



Human Capital Management
& Payroll Software/Services

Legal and Practical Considerations Checklist:

Employee requesting temporary overseas
working location

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These days, employees often see themselves as global citizens, so it's not uncommon for employees to seek flexibility in their work arrangements, including working from abroad for short periods. For an Australian business, accommodating such a request can demonstrate a commitment to employee well-being and adaptability. However, this decision involves navigating a complex legal landscape and practical considerations. Use this checklist to address all necessary legal and practical considerations before granting an employee's request.

Legal Considerations

1. Employment Law Compliance

Task	Done
Verify compliance with both Australian employment laws and the host country's employment laws.	
Consult with legal experts familiar with the host country's laws.	

Resource: [Australian Government - Fair Work Ombudsman]
<https://www.fairwork.gov.au>

2. Tax Obligations

Task	Done
Assess tax obligations in both Australia and the host country.	
Consult with tax professionals to understand the implications and potential double taxation.	
Review any double taxation agreements (DTAs) between Australia and the host country.	

Resource: [Australian Taxation Office - International Tax Treaties]
<https://www.ato.gov.au/General/International-tax-agreements/In-detail/Tax-treaties/>

3. Immigration and Work Permits

Task	Done
Check visa requirements for the host country.	
Ensure the employee obtains the appropriate visa for their stay	
Verify that the employee's stay complies with immigration laws to avoid penalties or future travel bans.	

Resource: [Department of Home Affairs - Immigration and Citizenship]
<https://immi.homeaffairs.gov.au>

4. Social Security and Superannuation Contributions

Task	Done
Confirm any social security obligations in the host country.	
Determine if superannuation contributions need adjustments.	
Review international social security agreements to avoid double contributions.	

Resource: [Services Australia - International Social Security Agreements]
<https://www.servicesaustralia.gov.au/international-social-security-agreements>

5. Legal Risks and Liability

Task	Done
Assess potential legal risks and liabilities related to the employee's work overseas.	
Establish clear policies and procedures to manage these risks.	

Resource: [Legal Services Commission of South Australia]
<https://www.lsc.sa.gov.au>

Practical Considerations

1. Technology and Communication

Task	Done
Ensure reliable internet access and secure communication tools.	
Provide necessary equipment or software for remote access.	
Plan for time zone differences to maintain effective communication.	

2. Data Security

Task	Done
Implement virtual private networks (VPNs) and encrypted communication channels.	
Train employees on best practices for data security.	
Ensure compliance with data protection laws in the host country.	

Resource: [Office of the Australian Information Commissioner]
<https://www.oaic.gov.au>

3. Insurance Coverage

Task	Done
Review health insurance policies to cover incidents occurring abroad.	
Ensure workers' compensation insurance includes international coverage.	
Consider additional travel or international health insurance if necessary.	

Resource: [Insurance Council of Australia]

(<https://www.insurancecouncil.com.au>)

4. Maintaining Company Culture

Task	Done
Plan for regular virtual meetings and check-ins where time zones allow.	
Include remote employees in company activities and events	
Foster team cohesion through communication and team-building exercises.	

5. Employment Terms and Conditions

Task	Done
Review and, if necessary, amend the employee's contract to reflect their temporary overseas work arrangement.	
Clearly outline the duration and terms of the overseas work period.	
Ensure mutual understanding and agreement on work hours, deliverables, and performance expectations.	

Conclusion

Using this checklist will help HR teams navigate the complexities of permitting an employee to work overseas temporarily. By addressing these legal and practical considerations, Australian businesses can support their employees' needs while ensuring compliance and operational efficiency.

About Frontier Software

Frontier Software is a leading software and services organisation specialising in digital transformation for payroll and HR solutions. With over 40 years of industry experience, our comprehensive solutions are trusted by businesses across the globe. Our expert team is dedicated to helping organisations streamline their payroll and HR processes, ensuring compliance, accuracy, and efficiency. Looking to enhance your payroll and HR processes? We can help you optimize your existing Frontier Software solution or create a completely new system tailored to your business needs.

“Commitment to customer service is our number one priority.”

Michael Howard, Founder