



GLOBAL GUIDES

Universities & the Education Sector

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The majority of universities and educational bodies today are in some way “global”. All reputable establishments will operate partnership networks, overseas campuses and/or programmes of knowledge-exchange; in an increasingly commercialised environment, universities must maintain competitive advantage in much the same way as the for-profit sector. A huge increase in enrolments over the last 30 years coupled with a decrease in mobility costs and easing of logistical complexities has created a global field of competition for universities.

Despite the easing of barriers to global mobility in recent years, universities still face challenges with international hire or relocation situations – their unique structure and funding requires careful planning and partnerships that understand their needs. At first sight, mobilising and hiring staff internationally can seem like an overwhelming task; but with the right questions asked, proper experts consulted and the appropriate research completed, your university can build an efficient global assignment programme.

Going global: the unique needs of the education sector

Operational characteristics

Educational establishments cannot be treated the same way as a traditional corporate business when it comes to global employment. Structure and processes can differ considerably not only from university to university, but also from faculty to faculty within a university. This can make the management of global assignments complicated for the uninitiated.

On the internal operational side, each department/faculty often manages their own resources, agendas and requirements. Multiple departments and faculties can be involved with one case, and as such, there can be many points-of-contact. The positions universities need faculty staff, post-doctorates and so on to fill, and the timelines they must work to, are determined at departmental level and can differ considerably. The funding for projects and positions may also come from different sources.

Educational establishments also need to consider international payments and transfer of funds. The university may have stringent requirements relating to cross-border payments due to money laundering rules in their constitutions. Foreign exchange rates and associated bank charges can cause potential monetary losses if paying to local bank accounts.



Assignment-level variations

Universities frequently have considerably varying needs at assignment level depending on the individual position to be filled. The distinction between faculty staff and research staff is important to appreciate, and there are different employment routes associated with each. Often, research staff are engaged on fixed-term contracts, while faculty staff have a more permanent arrangement. There are further unique requirements associated with universities that can complicate the international assignment - such as academic tenures, post-doctorates, scholarships and so on.

The length of assignment can also present further complexities in international and domestic hiring. Some positions may be required to support single semesters, whereas other positions may necessitate individuals to be relocated overseas on research posts for some years. For example, Mauve employed one professor for an Ivy League university who only taught summer programmes in South Africa – he was engaged on fixed term contracts to compliantly enable the short assignment length.

Location-wise, it is not unusual for university or research staff to move around frequently, sometimes requiring access to multiple countries within one assignment. We supported a research team led by a noted professor with an archaeological excavation project in Ancient Thrace – now split between three countries, all of which they required access to. We supported the team with employment in Greece, whilst assisting with business visas or short trips to the required countries.

Employment legislation differs considerably from country-to-country (and state-to-state if domestic), and it is imperative that the employer operates in adherence with that law no matter the complexity of the need. The goal of the employer should always be the same when confronted with international assignments – to facilitate the employee to work in a compliant manner, in accordance with the legislation of the location of work, in a way that meets the goals of the assignment.

Pre-assignment questions to ask

There is very rarely a “one-size fits all” approach to global mobility

Mistakes in global employment usually stem from lacking full understanding of the individual circumstances of the project at hand or applying a time or cost-saving solution that is not appropriate. As there is very rarely a “one-size fits all” approach to global mobility, take some time to weigh the situation up properly, speak to experts and ensure you have a well-rounded view beforehand. The following questions will be helpful in gaining a better understanding:

Location- where will the individual be located? From a duty of care and compliance viewpoint, what is the stability of that location?

Nationality- where is the individual from? This could raise further questions about visas, tax liability etc. and is therefore an important consideration.

Relationship- how is the person connected to your university? Is he/she a temporary hire and will he/she be offered another position with your educational body once the original project is complete?

Scope of work/ timescale involved- what type of work will the individual undertake at the planned location and for how long a period? Start and end dates are particularly important for foreign nationals as they could determine the best immigration routes. It should be noted that even volunteers or low-paid interns may need a global mobility solution in place to carry out activities abroad.

Legal, HR and Contracts – what type of contract suits the assignment – fixed term, permanent, part-time? Is the individual considered a contractor or a full employee? If you are unsure about the legal definition of the person’s role, take the 20-Factor Test to confirm – your Mauve representative can





supply this. Look at local labour laws – are your HR practices and standard terms acceptable in the country of work? What does local legislation say around performance, disciplinary and termination procedures?

Tax, Payroll and Payments- where should they be paid? What is their salary? Are there any bonuses, rewards or expenses due? Do these align with the salary levels expected or legislated in the future country of work? Will payment for their tenure come from your university or a 3rd party? The possibility of fluctuating exchange rates should be taken into account and if payments will be made to/from a local bank account, consider the logistics of this and any losses which may be incurred as a result. Where do they pay tax and social security? Are you creating any corporate tax liabilities locally through your chosen solution?

