



Employment Outside Massachusetts

POLICIES AND GUIDELINES

Policy Statement

Harvard recognizes the occasional need, with appropriate approval, to hire or allow an employee to work a hybrid or remote schedule from certain states outside of the Commonwealth of Massachusetts, where Harvard has a registered payroll (see [Harvard Registered Payroll States](#) for a current list). Such hiring or hybrid and remote work decisions should be made in alignment with a critical talent or business need to perform the work outside of Massachusetts. The decision should be supported by the nature of the position (i.e., portability of the work), and not be solely based on the personal preference of the individual or their supervisor.

In addition, employees are required to confirm their home address on an annual basis, and if working in a registered state other than Massachusetts, allocate their state tax withholdings according to the percentage of time spent working in each state. Each employee is also responsible for updating and accurately recording this information in PeopleSoft on a timely basis.

The University reserves the right to set and change, as necessary, an employee's work location in its sole discretion with appropriate notice. Moreover, the University may apply, modify, and/or deviate from this Policy as it deems appropriate.

Individuals working outside of a Registered Payroll State, including those working outside of the United States, cannot be hired directly by the University, and instead must be hired through a third-party payroll provider.

Reason for Policy

Harvard has determined that registering as an employer in [certain states](#) outside of MA will support its strategic talent needs. This policy balances talent strategy with the need to comply with the laws of the jurisdictions where its employees work. Having employees work outside of Massachusetts, including outside of the United States, subjects the University to laws of those other states and countries and imposes additional insurance, tax, payroll, and other requirements and costs (e.g., workers compensation liability insurance, unemployment requirements, payroll tax withholding/reporting, administrative costs, and other reporting requirements to other states).



Who Must Comply

This policy applies to all persons in active employment with and receiving compensation from Harvard University (faculty, staff, other academics, and student workers). In making local decisions regarding the appropriateness of fully remote or hybrid employment arrangements, local school or unit leadership is expected to comply with the policy statement above as well as applicable collective bargaining agreements.

Please note that an individual's immigration status may also impose additional restrictions on their work location. As a result, employees must independently confirm and comply with any such restrictions related to their immigration status.

If this or any other applicable University Policy conflicts with another University Policy or term, or applicable regulation or law, the more restrictive provision will apply. Harvard University schools, departments, and units may implement additional related local policies provided such policies are consistent with, and meet the minimum standards set by, this Policy.

For questions regarding how this policy may apply to a specific case, contact your local Human Resources or Academic/Faculty Affairs Office for additional guidance.

Employees are responsible for knowing their local unit-related rules and policies, which must be consistent with and meet the minimum standards set by HHR policies.

Responsibilities and Procedures

While changes in business or personal circumstances can be the basis for initiating a discussion about an employee's primary work location, the University has sole discretion when determining an employee's work location. Given the residential nature of Harvard's campus, fully remote arrangements are the exception, not the standard. Any 100% remote work arrangements must be approved and memorialized in advance by the local unit including supervisor, HR (Human Resources) or Academic/Faculty Affairs office and unit head. See [Guiding Principles of Dynamic Work](#) and [Flexwork at Harvard](#) for more information.

Procedures

I. Employees Working in the United States

- A. **Harvard employees within the United States may work only from a Registered Payroll State.** See [Harvard Registered Payroll States](#) for the current list of states in which Harvard has a payroll. Approved third-party payroll providers are available for appropriate situations in which the individual does not meet this requirement. In such cases, these workers are not Harvard employees. Regardless of payrolling entity (Harvard or other), an individual's immigration status may impose additional restrictions on their work location. Non-U.S. citizen employees must independently confirm and comply with any applicable immigration restrictions. This policy does not apply to work performed on an informal, incidental basis outside of Registered Payroll States, as further explained in Section C below.

