

Global Mobility Guideline

What is it?

This document provides a framework for managers and members of staff who are required to perform work overseas. It also includes requests from employees who wish to work remotely.

Who is this for?

This guideline is to be utilised by RMIT University and RMIT Training when considering the need for International Work arrangements and requests for Remote Working arrangements. The guideline applies to all Continuing, Fixed Term and Casual employees.

Exclusions

This guideline excludes RMIT Online and overseas entities.

1. What is International Work and Remote Work

- 1.1. International Work is any work which must be performed overseas and/or where the Australian entity requires the work to be performed overseas. Scenarios where the Australian entity needs to deploy an employee overseas or recruit an employee overseas include:
 - a) Fly in – Fly out arrangements including offshore teaching. See the *International Work (FIFO) Guideline* for further information;
 - b) short term international travel (up to 12-month assignments). See the *International Work (Short Term Assignment) Guideline* for further information;
 - c) long term international travel (over 12-month assignments). See the *International Work (Long Term Assignment) Guideline* for further information;
 - d) recruitment of employees to be based in a country outside of Australia; and
 - e) secondments to entities outside of Australia.
- 1.2. Remote Work is any work being performed at a significant distance from the workplace where the job is contractually located (e.g. overseas, interstate or too far to commute). It is a discretionary arrangement where the work performed would ordinarily, or could just as easily, be performed at the contractual location of the job.

- a) For the purposes of this guideline Remote Work which is located overseas is not International Work. The distinguishing factor is whether the employee is *required by the Employer* to perform the work overseas (International Work) or whether the Australian entity has simply agreed that the employee *may* perform their work from the overseas location at the employee's request if they wish to do so (Remote Work).
- 1.3. International Work are addressed in sections 2-9. Remote Work is addressed in section 10.

2. The Business Requirement

International Work is first initiated with an identified need to achieve certain business requirements. The business requirement must be aligned with relevant RMIT University, or controlled entity, strategy and vision.

Maximum cost effectiveness should be identified and reasonably attempted where International Work is being considered. Where a staff member is required to work internationally to fulfil their role, the costs associated with the arrangement need to be calculated. Managers should consider the following alternatives when assessing cost:

- 1.1. A local employment arrangement that is in line with employment legislation in the country in which International Work is required;
- 1.2. A global assignment - being an employment arrangement at a location outside Australia for a fixed term period. This could be either:
 - short term (up to 12 months in duration)
 - long term (from 12 months to 3 years in duration)
- 1.3. Fly in – Fly out arrangements (e.g. offshore teaching) being when a staff member is required to travel internationally to work and fly home to Australia upon completion;
 - Typically for periods of time ranging between a few days to a few months.
- 1.4. The planned duration of the International Work and the likelihood of any extensions the necessary immigration, visa and work permit requirements;
- 1.5. The expected working conditions and hours; and
- 1.6. Travel costs to be covered by RMIT University and those to be paid by the staff member or other parties, and any reimbursement in line with RMIT University's [Travel policy](#).

A projection of the total employment costs is to be determined and approval from the applicable delegated authority is required in line with the [delegation authority](#) prior to commencing recruitment and/or appointment. The approver must be clear as to who, and which internal order number, will bear these costs.

The People Team can assist with employment cost estimations. Any cost associated with an estimate will be charged to the business area undertaking the International Work.

3. Resourcing

The selection of a candidate for International Work should take into consideration:

- 3.1. The business requirements;
- 3.2. If the candidate is an internal appointment - whether their existing position requires backfilling;
- 3.3. Factoring time spent working internationally into staff member's workplan or performance goals;

- 3.4. The cost impact to RMIT University and its controlled entities, and to the candidate;
- 3.5. The taxation, immigration and employment law requirements including the implications and cost;
- 3.6. Roles and responsibilities of all parties related to the International Work;
- 3.7. Minimising personal and commercial risk;
- 3.8. Staff preparation for the global arrangement; and
- 3.9. Provision of support for staff to assist them in their host location.

Immigration and working rights in the country in which the international work is located must be considered. Assistance will be provided to the candidate to obtain a visa and/or work permit if required. This assistance will be provided by RMIT University's preferred external provider.

