

STANFORD PERSONNEL: WORKING WHILE ABROAD Q&A'S (VPDoR)

Question	Response
<p>1. What is Stanford's general rule on short-term working abroad?</p>	<p><u>Stanford Global Business Services</u> and <u>FMS Financial Compliance</u> set the parameters for working while abroad. There are instances where a Stanford employee may need to work abroad. As a general rule, short term "business" travel (under 30 days) does not present issues as long as immigration and work authorizations are addressed (See questions below for clarification).</p>
<p>2. What is "business" travel?</p>	<p>This is a trip that is on behalf of Stanford for purposes that are related to the responsibilities of the employee's job.</p>
<p>3. How does one get work authorization?</p>	<p>This is different for each country. For the country you plan to work in, you should reach out to that country for the work authorization requirements.</p>
<p>4. Is there a minimum time you can work abroad without authorization?</p>	<p>There is no minimum allowed time you can work in another country without work authorization. This is true in the U.S. as well; legally, you must be a U.S. Citizen or otherwise have authorization to work in the U.S. before you begin working.</p>
<p>5. Does de minimus work abroad still require work authorization?</p>	<p>If you are spending less than an hour a day checking and responding to emails because of the nature of your work, no work authorization is required. This is because the checking/responding to emails is considered de minimus work. However, if in addition to the emails, you are attending, running, or creating meetings, you will need work authorization.</p>
<p>6. If you have a mixed trip of personal and business travel, what kind of work authorization is needed?</p>	<p>You will need work authorization for working while abroad when you are on approved business travel for Stanford.</p>
<p>7. If one is presenting/attending a conference, can one check email without needing to have work authorization?</p>	<p>Yes, so long as the time spent checking and responding to emails daily is less than an hour and you are not attending, running, or creating meetings. (See Question/Response #5)</p>

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<p>8. What information do I need to provide if I want to work abroad and to whom do I provide it?</p>	<p>Before working while abroad, you should seek permission to work abroad. You will need to provide the following information to your manager and VPDoR HR.</p> <ul style="list-style-type: none"> • Country you would like to work from; • Dates you would like to work from that country; • Answer whether have work authorization in that country (which you are responsible to obtain from the country); and • Provide 1-2 sentences about the work you'd be doing there and how you will be doing it (checking emails, running meetings, site visits, etc.)
<p>9. Why do I need work authorization if it is less than 30 days?</p>	<p>An individual conducting Stanford activity outside of the U.S. may create a tax, employment, and possibly legal Presence for the University. University policy governing Stanford personnel working abroad can be found in Administrative Guide – Chapter 11 Global Activities.</p> <p>Employee requests to work in an international location for an extended period of time require the approval of the Dean or Vice Provost and VPDoR HR. There must be a business purpose to support the time in country. The Stanford employee conducting the activity may be subject to tax and labor laws of the country where the activity is taking place. This includes Stanford-paid salary being subject to taxation in the foreign country.</p>
<p>10. Is there any exception to working while abroad without obtaining work authorization from the country?</p>	<p>For an exception to apply,</p> <ul style="list-style-type: none"> • the work abroad must be for no more than 30 consecutive days; • the Dean/DFA has pre-approved working while abroad; • the pre-approval is in writing; and • the Dean/DFA has set aside monies to cover penalties, legal fees, and taxes. <p>If all bullet points of the exception are not met, then the employee must obtain work authorization and meet the requirements in Response #8.</p>

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11. Does this policy apply to faculty? If yes, who is going to communicate and enforce the policy to faculty?	All Stanford personnel working abroad remain subject to the existing University policies, including the policies described in the University's Administrative Guide , the Stanford Bulletin , the Faculty Handbook , and the Research Policy Handbook . Due to the nature of faculty work, faculty may be granted more leeway than staff in these matters and are advised to consult with Faculty Affairs, which is the office with oversight of faculty activity.
12. If an employee works abroad for more than 30 days, what additional considerations are there?	<p>Any long term activity (i.e., greater than 30 days) or any activity that can be categorized as “significant” or “continuous” requires GBS review. For examples, activities that are considered significant and/or continuous:</p> <ul style="list-style-type: none">• Long term field research.• You are a business traveler in-country for over 183 cumulative days in one year.• You will rent, lease, or purchase space, whether for residence or work in-country.• Your program will generate revenue or income in-country.• You need to hire local workers in-country. <p>The objectives of GBS’s review are to assess range of potential triggers, such as duration in country and scope of activities such that the activity in country can be appropriately structured to mitigate exposures.</p>