

Cornell University Staffing Options for Activities in Foreign Countries

| Staffing option | Recommended solution?* | Why? | Who can help? |
|--|------------------------|--|---|
| Employ U.S.-based staff with frequent travel to the foreign location. | YES | This avoids many foreign employment complications if full-time work is not needed abroad. Staff are generally considered U.S. based if they spend more than half of their time in the U.S. | Your HR and finance representatives can advise on this option. Be sure to include funds in your budget for travel and immigration expenses. Visa support is available through Cornell's preferred vendor Travel Document Systems . |
| Partner with an established organization in the host country (e.g. foreign university, registered NGO) to perform work and/or employ staff. | YES | Host country partner is set up to comply with local laws and accepts administrative burden. If available, this is usually the most cost-effective, expedient and risk-mitigating solution. | Other Cornell programs operating in the host country may know of potential partners. The Office of Sponsored Programs (OSP) may also be able to identify existing subcontractors in the host country. |
| Engage individual as an independent contractor/consultant (IC). | MAYBE | When assignment is short-term (especially less than 90 days) and independent in nature, this can be a straightforward solution. It's not a good solution for open-ended assignments or if the individual is effectively functioning as Cornell staff. | Local HR representatives can determine IC status in consultation with the Global Operations . It will be important to research host country regulations or provisions related to ICs. |
| Contract with an in-country professional employer organization (PEO) to employ staff on Cornell's behalf. | MAYBE | The PEO is responsible for compliance with local laws. It's suitable for non-permanent employment arrangements (less than three years) in many countries. | Global Operations can advise on allowability based on host country regulations. They have established relationships with global PEO firms and can obtain a quote on your behalf. |
| Leverage existing Cornell-affiliated office in the host country to employ staff. | MAYBE | An existing Cornell office may be set up to comply with local laws. This may be a solution if the job duties align with those of the office and if the office can absorb the administrative burden of additional employees. Services may be available in China, India and Italy. | Global Operations can provide information about existing Cornell-affiliated offices overseas and facilitate collaboration among departments with similar activities. |
| Employ U.S. citizen(s), foreign national(s) or third country national(s) directly and pay via the Cornell payroll. | NO | Cornell is not set up to comply with local employment and tax laws in countries where it does not have an established presence. Per the Cornell payroll policy, employees working primarily outside the U.S. cannot be paid on the Cornell payroll. | Global Operations can help find a more suitable option for employing the individual. |

**Note: All solutions require significant lead time to implement. Arrangement should be established before work commences. Contact the Global Operations team for assistance as soon as the need for staffing is identified. There are project- and country-specific considerations to any overseas staffing needs.*