In some overseas locations a local search firm may be engaged by the People Team to assist with the recruitment process. Any cost associated with such an engagement will be charged to the business area undertaking the International Work.

4. Contractual Matters

The employment arrangement/secondment/arrangements entered into will be dependent on a number of factors including:

- 4.1. The period of the international work;
- 4.2. The purpose of the international work;
- 4.3. The legislation of the overseas location;
- 4.4. The candidate's current employment conditions with RMIT University and/or its controlled entities;
- 4.5. Any offshore teaching related to the provision of a program will be a part of a staff member's normal workload where possible and appropriate. Short term arrangements are to form part of a staff member's workplan or performance goals;
- 4.6. Due to significant risks involved in employing casual staff at overseas locations, the People team must be consulted when casual staff are being considered as an option to meet the business requirements;
- 4.7. All opportunities for International Work must have a position description. The position description should outline the following criteria:
 - a) Knowledge, skills and expertise requirements
 - b) Location of the international work Length of the appointment
 - c) Job transferability and technical expertise
 - d) Cultural awareness, sensitivity and adaptability to new working groups Particular communication skills
 - e) Deliverables for the period of engagement Other general managerial skills (if required);

- f) Other specific requirements for the role (e.g. Citizenship, eligibility for a visa and / or work permit in the location where the International Work is required, language requirements, etc); and
- g) In the case of staff delivering a program at an international partner location, this is considered to be a core part of the position and should be listed in the position description and the staff member's workplan.

5. Immigration

- 5.1. It is vital to ensure that the candidate's passport and any visa/work rights in the host location are organised well in advance. It is the staff member's responsibility to ensure that they comply with any conditions associated with the application, and issue, of any form of visa and/or work permit granted.
- 5.2. The staff member will also need to ensure that their passport is valid for at least twelve months after their expected return date to their home location. They will also need to ensure that they have a sufficient number of free pages in their passport and it is also recommended that the candidate keep a photocopy of their passport identification page at all times when travelling.

6. Health and Safety

In the event of emergency assistance being required while the staff member is engaged in international work, they should contact International SOS (or successor), the RMIT's preferred external provider of 24-hour advice and assistance for medical, security or other emergencies.

RMIT in Australia will provide expatriate health insurance cover for a staff member and their accompanying family members, when travelling with them, for long term global agreements (greater than 6 months). The cover will be maintained via RMIT's preferred supplier, the cost of which will be charged to the applicable college/portfolio/school.

Australian staff engaging in International Work on behalf of RMIT University and its controlled entities or a partner of RMIT University and its controlled entities, should register with the Department of Foreign Affairs and Trade ("DFAT") Smart Traveller website to gain access to consular services prior to departure. This website provides information and travel advice for global destinations including recommended health and safety measures that should be considered. If a warning is issued to defer non-essential travel to the host location, your International Work may be suspended.

Work-cover insurance requirements will be reviewed on a case by case basis to ensure adequate coverage for the staff member.

RMIT has a membership with International SOS, a provider of 24-hour advice and assistance for travel, medical, security or other emergencies for all staff working offshore.

The Staff member should:

- 6.1. Visit the International SOS website prior to departure, download the International SOS App, register your travel (if not booked via RMIT's company travel system (currently FCM), and print out an emergency contact card;
- 6.2. Consult with International SOS and/or your GP for advice regarding required vaccinations and any travel health needs;

- 6.3. Obtain medical clearance to travel and work internationally if they have a pre-existing medical condition. A letter from a GP will need to be provided to the People Team. Any medical treatment for an existing condition should be sought prior to travel;
- 6.4. Upon return to Australia, a return health check may be encouraged; and
- 6.5. RMIT University will meet the cost of all health checks and necessary vaccinations for the staff member and their accompanying family of up to \$500 per person for both pre, and post, assignment expenses upon submission of relevant receipts.

7. External Advice

The employment of staff to undertake International Work may require the sourcing of external expert advice to fully understand the issues and implications of the proposed arrangement for both RMIT University and its controlled entities and the individual undertaking this work. The cost of any such advice obtained will be charged to the applicable college/portfolio/school. The People Team will seek the advice via RMIT University's preferred provider.