- B. **Fees:** Departments may be financially responsible for additional payroll taxes and other relevant administrative costs incurred by the University for each employee in their department who works outside of Massachusetts. Such additional costs must be identified and factored into the total budget for the position within the school, department, or unit before hire or approval of the arrangement.
- C. **Work on an informal, incidental basis:** Harvard recognizes that employees may *occasionally* want or need to perform work outside of a Registered Payroll State (see [Employment Outside of Massachusetts FAQs](#) for more detail). Such work is generally permitted (and does not require a specific time and tax allocation to another state) to the extent that local management approves of the work, and the work arrangement is short-term and informal or incidental to the work performed.
- D. **Approval for fully remote work:** Local units make decisions about fully remote work arrangements. At a minimum, these decisions must be documented within the decisional unit and ensure that similarly situated individuals are treated similarly. Determination about whether remote work meets business need for a vacancy should be made before the position is posted or the arrangement is approved and documented accordingly.
- E. **Employee address/work location attestation and reporting requirements:** All employees who are approved to work in Registered Payroll States outside of the current primary work location (Massachusetts for most employees) must complete the below steps in PeopleSoft self-service. PeopleSoft will adjust the employee's state tax and any other required withholdings based on updated information in the next available paycheck. Tax withholdings cannot be changed retroactively.
1. Confirm home address is correct in PeopleSoft > My Self Service > My Personal Details. Student workers should go to <https://sfs.harvard.edu/address-changes-for-guidance-on-updating-an-address>.
 2. Complete the sections in PeopleSoft under My Self-Service > My Pay > Tax Withholding. See [PeopleSoft Instructions](#) for complete instructions.
 - a. Confirm or update state of primary U.S. residence
 - b. Indicate the percentage of time working from each state and work locality. Employees whose work locations will be in more than one Registered Payroll State must allocate their time between the states. For this purpose, no allocation to a particular Payroll State is required for work that is informal and incidental (see section C above). The time allocation process differs for hourly and exempt employees:
 - **Hourly employees** must report the location of time worked in each Registered Payroll State when entering time into PeopleSoft by the payroll deadline (normally the Thursday of each week). See the [University Central Payroll website](#) for instructions on how to enter time.
 - **Exempt employees** must enter the percentage of time they plan to work in each Registered Payroll State in PeopleSoft self-service before their paycheck is issued. PeopleSoft will apply the same time allocation percentage and associated withholding to the employee's next paycheck and continue for each

subsequent paycheck until the employee changes it.

- c. Complete appropriate tax withholding forms. Non-U. S. citizens must submit a completed [GLACIER](#) packet which will include state tax form(s). Non-U.S. citizens, see [Working in states outside of Massachusetts](#).

See additional Peoplesoft training materials in the [Harvard Training Portal](#)

II. Employees Working Outside the United States

Individuals with a business need to work outside of the United States must be hired in a manner that complies with laws of the country where the work is performed, including, for example, having any necessary work authorization. The University has determined that foreign engagements where the employee does not have a business need to be in the country where the work is performed will ordinarily not be permitted.

- A. Individuals with a business need to work remotely outside of the United States who are not eligible to be paid on the Harvard payroll must be hired by a third-party employer that is registered in the country where the individual is located, such as a local Harvard affiliate or entity, a partner organization, or a Professional Employer Organization. The availability of these international payroll options varies by jurisdiction. Benefits eligibility may vary depending on an employee's type of engagement and country of placement.
- B. In addition to the above, employees may be subject to local employment, tax, and other legal requirements. Schools or units seeking to employ an individual working outside the United States should first obtain internal (i.e., within the applicable School or unit) review and approvals, and contact their [Global Support Services consultant](#) as soon as possible but no less than ten weeks prior to the individual's start date to avoid payment delays. The costs associated with arranging for an international payroll will be borne by Schools and Units.

Other Applicable Policies and Systems Access

Like all Harvard employees, fully remote employees must comply with all applicable Harvard policies, including but not limited to [Information Security](#), [Business Expense Reimbursements Policy](#), [Travel Policy](#).

Fully remote individuals paid through a third-party payroll provider are not considered Harvard employees. They must comply with all applicable Harvard, third-party payroll vendor (e.g., AllSource), or professional employer organization policies and may also be required to follow additional policies and processes, and laws and regulations per the jurisdictions they work in, including reimbursement processes for out-of-pocket business expenses and/or may have restrictions regarding Harvard systems access. See [Guidance Regarding Individuals Outside of the United States](#), and [Financial Systems Access Policy](#)

Responsibilities

Harvard Human Resources: Maintains and advises responsible parties on this policy and performs periodic compliance reviews.

Central Payroll: Answers questions about entering applicable payroll data in PeopleSoft self-service.

Employee: Responsible for following this policy and submitting and updating required documents and work location information to Harvard University (via PeopleSoft) in a timely manner.

Global Support Services: Responsible for consulting on payroll options for workers outside of the United States and implementing hiring processes.

Local School/Unit HR, Finance, or Academic/Faculty Affairs Offices: Responsible for advising units on employment location situations and establishing criteria to make determinations of approval or rejection of work arrangements in states other than Massachusetts, in a manner consistent with the statement of policy.

