PACE UNIVERSITY
Human Resources

Out of State – Primary Hiring/Work Radius Policy

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.01 Policy Statement

Pace University's primary location of operation is within the State of New York and is registered to do business in the State of New York. Work conducted remotely outside of the State of New York subjects the University to numerous other multi-state regulations including: payroll tax withholdings requirements; wage and hour laws; disability insurance; workers' compensation insurance; state unemployment insurance reporting, and tax; family/sick/COVID leave requirements; Occupational Safety and Health Act (OSHA) requirements; employee training requirements; and pay equity laws and other reporting requirements and expenses.

Pace University has determined that all employees hired on or after July 1, 2024, must have a primary home address within the tri-state area of New York, New Jersey, and Connecticut, henceforth referred to as **"Primary Hiring/Work Radius."**

The University recognizes that under extremely rare and exceptional circumstances, there may be a

need to hire or retain an employee who will, due to the nature of the position or a specific business need, reside and perform their work duties fully remotely from a location outside the **Primary Hiring/Work Radius**. To that end, the fully remote hire or relocation must be supported for a strategic business purpose, and not merely as a preference of the manager or employee and by following the Procedures as set forth in Section .04.

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.02 Guidelines

Hiring or retaining employees outside the **Primary Hiring/Work Radius** should only be done under exceptional circumstances and must be approved in advance by the respective senior administrator (Dean or Vice President) and the Vice President of Human Resources. All employees residing outside of the **Primary Hiring/Work Radius** in the academic schools must be approved by the Provost and the Vice President of Human Resources. Approval for a primary residential address outside the **Primary Hiring/Work Radius** will be granted under exceptional circumstances and is not based on the personal preference of the employee or the department, but rather the needs of the institution.

Hiring Managers/Department Heads of current employees who are contemplating relocation outside of the **Primary Hiring/Work Radius** must also complete the Out of State/Primary Hiring/Work Radius Approval Form (PDF) and receive written approval from the Academic Dean/Provost/Divisional Vice President (depending on whether the employee is faculty or staff) and the final approval from the Vice President of Human Resources before relocating. Approval for an employee's residency outside of the **Primary Hiring/Work Radius** is granted only under exceptional circumstances.

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.03 Eligibility

This policy applies to all current employees of the University who work remotely and all new hires of **remote** full-time and part-time faculty and staff effective July 1, 2024. Any current employee, who prior to July 1, 2024, was authorized to work fully remotely **outside** of the **Primary Hiring/Work Radius**

may continue to do so provided the Hiring Manager/Department Head submit the Out of State/Primary Hiring/Work Radius Approval Form (PDF) to one of the following approvers depending on whether the applicant or existing employee is faculty or staff: Department Head/Academic Dean/Provost/Divisional Vice President and receive approval for the fully remote work arrangement. *(Note: The fully remote work arrangement must be approved on an annual basis.)*

The Out of State/Primary Hiring/Work Radius Policy applies to employees who have a remote work arrangement. The policy does not apply to federal work-study students, student workers, independent contractors, consultants, and other vendors who conduct business with the University.

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.04 Procedures

Approval of applicant or reassignment of an existing employee or an applicant to reside and remotely perform their University work out of the **Primary Hiring/Work Radius** must be obtained prior to an offer letter being extended to the individual. The Hiring Manager/Department Head of the prospective or current employee must complete the Out of State/Primary Hiring/Work Radius Approval Form (PDF) and submit the form to their Academic Dean or the Divisional Vice President depending on whether the applicant or employee is faculty or staff. Employees in Academic Schools will need additional approval from the Provost. Following VP/Provost approval, the form must be submitted to the Vice President of Human Resources for final review and approval. If approved, the form will be forwarded to Benefits and Payroll for processing. The hiring department and the employee will be informed of the final decision.

As per the Pace University Remote and Hybrid Work Policy, if the above request for fully remote work out of the tri-state primary hiring/work radius is approved, the employee will have to complete an updated Remote Hybrid Work Agreement form (*does not apply to faculty).*

Where employment outside the **Primary Hiring/Work Radius** is approved, hiring departments or Schools/Colleges will be financially responsible for the cost of legal compliance and administrative costs incurred by the University for each employee in these circumstances hired by the respective Department or School/College. These may include costs associated with compliance with state and other regulations including taxes, unemployment insurance, disability, workers' compensation, paid

family leave, family medical leave, and other leave benefits. Administrative costs may include fees for third-party administrators. Human Resources will inform the employee's department of the cost of managing the employee on an annual basis and arrangements must be made for a budget transfer of the said amount while the employee is with the department.

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.05 Managers and Supervisors

Hiring managers **may not** make an offer of employment to any job applicant seeking a fully remote arrangement outside of the **Primary Hiring/Work Radius** until receiving approval through the process defined above. Hiring Managers who do not follow the procedures set forth above will be subject to disciplinary action and the department will be responsible for the legal compliance and administrative cost incurred for the employee who resides outside the **Primary Hiring/Work Radius**.

If the protocols for applicants or existing employees set forth in this policy are not followed, and it is determined that an individual is working fully remote in a location outside of the defined **Primary Hiring/Work Radius**, the employee will be required to provide a residential address within the **Primary Hiring/Work Radius** within 90 days of the discovery of the violation. If the employee fails to comply within the designated period, the employee will be subject to disciplinary action, that may result in termination of employment.

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.06 Contact

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This policy is in addition to and separate from the University's Remote and Hybrid Work Policy. This policy may be amended periodically as determined by the University.

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