- 7.1. Staff members are encouraged to obtain independent expert advice on taxation matters, particularly if global work adds up to a total of more than 183 calendar days per financial year. Please discuss with the People Team in the first instance.

8. Travel

The member of staff (or relevant work unit if appropriate) should:

- 8.1. Organise travel and accommodation through RMIT University's online travel management system in accordance with RMIT University's [Travel policy](#).
- 8.2. Check safety of destination country with Smartraveller and register travel plans online. This gives country-specific health and safety advice.
- 8.3. Before leaving Australia staff members must ensure they have a valid passport beyond the expected return date with a sufficient number of free pages, valid visa/s and appropriate work permits.

9. Arrival and Return

The member of staff should

- 9.1. Organise living arrangements, arrange transfer from the airport to accommodation and research destination country. Please refer to the [Travel policy](#) for further advice.
- 9.2. Ensure adequate preparation to meet work deliverables (e.g. prepare notes for lectures, presentation for conference etc).
- 9.3. Understand local conditions and day-to-day travel arrangements and always behave in a manner consistent with RMIT University's values, policies and procedures. Do not act in any way to harm the reputation of RMIT University. Be particularly sensitive to cultural differences.
- 9.4. Always carry personal emergency contact details including International SOS contacts Be aware of RMIT University emergency procedures and monitor travel advice.

- 9.5. Keep a travel diary with records of expenditure in line with the RMIT University's [Travel procedure](#). Ensure work assignment objectives are met.
- 9.6. Staff traveling to global business partners or to run an offshore program (teaching, administration, recruitment and selection of students), are responsible for understanding and meeting contractual obligations or requirements for course content.
- 9.7. Any International Work related to the provision of a program will be a part of a staff member's normal workload where possible and appropriate.
- 9.8. Take an adequate rest break before recommencing duties. This should be agreed with your manager prior to departure.
- 9.9. Update and inform your manager and other relevant staff about International Work completed.
- 9.10. Coordinate records of expenditure and submit any reimbursement claims required.

10. Remote Work

- 10.1. An approved Remote Work Arrangement will be required if an employee seeks to work for RMIT from another Australian state outside Victoria for a period greater than one month or on a regular basis. A request to continue to work for the staff members employing RMIT entity from another country for any period also requires approval and the steps outlined in 10.5 & 10.6.
 - a) Any request for a Remote Work Arrangement must be endorsed by the employee's line manager and relevant VCE member (or executive level VCE direct report delegate) prior to submission. Submission is via the People Partner Team who will work with the People Global Mobility Team (responsible for staff mobility) for final approval.
 - b) An employee will request a Remote Working Arrangement by completing the [Remote Work Arrangement Request Form](#).
 - c) An employee's Remote Working Arrangement request will be assessed based on RMIT's operational requirements and the factors outlined in 10.3 and 10.4.
- 10.2. The Employing entity is not obliged to agree to a request for a Remote Work Arrangement. In some circumstances, it simply won't be possible, either because of restrictions contained in the employee's enterprise agreement and/or because of operational requirements.
 - a) Remote Work Arrangements may only be commenced after approval has been provided from the employing Australian entity as per the approval process set out at 10.1.
 - b) In the event that a request for a Remote Working Arrangement would result in significant cost to the Employing Entity, it is unlikely such a request will be approved. The member of staff is expected to fund all costs associated with the Remote Work Arrangement themselves including but not limited to the cost associated with commuting to campus where required. Where possible, RMIT will aim to provide at least 7 days' notice of any requirement to attend campus.
 - c) In the event that a Remote Work Arrangement is not approved, the Employing Entity will consider as an alternate, where appropriate, periods of paid and unpaid leave, in accordance with normal considerations applicable to Annual Leave.
 - d) In circumstances where a Remote Work Arrangement is approved, local areas will be liable for the costs of administering such an arrangement including but not limited to the costs of processing workers compensation and payroll tax, which are currently manual

processes.

