Yes, if they conduct research and meet the criteria under the foreign influence bill, additional screening is required before they can be hired through Kelly Services.

Q 16. When hiring out-of-state employees, who is responsible for reference and background checks?

The UCF hiring official should ensure appropriate reference checks are completed of all external candidates prior to offer, regardless if it is through Kelly Services. If it is determined that a selected candidate is approved to work through Kelly Services, Kelly Services will conduct the background check screening.

Q 17. How much time does HR need to submit the information to Kelly Services for new hires?

Human Resources must receive the Exception to Work out-of-State via Kelly Services form at least two weeks prior to the intended hire date to send the necessary information to Kelly Services. Kelly Services cannot process retroactive hires.

Q 18. How do I go about obtaining an email and security access for new hires who will reside out-of-state?

Submit a contingent worker action in Workday, select contingent worker type of **Kelly Svcs Out-of-State**. Please note that all adjuncts will need to have a contingent worker record in Workday for Academic Program Quality (APQ) purposes. All out-of-state employees processed through Kelly Services will need to have an active contingent worker record in Workday.

Q 19. If I have received approval to hire a new adjunct as instructor of record (due to out-of-state residency), do I still submit an EFQMS form?

Yes, you will also need to collect official transcripts and, as necessary, other supporting documentation (e.g., CV) to include with your submission. As with other UCF instructors of record, once the individual is certified in the FQMS, you need only submit an updated eFQMS form if the teaching assignment changes or the individual obtains additional relevant qualifications (e.g., a higher degree). Adjunct faculty must receive an evaluation after each semester's conclusion. The form for adjunct faculty may be found on the

Faculty Excellence website.

Q 20. If I have a new postdoctoral scholar (i.e., other contracted services personnel) whom I have received approval to hire through Kelly Services due to their out- of-state status, do I still need to collect an official transcript documenting the conferral of their terminal degree?

Yes, official transcripts (and, for credentials earned outside the United States, foreign equivalency evaluations) must be collected at the time of hire. The postdoctoral scholar's HRBC must then upload official transcripts (and, as applicable, foreign equivalency evaluations) to Workday as part of the postdoctoral scholar's education record. For more information on certifying transcripts as official as well as obtaining foreign equivalency evaluations and required supporting documentation, please contact Academic Program Quality or visit their Academic Program Quality Website.

Q 21. If we have an individual who resides in Puerto Rico, can we use Kelly Services? Are there any special rules related to Kelly Services for residents of Puerto Rico?

Yes, you can use Kelly Services for individuals who reside in Puerto Rico. There are specific rules and requirements, and cost differentiation, please see below.

- There is no retirement option available, no 401K.
- The billing percentage is greater, at 1.48%.
- Based on the laws in Puerto Rico, all employees receive 6 days in the first year, 9 days in the second year, and 15 days a year of vacation for year 3 and beyond. Individuals are required to have at least 12 days of sick leave to be taken during the year.
- Christmas bonuses are required up to $600, which is mandatory based on a maximum of $10,000 that must be accrued from work completed from October 1st through September 30th. The bonus will be charged back to the unit.
- Statutory costs and benefits packages are higher because of mandatory benefits requirements.
- Employers are required to provide non-occupational insurance.
- Benefits must be mandatorily paid, and employers must contribute at least 50%.
- Law 26 and Law 45 require a Bona Fide Contract – There must be a determined start and end date for employment, which can be extended if needed. This can be done in yearly increments; however, it is recommended that contracts are renewed every six months as there is no at-will employment. Termination requests must be accompanied by substantial evidence. It can be very difficult to terminate an employee before the contract end date.
- Background screening requirements differ. A conduct certificate must be on file for employees.

Q 22. Will the out-of-state individuals employed by Kelly Services be paid on a

biweekly basis?

No, they will be paid weekly by Kelly Services. Their work week is from Monday- Sunday.

Q 23. How would I approve timesheets for hourly (non-exempt) employees processed through Kelly Services?

The supervisor will receive an email from Kelly Services from the email of DoNotReply@PeopleNet-us.com, the Monday morning following the end of the work week to electronically approve the time for non-exempt employees.

Q 24. Do exempt employees submit their time through Kelly Services?

No, exempt employees will automatically be paid on a weekly basis and will not submit their time through Kelly Services. Their leave balances will need to be monitored offline.

Q 25. How will the billing work with Kelly Services?

Kelly Services will be billing UCF weekly for wages/rate and monthly for employee benefits/retirement, on the 15th of every month. Finance Business Centers will be responsible for paying the invoices for their units who have individuals with Kelly Services. kNEXT will pay the invoices for the units under Administration & Finance and President's Division.

Q 26. How does the rate work, is it billed as a one-time payment?

No, the rate will be billed on a weekly basis based on the individual's weekly paycheck. The direct costs such as health insurance and 401(k) will be billed monthly.

Q 27. What benefits do eligible employees with Kelly Services need to know about open enrollment through Kelly Services?

They must re-enroll in benefits every year during open enrollment. If they do not re-enroll during open enrollment, their benefits will end at the end of the current year. It is important that they respond to the emails from Kelly Services and take appropriate action.

