



Albert Einstein College of Medicine

Employees Who Work from Outside New York State

I. Purpose

Albert Einstein College of Medicine (the “College”) is obligated to follow state- or country-specific laws for its employees who are physically located and working from another state or country (the “Outside-NY Work Site”). The College is also required to track employees who work from an Outside-NY Work Site in order to comply with applicable tax withholding requirements of New York State and of the state, city or country in which the employee works, as well as unemployment insurance and workers’ compensation requirements of the Outside-NY Work Site. Further, more states have also adopted state specific employment and labor laws that are different than those in New York State, making this situation more complicated and costly. The purpose of this policy is to establish guidelines for when an employee may be permitted to work for the College from an Outside-NY Work Site, and to help the College comply with tax, insurance, workers’ compensation requirements and other state or country laws.

II. Scope

This policy applies to any employee (faculty or staff) of the College who works or lives (resides) outside New York State. This policy does not apply to applicants who currently reside out-of-state but who intend to move to New York if offered employment nor to New York-based employees whose job requires business travel for short periods of time outside of the state on a temporary basis.

III. Policy

Due to the complexity and cost of complying with each set of state- or country-specific laws and unique tax requirements, an employee working from an Outside-NY Work Site for their own convenience is not permitted, except in limited circumstances with the prior written approval of the Vice President for Human Resources and Diversity. Accordingly, departments that wish to hire or reassign an employee to work or telecommute from outside New York State or in another country must seek and obtain prior written approval following the procedure established in this policy before the employee commences work for Einstein.

1. The requesting department must submit the “Request for Out-of-State Employee Approval Form” to the Vice President for Human Resources and Diversity at least 90 days prior to the requested start date of the out-of-state work.
2. The Vice President for Human Resources and Diversity will assess whether the prospective hire or reassignment can be placed in a state where the College already is registered. If not, the Vice President for Human Resources and Diversity, in conjunction with the Senior Counsel and the Chief Financial Officer, will undertake an assessment as to the

appropriateness of establishing a College office or presence in a new state, and approve the request only if deemed in the best interests of the College, at their discretion.

3. The requesting department also is responsible for notifying the Vice President for Human Resources and Diversity when an employee or appointee has either returned to work in New York State or has terminated and must send an updated personnel action form from Human Resources with the updated information on a timely basis.
4. The Human Resources department will provide the Payroll Office with a copy of the "Request for Out-of-State Employee Approval Form" (if approval is obtained). If the individual will be located in a state in which the College is not currently doing business, a legal opinion will need to be obtained as to whether registration is required under that state's law. If registration is required in the new state, the Payroll Office will be authorized to complete and file necessary registration documents according to specific protocols of the state. The state will notify the Payroll Office of acceptance and effective dates. (NOTE: The process of registering to do business in another state can take six to eight weeks.) The Payroll Office will notify the department official/requestor indicated on the "Request for Out-of-State Employee Approval Form" as well as the Human Resources department of completion of registration process.
5. Administrative costs are high for out-of-state or out-of-country employees due to the costs to ensure compliance with out-of-state or out-of-country laws, and, in some cases, liability for taxes or insurance purchase for unemployment, disability or other benefits. Therefore, departments will be responsible financially for legal compliance and administrative costs incurred by the College for each out-of-state/out-of-country employee employed by their respective department. Failure to report out-of-state employees to the College in a timely manner may also result in the assessment of other penalties by the other state or country, which will also be assessed to the assigning department.

IV. Definitions

None.

V. Effective Date

Effective as of: 1 January 2018

VI. Policy Management and Responsibilities

Einstein's Human Resources department is the Responsible Office under this Policy. Einstein's Associate Dean for Finance and Administration is the Responsible Executive, and Einstein's Vice President for Human Resources and Diversity is the Responsible Officer for the management of this policy.

VII. Approved (or Revised)


Responsible Executive

21 Feb '18
Date