10.3. RMIT can reasonably and lawfully direct an employee to attend their principal place of employment, the location of which is usually specified in their contract of employment. RMIT's inclusion of the location of employment reflects the requirement that staff members be located within a commutable distance to work. RMIT's operational requirements, including the nature of the role, connection to campus, team deliverables, team engagement and organisational priorities are key considerations for Remote Work Arrangement requests. A Remote Work Arrangement request would only be approved in exceptional circumstances. Such circumstances include:

- a) Specific research projects, that are required to be carried out at a specified location from another state, where the employee has no additional responsibilities or expectations that would require them to be on site at their principal place of employment;
- b) Delivery of teaching that is specific to a location in accordance with specific arrangements, noting that the full remit of the employee's position is considered including whether the employee would be required on site at their principal place of employment;

Remote Work Arrangement requests outside these exceptional circumstances are unlikely to result in approval.

10.4. There are many significant factors which must be fully investigated before any request for a Remote Work Arrangement can be approved, including:

- a) Immigration considerations including but not limited to the staff member's ability to obtain and maintain valid work rights to legally work remotely in the new work location for the duration of the Remote Work Arrangement. In addition, where a staff member holds a temporary visa in the home country, they must maintain the right to return to and work from the home country following the Remote Work Arrangement. Without valid work rights, a remote work request cannot be approved.
- b) Personal income taxation implications including country and region-specific regimes in the new work location and the home country;
- c) Permanent Establishment risks and corporate taxes as a result of the Remote Work Arrangement;
- d) Restriction of certain activities the staff member conducts while out of the home country including authority to act on behalf of RMIT, visiting RMIT Entity offices, sites or locations for the purpose of performing work-related activities without prior approvals;
- e) Availability of WorkCover scheme and/or local alternatives;
- f) Superannuation/Pension and/or local alternatives;
- g) Health and safety assessment of the new work location;
- h) Travel safety risk in the new work locations. High-risk locations as rated by International SOS (or successor) will require additional review on a case-by-case basis;
- i) Sanctions status of the new work location;
- j) Information security, cybersecurity risks and technological limitations of the new work location;
- k) Requirement for physical presence at principal place of employment (generally or on specific dates);
- l) Relevant local employment laws – country and region specific;

- m) Relevant working with children checks and other compliance requirements;
 - n) Time difference considerations – noting there would be a preference for a minimum time overlap determined by the nature of the role and team requirements;
 - o) Cost to implement;
 - p) Long service leave entitlements;
 - q) Local Leave and Public Holiday entitlements – noting that where a Remote Work Arrangement is approved for another State, an employee will be entitled to public holidays observed in Victoria as the base of their employment, as per the terms outlined in the relevant Enterprise Agreement. As such, Victorian Public Holidays only will be observed.
- 10.5. Where the request for a Remote Work Arrangement is outside of Australia, the employee must engage the People Partner team with endorsement from their VCE member (or executive level direct report delegate) to start the request process. As part of this process, any costs incurred in the investigation of the factors outlined in 10.4 (and any others required) will usually be borne by the employee and may involve expert advice from suppliers selected by the employer.
- a) The Australian entity will provide the employee with an estimate of the cost involved prior to seeking expert advice.
 - The employee may decide to withdraw their request for Remote Work arrangement on receipt of the estimate and as a result there will be no costs incurred by the employee.
 - b) Any advice received remains confidential and the property of the Employer, but all relevant information will be provided to the employee.
- 10.6. There will be a requirement to complete Health, Safety and Wellbeing forms and processes prior to agreement of Remote Work arrangements.
- 10.7. Agreement for Remote Work is not an amendment to the contractual location of the job.
- a) All approvals for Remote Work Arrangements will include a timeframe for review as agreed by the local area and outlined in the approved Remote Work Agreement. Remote Work Arrangements will not exceed a period of 12 months and may be reviewed regularly within this period in accordance with role requirements.
 - b) Either party may end the Remote Work Arrangement at any time and for any reason by providing no less than 20 working days written notification of the intention to bring the arrangement to an end.
 - c) A staff member should be allowed to utilise any available annual leave or unpaid leave to assist with returning to the principal place of employment during the 20-day notification period.

11. Code of Conduct

Staff engaging in International Work or Remote Work on behalf of RMIT University and its controlled entities must behave in a manner consistent with RMIT University, and controlled entity, values at all times. Staff members are required to abide by the relevant RMIT University, and controlled entity, policies and procedures and any policies and procedures of a host organisation, as well as the host country's legislation. The RMIT University [Code of Conduct](#) applies at all times.