Partners- does the university have local partners who can assist with either advice or services? This may be a partner educational institutional or a third-party specialising in local hire.

Future plans- is this hire/relocation the gateway to bigger operations in the region in the future? A temporary solution may need to become more permanent further down the line; do you need to take steps to strengthen the organisation's position by establishing a branch office or some other form of local entity? It could be more cost-effective to do so if operations are likely to become long-term.

Facilitating the global assignment: available mechanisms

The method available to you to enable the assignment will depend greatly on the individual circumstances, as these may cause local employment, immigration and taxation laws to come into play. Look carefully at your answers to the questions above, seek expert advice, familiarise yourself with local laws and gauge which option is most beneficial to your assignment goals. The main routes include:

Direct Hire of the Individual

In certain circumstances, or if the university has a local entity that can legally employ staff, it can place the individual on its own payroll and employ them directly. However, it is important to be mindful of the employment and taxation laws of the country with this type of solution. Are you set up to payroll in country if the salary needs to be paid locally and will you incur fees by doing so? Will you need to amend the employment

contract to adhere to local employment laws? In certain countries, long-term activity may prompt permanent establishment/foreign employer risks.

Payroll, HR, Contracts, Compliance, Visa and Immigration Services

A specialist company like Mauve Group can provide these services if you decide to hire the worker directly but want to ensure compliance in-country. Although you would continue to retain the liability for the employment of the worker, a company of this sort would carry out any required corporate services on your behalf, such as processing payroll, providing local contract templates and carrying out corporate immigration applications. As experts in local employment, this type of solution would mitigate risk while the university retains full control over the employee.

Subcontracting

This is occasionally utilised by universities where the overseas project is a collaboration or knowledge-exchange relationship with a local educational body or partner. In this situation, the worker is employed through their local entity thus ensuring local compliance.

Independent Contracting

If the scope of work is for a fixed term and meets certain criteria, independent contracting is another option for the university. To be considered an independent contractor, the worker should generally contract to multiple clients, have their own equipment and should manage their own hours and activities. If they could be characterised as a full employee, there are heavy penalties imposed for misclassification as an independent contractor. Solutions like Agent of Record and Independent Contract Verification can ensure your contracting agreements are fully compliant.

Employer of Record

A third-party organisation specialising in global employment can provide a type of service known as Employer of Record (EoR) or global PEO. Through this solution, a university is able to outsource the employment of the worker to the EoR company's local entity, but still retain control over the employee's day-to-day activities. EoR companies are well versed in the local legal knowledge necessary to employ individuals, and have the ability to cut-through the local red-tape on your behalf. They will take on responsibility for multiple requirements including local payroll and liaison with the authorities saving you time, expense and stress.

Consultancy Services

Global mobility organisations have the network, knowledge and resources to provide consultancy on the university's unique global scenarios. These expert companies can bring to light red flags and recommend best-practice option on all local operations relating to payroll, taxation, immigration, HR and employment law - reducing the likelihood of risks or penalties incurred through inexperience. Your organisation can then put this guidance into practice as it sees fit.

Local Entity Set-Up

If your operations are almost certainly going to be long-term or permanent, or there are a large number of individuals to be hired, it may be a more cost-effective route to establish a local entity. This also depends on the individual circumstance of the project and location. There are many types of entity options in each country and without full local knowledge, understanding the process can be complex – a third-party expert supplier can advise on the best option.

Mauve's education sector affiliates and clients

Mauve Group works in partnership with NACUBO (National Association of College and University Business Officers) and NAFSA (Association of International Educators) in the US to promote and illuminate the various hiring mechanisms and bespoke services which can be utilised for overseas ventures.



Mauve Group works with a broad scope of educational institutions around the world, including Ivy League establishments, universities, colleges, schools and professional development organisations.



Case Study

A major research university with one of the largest enrolments in the US was looking for a potential third-party supplier to support their global hiring programme. Their needs extended to a number of locations worldwide, including Pakistan, India and the UAE; the hires were a combination of local and foreign national workers carrying out a variety of activities across both the faculty and research workforces.

After winning a successful tender, Mauve and the university collaborated to gain full sight of the scope of work on these projects, evaluating each individual situation on a case-by-case basis alongside the local conditions in each country in order to find the most appropriate employment solution for the assignment programme's goals and resources.

It was ascertained that Employer of Record solutions in each country would be the most efficient route - Mauve carried out onboarding procedures for each staff member via Mauve's in-country entities, provided local contracts and enrolled them for compliant local payroll. Mauve also assisted with in-country office search so that the university could establish local bases for their activities.

Today, Mauve Group supplies an ongoing Employer of Record solution to the university and its workers, with ongoing payroll, full reporting, guidance on performance and local HR legislation, and de-registration when staff members are terminated.

For further guidance about any of the hiring options detailed above, or how we could help your particular university or educational body to expand its global operations, please contact Mauve Group.

info@mauvegroup.com | www.mauvegroup.com