

Date: September 15, 2021

Code: HR 2021-04

To: CSU Presidents

From: Evelyn Nazario 
Vice Chancellor
Human Resources

Subject: Out-of-State Employment Policy

As a result of the COVID-19 pandemic, a large portion of the California State University's workforce began telecommuting in March 2020. The prolonged nature of the pandemic resulted in many employees deciding to telecommute from outside of California. Unfortunately, out-of-state employment poses significant challenges for the California State University.

This coded memorandum serves as notification that hiring employees to perform CSU-related work outside of California will be prohibited as of January 1, 2022, the intended effective date of the Out-of-State Employment Policy. Labor unions have been notified of the CSU's intention to implement this new policy and we are in the process of scheduling meeting dates. Attachment A includes a copy of the drafted Out-of-State Employment Policy.

A technical letter with details and instructions for your respective campus constituents responsible for administering this policy will be forthcoming.

EN/aa

Current Status: *Draft*

PolicyStat ID: 10253010



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Next Review: N/A
Owner:
Area:
Codes:

Out-of-State Employment Policy

I. Policy Statement

The California State University (CSU) system is a network of twenty-three public universities providing access to a quality education through the support of California taxpayers. Part of CSU's mission is to prepare educated, responsible individuals to contribute to California's schools, economy, culture and future. As an agency of the State of California, the CSU's business operations almost exclusively reside within California.

As of the effective date of this policy, hiring employees to perform CSU-related work outside of California is prohibited.

Exceptions to this prohibition are limited to approved purposes for conducting CSU business in a region outside of California. Out-of-state employment creates various legal and tax liabilities that the CSU must seriously consider when extending employment to individuals residing outside the state.

II. Policy

The CSU is a state entity whose business operations reside within the State of California. As of the effective date of this policy, the CSU prohibits hiring employees to perform CSU-related work outside California.

Exceptions to this prohibition are limited to approved and documented purposes for conducting CSU business in a region outside of California. For example, the CSU Office of Federal Relations operates in Washington D.C. to advance the interests of the CSU. Due to the CSU's business necessity to operate within Washington D.C. the CSU employs individuals outside of California to fulfill those business obligations. This example illustrates the limited extent in which exceptions to the CSU's prohibition of out-of-state employment should be considered or approved.

A remote working arrangement outside of California, in and of itself, does not constitute a purpose for conducting business outside of the state.

Written justification for an exception to this policy must be reviewed by the campus President. Presidential approval is required for an exception to this policy and may only be granted after consultation with the Vice Chancellor for Human Resources at CSU Chancellor's Office.

III. Authority

This policy is issued pursuant to [Section II of the Standing Orders of the Board of Trustees of the California State University](#).

All revision dates:

Attachments

No Attachments

DRAFT