



TEXAS A&M UNIVERSITY

# Immigration Affairs

## International Alternate Work Location (IAWL) Request for Faculty, Staff, Graduate Assistants

**INSTRUCTIONS:** This form is to be used to request approval for an international alternate work location for a faculty member, staff member, or graduate assistant. The first seven pages of this form should be completed by the requesting individual and their supervisor. Once the form is completed and all signatures through page 7 are complete, please submit the form via email to [immigration@tamu.edu](mailto:immigration@tamu.edu).

**TERMS & CONDITIONS:** In accordance with [University SAP 33.06.01.M0.03](#):

- an IAWL is contingent upon approval by the required parties as indicated in section III below and should not be considered an employee entitlement.
- The IAWL may be terminated at any time and for any reason.
- The IAWL is only approved and valid for the specific country approved in the IAWL.
- Employees are expected to maintain the same levels of production and quality of work as though the employee were working at their primary duty station.
- The IAWL is not a substitute for utilizing paid or unpaid leave including sick leave, FMLA, vacation, etc.

### I. TO BE COMPLETED BY EMPLOYEE

Name

Employment Type

Title

College/School

Department

Employee's Percentage FTE:

**\*Any request exceeding 60 days may be subject to review by outside counsel at the expense of the academic department.**

Anticipated Start Date of IAWL

Anticipated End Date of IAWL

IAWL Address

City

State/Province

Country

Postal Code

**What activities will be performed from the IAWL? \*For graduate students, the work must be related to their role as an employee and not as a student.**

**Will you access TAMU's network from abroad? If so, how and with what equipment? How will you ensure that data (FERPA, HIPPA, etc.) will be protected appropriately?**

**IAWL's must be based on a critical business need. The following instances do NOT constitute a critical business need:**

- Teaching abroad to fulfill regular faculty responsibilities (unless teaching an approved study abroad course)
- Regular performance of day-to-day duties and responsibilities
- The lack of a business succession plan (i.e. no one to perform the work)
- Request for a new employee to start work abroad in order to delay travel arrangements
- Assignment of summer teaching to be conducted from abroad
- Leaving the United States to care for a sick relative
- Leaving the United States to attend a personal medical matter
- The need for the employee to leave the United States due to expiration of non-immigrant status, absence of a visa, or other immigration matters.

**Describe the request for an IAWL including the critical business need to perform duties from an international location. Explain why these duties cannot be performed in the United States or wait until the employee's return from the international location.**

Per [University SAP 33.06.01.M0.03](#) International Alternate Work Locations, section 6.1, Texas A&M will not approve any IAWL unless the employee has the legal right to work in the host country. Entering the host country on a business or tourist visa does not provide the right to work per se, and thus, the IAWL will not be approved. Has the employee obtained authorization to work in the proposed country?

Yes       No

If not, please explain:

Based on [University Rule 31.05.01.M1](#) Faculty Consulting and/or External Professional Employment, section 4.7 the following activities require prior approval:

- external appointment/titles
- board service
- research projects and proposals
- unfunded research related activities
- consulting
- editorial service
- proposal review/review panels
- expert witness
- academic and professional services
- talent recruitment programs
- teaching

Does the proposed activity require prior approval?

Yes       No

If yes, has the employee submitted a pre-approval request through Huron?

Yes       No

## **II. TO BE COMPLETED BY DEPARTMENT HEAD/ SUPERVISOR**

**IAWL's must be based on a critical business need. The following instances do NOT constitute a critical business need:**

- **Teaching abroad to fulfill regular faculty responsibilities (unless teaching an approved study abroad course)**
- **Regular performance of day-to-day duties and responsibilities**
- **The lack of a business succession plan (i.e. no one to perform the work)**
- **Request for a new employee to start work abroad in order to delay travel arrangements**
- **Assignment of summer teaching to be conducted from abroad**
- **Leaving the United States to care for a sick relative**
- **Leaving the United States to attend a personal medical matter**
- **The need for the employee to leave the United States due to expiration of non-immigrant status, absence of a visa, or other immigration matters.**

**Explain the critical business need for the department to continue to employ the employee from an IAWL. Note that the justification cannot be based out of the lack of a business succession plan.**

**How does the critical business need outweigh the potential of subjecting TAMU to foreign risks and obligations (i.e. tax risks, foreign payroll withholdings, data security, compliance, immigration and foreign local obligations)**

**What is the impact to the department if the request is not approved?**



Prior to submission of this form, the department must obtain clearance from the VPR's Export Controls Office ([exportcontrols@tamu.edu](mailto:exportcontrols@tamu.edu)).

Have the employee's activities been cleared?  Yes  No

---

Export Control Officer Signature Date

The academic department accepts full responsibility of all financial consequences that could be brought upon TAMU by a foreign government for overlooking their employment and tax laws. Prior to submission of this form, the department will share the information provided with the Tax Compliance Office for their review and feedback([tax@tamu.edu](mailto:tax@tamu.edu))

Received:

---

TAMU Tax Compliance Office Signature Date

#### IV. APPROVALS

Faculty:

---

Department Head Signature Date

---

Dean Signature Date

Staff:

---

Supervisor Signature Date

---

Director Signature Date

---

Vice President for Human Resources and Organizational Effectiveness Signature Date

**Graduate Assistant:**

---

<b>Supervisor</b>	<b>Signature</b>	<b>Date</b>
-------------------	------------------	-------------

---

<b>Department Head</b>	<b>Signature</b>	<b>Date</b>
------------------------	------------------	-------------

---

<b>Graduate Operations Committee</b>	<b>Signature</b>	<b>Date</b>
--------------------------------------	------------------	-------------

---

<b>Dean of College/School</b>	<b>Signature</b>	<b>Date</b>
-------------------------------	------------------	-------------

---

<b>Associate Provost &amp; Dean of the Graduate and Professional School</b>	<b>Signature</b>	<b>Date</b>
---	------------------	-------------

---

<b>Vice President for Human Resources and Organizational Effectiveness</b>	<b>Signature</b>	<b>Date</b>
--	------------------	-------------

---

**After all approvals and signatures have been obtained, please submit this form via email to [immigration@tamu.edu](mailto:immigration@tamu.edu) for further routing.**