Q 28. What happens if the individual who is employed through Kelly Services ends their employment, is the department still responsible for the rates (administrative fee)?

No, once the individual ceases receiving paychecks from Kelly Services, then you are no longer responsible for the salary or rate. Direct Costs such as health insurance and 401(k) maybe billed up to a month after separation, depending on where in the cycle the employee ends employment.

Q 29. Why is the rate for OPS higher than A&P or USPS?

There are more risks/institutional effort related to employment of OPS which is why the rate is greater.

Q 30. Will the department be charged the UCF fringe rate for individuals hired/paid via Kelly Services?

No, the department will only be charged the Kelly Services rate and any direct costs for health insurance and 401(k).

Q 31. How will sick and annual leave be handled for Kelly Services employees?

Eligible employees (A&P and USPS) will receive 4 weeks of vacation time and 12 days of sick leave at the beginning of the year. Post-Docs will receive 10 days of vacation time and 5 days of sick leave. The time will not roll over in the following years.

For individuals residing in Puerto Rico, all employees receive 6 days of the first year, 9 days second year, and 15 days a year of vacation for year 3 and beyond. Individuals are required to have at least 12 days of sick leave to be taken during the year. If an individual is hired in the middle of the year, how will sick and annual leave be handled for Kelly Services employees?

Eligible employees (A&P and USPS) will receive the following:

- Hired **January-March**, receives 4 weeks of vacation time and 12 days of sick leave.
- Hired **April-June**, receives 3 weeks of vacation time and 9 days of sick leave.
- Hired **July-September**, receives 2 weeks of vacation time and 6 days of sick leave.
- Hired **October-December**, receives 1 week annual, and 3 days of sick leave.

The time will not roll over into the following year.

Q 32. Will Kelly Services employees receive a leave payout if they terminate their employment?

Excluding individuals residing in Puerto Rico, when the employee's employment ends, they forfeit any vacation or sick balances, the remaining balances will not be paid out. Individuals residing in Puerto Rico will receive their remaining vacation balances, two weeks after their termination.

Q 33. Will Workday be able to help with the out-of-state payroll taxes?

Although Workday can be configured to address the out-of-state payroll taxes, it will not solve the other issues as it relates to worker's compensation, unemployment, reporting, business registration, and other requirements that differ by each state. Workday is not a total solution, which is why UCF selected Kelly Services.

Q 34. How would performance concerns or disciplinary issues be handled for the individuals who transition/hired via Kelly Services?

Consult your HRBC leader for guidance.

Q 35. How would compensation be addressed for Kelly Services employees?

Continue to use the salary administration pay guidelines. If there is a salary change, notify Kelly.Fernandez@ucf.edu.

Q 36. Are Kelly Services employees eligible for the university wide increases?

The department will need to fund those increase out of their own budget and notify Kelly.Fernandez@ucf.edu related to those increases.

Q 37. Can a Kelly Services employee be the supervisor for an UCF employee?

No, the standard practice is that only UCF employees may serve as supervisors for other UCF employees. If this is not feasible, it becomes a business decision for which the department's leadership will be held accountable.

Q 38. Can Kelly Services employees be issued UCF property (i.e., laptops)?

Yes, with the understanding that departments must keep track of their assets locally.

Q 39. Are Kelly Services employees eligible for cellphone allowances?

No, however, Kelly Services offers a variety of discount cell phone plans.

Q 40. Can individuals who transition/hired via Kelly Services maintain their Expense Card or be issued an Expense Card?

Yes, if there is a contingent record in Workday and as Financial Affairs can verify a cleared background check.

Q 41. Can departments pay for travel if a Kelly Services employee needs to attend a conference?

Yes, but the individual will need to have a contingent worker record in Workday to do so.

Q 42. How should changes to Kelly Services' employment records be handled since it cannot be processed in Workday?

Contact Kelly.Fernandez@ucf.edu with the information that will change, and they will coordinate with Kelly Services. Please notify Kelly Fernandez at least two weeks prior to the change.

Q 43. What will happen to current employees' leave balances who transition to Kelly Services?

Their leave balances (up to the maximum) will be paid out based on UCF's standard procedures. Additional information is located on the HR website.

Q 44. What happens to the employees' security access and UCF email who are transitioning over to Kelly Services if they are no longer an active employee in myUCF?

The department will want to contact IAM@ucf.edu so that they do not lose access. If the individual needs access to Workday, submit a termination in Workday, then hire as a contingent worker. The recommendation is to submit the request at least 30 days prior to the transition.

Q 45. What will happen to the current employees who are in the Florida Retirement System (FRS) when they transition over to Kelly Services?

They will cease accruing time with FRS, and they will be enrolled in a 401(k)-plan administered by Kelly Services.

Q 46. What if the department has an A&P or OPS Non-Student employee who went through the recruiting process through UCF but was transitioned to Kelly Services because they were living out of state, but they have moved back to Florida?

Contact your Talent Consultant regarding the situation. If they are in Workday as a contingent worker, convert the contingent worker records to an employee record. The individual will receive tasks via Workday to complete the UCF onboarding documents.