Definitions

Critical Talent Need: An individual or role that is essential to the success of a school or unit for which there are a limited number of individuals who are eligible or qualified to serve in the position. Recognizing that no single definition can encompass all of what may constitute a critical talent need, generally, when determining whether something reflects a critical talent need, the relevant school or unit should determine, based on objective business information and the applicable job function, whether any of the following apply:

- Scarcity of a unique skill set in the market
- Roles where there are consistently high levels of employee turnover
- Roles that are difficult to fill (as based on a failed job search or at least 6 months of active recruitment without being able to fill the role)
- Role that is highly innovative and supports new/emerging strategic needs

School/unit leaders are encouraged to consult with their local or central Human Resources partners to ensure consistent processes and outcomes within their organization.

Dynamic Work: Refers to the range of options for when and where work can happen at Harvard. Dynamic Work guidelines are established at the *organizational* level. If an *individual* seeks further flexibility, this is called flexwork (see below).

Employee: Any individual on a Harvard payroll who conducts work in exchange for remuneration. This includes faculty, students, staff, and certain categories of postdoctoral fellows.

Flexwork: A term that captures variations in where, when, and how work gets done. Flexwork includes but is not limited to fully or partially remote work and alternative schedules.

Registered Payroll State: A state where Harvard has a registered payroll. See [Harvard Registered Payroll States](#) for a complete list.

Remote Work: Work arrangement where the employee may work from an off-campus location, based on an approved arrangement. Some employees may work fully remotely or a combination of days on campus



and days off campus. Sometimes referred to as **telework** or, when the employee performs duties both on campus or University-designated locations and remotely, it is referred to as **hybrid work**.

Third-Party Payroll Provider: A vendor (i.e., AllSource), Professional Employer Organization (PEO), partner organization, or Harvard-affiliated entity (e.g., Harvard Global) that provides a temporary payroll solution for Harvard-approved resources typically because the worker lives and works in a state or country in which Harvard is not registered to do business. A worker paid by a third-party payroll provider, such as AllSource, is an employee of that third-party payroll provider and not an employee of Harvard. See [Contingent Workforce](#) for additional information for U.S. engagements and [International Hiring and Staffing](#) for international engagements.

Contact

[Local Human Resources Office](#) or Academic/Faculty Affairs Unit

Related Resources

[Address Change FAQ](#)
[Business Expense Reimbursements Policy](#)
[Central Payroll Office](#)
[Contingent Workers](#)
[Financial Systems Access](#)
[Flexwork Policy](#)
[Global Support Services](#)
[Guidance Regarding Individuals Outside the United States](#)
[Guiding Principles of Dynamic Work](#)
[Harvard International Office - Change in Employment Location](#)
[Harvard Registered Payroll States](#)
[Out of State Employment Tools and Resources](#)
[PeopleSoft Instructions and Training Materials](#)
[Travel Policy](#)
[Work Authorization Considerations for Remote Hire Postings for Non-Students \(under development policy, OGC, HIO\)](#)
[Remote Work Authorization Considerations for Harvard Enrolled Students \(under development policy, OGC, HIO\)](#)

Frequently Asked Questions:

[Employment Outside of MA \(Domestic and International\)](#)



Harvard University is an equal opportunity, affirmative action employer. In compliance with applicable federal and state laws and local ordinances, the University does not discriminate in the terms and conditions of employment of employee or applicants based on race, color, sex, gender identity, sexual orientation, religious creed, age, national origin, ancestry, veteran status, disability unrelated to job requirements, genetic information or any other legally prohibited basis.

Harvard University Human Resources (“HHR”) provides this and other personnel related policies and procedures to provide general guidelines for employment, benefits, salary administration, and services available to covered staff members. This and other personnel related policies and procedures do not constitute a contract of employment or promise of any kind, and the University may change these policies and procedures unilaterally and without notice. HHR also reserves the right to determine the applicability of any policy or procedure to a particular situation and to depart from the guidelines contained in any policy procedure in a given case. Non bargaining unit staff members covered by these policies and procedures are employed on an at-will basis, meaning that either the employee or Harvard University may end the employment relationship at any time or for any or no reason.

Revision Notes

04/10/2023: Name changed from “Interim Payroll Policy” and policy ownership transferred to Harvard Human Resources; updated resources, clarified procedures and responsibilities.

05/27/2022: Extended interim policy through December 31, 2022, minor clarifications, and modified links to materials

12/07/2021: Extended interim policy through May 31, 2022

09/01/2021: Name changed from “Policy on Eligibility for Harvard Payroll and Outsourced Payrolls,” removed threshold of “less than a majority of time,” updated registered states, complete procedures updated

01/02/2014: Implemented Policy on Eligible for Harvard Payroll and Outsourced Payrolls