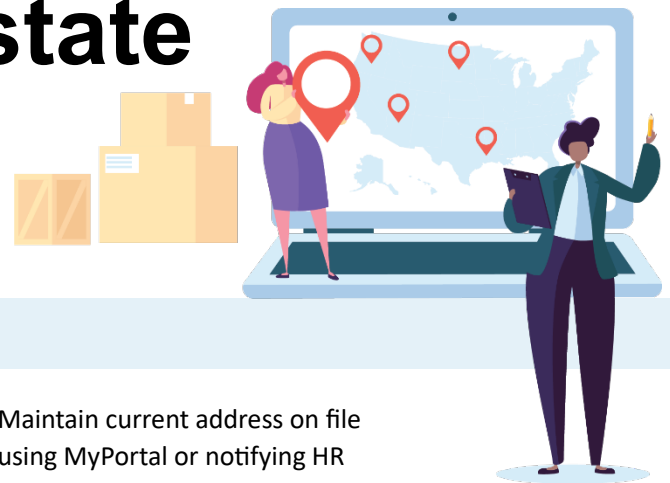


Managing out-of-state employees

Primary roles and responsibilities at-a-glance



Employee

- Complete an Out-of-State Telework agreement with the employing agency. **Do not** work out-of-state without agency approval.
- Understand tax implications such as adjustment of earnings required for other state taxes or deductions or requirement to file income taxes in the new state.
- Understand coverage issues and contact Medical/Dental insurance providers to verify coverage in new state.
- Contact your Benefits Office to discuss health insurance benefits. Moving out of a coverage area may qualify as a special event and employees only have 60 days from the move date to make the change.
- Maintain current address on file using MyPortal or notifying HR of any changes.
- Takes the required classroom/eLearning mobile work training.
- Reads, understands and complies with the requirements for the proper and allowable uses of state issued equipment as provided for in agency policy and/or any applicable collective bargaining agreement.
- Understand agreement end dates and extension requirements.

Supervisor

- Coordinate with agency HR & Payroll prior to approving out-of-state work. Understand timelines and verify with HR/Payroll **before** offering a job so that the agency can comply with the other state's labor laws/payroll requirements.
- Can the work be performed out of state? Consult internally with agency Risk Manager, IT, etc. to validate work can be done out of state.
- Identify business rationale for approval. Does request fall under criteria:
 - Supporting military families.
 - Providing care for others.
 - Recruiting or retaining a rare skillset.
 - Supporting victims of violence or stalking.
 - Bordering state residents.
 - Positions that must perform work out-of-state.
 - Legacy agreements.
- Establish clear communication channels and expectations for how the employee will communicate with their colleagues and supervisors.
- Establish clear expectations for the employee's work hours, availability, and productivity while working out of state.
- Understand the employment laws of the state where the employee will be working. Ensure compliance with local employment laws and regulations.
- Ensures that any original documents that are temporarily removed from the agency for the purposes of mobile work are handled consistent with WAC 434-615-020 and RCW 40.14.

Agency Executive

- Set, manage, and enforce policies on out-of-state work. Establish with HR/Payroll/IT the lead time needed to research labor and privacy laws and set up out of state tax accounts prior to offering the position to someone out of state e.g., *“HR/Payroll/IT require 45 days’ notice prior to job offer...”*.
- Understand the increased workload and expertise necessary to support out of state work and commit staff resources to support the out of-state worker – Supervisor, Team, HR, Payroll, IT.
- Prepare for and approve budget impacts.
- Consult with the agency Risk Manager and/or assigned personnel AAG to make sure the agency is willing to accept the risks and understands the potential for penalties.
- Determine who will be responsible for any travel expenses related to the employee working out of state. This may include transportation, lodging, and meals.
- Set policy on timelines for duration and when reevaluation should occur.

Human Resources

- Understand the employment laws of the state where the employee will be working. Ensure compliance with local employment laws and regulations, including minimum wage, working hours, and benefits.
- Provide employee with other state required labor posters or notifications.
- Reimbursement policy for supplies and equipment purchased by employee.
- Determine ergonomic workspace responsibility.
- Apply other state’s non-discrimination, pay transparency, and pay equity laws.
- Work with LNI and DES for Out-of-State Workers Compensation insurance requirement.
- Work with Labor Relations & union partners if any CBA impacts.
- Identify conflicts with other state privacy laws.
- Enter and maintain appropriate coding in HRMS to accurately pay and report out-of-state workers.

Payroll

- Understand the tax obligations for an employee working out-of-state and comply with the state’s requirements for withholding, paying, and reporting. Includes state income taxes, Workers’ Compensation, Unemployment Insurance, Paid Family Leave, etc.
- Establish employer account with the state’s Revenue Department and/or local tax authority.
- Identify any premium pays, shift differentials or other impacts to pay resulting from moving to a different time zone or location.
- Determine which state is responsible for Unemployment Insurance.
- Process payroll in HRMS to capture all tax obligations for the employee and the employer.

IT Services

- Coordinate access to the necessary tools and technology for employee to collaborate with their team remotely.
- Support technical equipment needs – laptops, monitors, cell phones, etc.
- Security and access issues are identified and mitigated.
- Identify and mitigate conflicts with other state’s privacy laws.
- Manage physical and software inventory for out-of-state employees.