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4.200 Employment (Human Resources)

4.000 Human Resources (see 5.300 for Faculty Employment)

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December 2011

### 4.209 Student Employment

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Type of Policy <input checked="" type="checkbox"/> <b>University</b> <input type="checkbox"/> <b>Campus</b> <input type="checkbox"/> <b>Department/Unit</b> <input type="checkbox"/> <b>Interim</b>		<b>Student Employment</b>  <b>Policy 4.209</b>	
<b>Human Resource Policies</b>		<b>Effective date: December 6, 2011</b>	
<b>Policy History:</b>	<b>Approved by:</b>	<b>Resolution #</b>	<b>Date:</b>
<b>Approved</b>	<b>Chancellor</b>	<b>N/A</b>	<b>December 6, 2011</b>
<b>Revised</b>			
<b>Responsible Office:</b>	<b>Responsible Administrator:</b>	<b>Contact information:</b>	<b>Applies to:</b>
<b>Office of Human Resources</b>	<b>Director of University Human Resources</b>	<b>937-769-1375</b>	<b>All Hiring Managers and Students</b>

## I. Introduction and Purpose

- A. Student employment generally serves three complementary purposes: (1) providing university students with financial aid support in pursuit of their academic goals, (2) meeting the operational needs of the University, and (3) providing students with opportunities for academic or administrative job experience. Student employees are those whose major efforts are directed toward receiving a formal education, and are employed part-time by AU. The University distinguishes between student appointments and ongoing regular appointments in a number of respects including, but not limited to, the nature of work, hours worked, rate of pay and benefit eligibility.
- B. The following policy outlines the requirements and procedures for all student employees (including work-study). Work-study employment is subject to additional requirements established by the Office of Financial Aid ("OFA"). Questions regarding work-study status should be directed to that office. Employment of international students is subject to additional requirements based on visa status. Questions about employment of international students should be directed to the campus or program Principal Designated School Official ("PDSO") or the Office of Human Resources ("HR").

## **II. Student Employment and Affirmative Action/Equal Opportunity**

The policy of employment of students by AU is based on a philosophy which seeks to address and balance two equally important student objectives:

1. Furnishing valuable work experience for qualifying students through the performance of necessary jobs on campus; and
2. Providing financial assistance to students to help fund their academic endeavors.

The former gives students the opportunity for experience in the real world of work by performing work important to the university. This work provides students with experience and skills attractive to future employers and complements their academic credentials. Student employment further provides financial assistance in the form of on-campus work responsive to the student's class hours and schedule. However, a student's financial need should not supersede relative merit and qualifications when departments make hiring decisions.

In the implementation of the University's student employment policy, all employment decisions shall be in accordance with the University's Affirmative Action/Equal Employment Opportunity policy 4.005; no student shall be discriminated against on the basis of race, color, national origin, ancestry, religion, sex, sexual orientation, gender identity, age, disability, veteran status, or any other protected classification.

## **III. Eligibility**

### **A. Student Status**

To establish and maintain eligibility for student employment under this policy, an individual must be enrolled at AU for the equivalent of half-time status or more and maintain satisfactory academic progress. Exceptions to the half time standard may be made under special circumstances by HR and OFA, and requests must be made in writing by the manager seeking to hire the student.

It is HR's responsibility, in coordination with the employing department, to verify eligibility of student employees each term by checking the appropriate registration system.

### **B. New Students**

A new student is recognized as such upon proof of acceptance for admission. New students are eligible for employment on the first day of the term they start school.

### **C. Employment of Minors**

AU does not employ minors. All student employees must have attained the age of

18 without exception before starting employment with the University.

#### **D. Loss of Student Status**

Eligibility for student employment ends upon graduation, completing coursework or withdrawal from the university. In addition, students who drop below half-time status will not be eligible for student employment under the provisions of this policy.

### **IV. Hiring Procedures**

#### **A. Recruitment**

To comply with Affirmative Action and Equal Employment Opportunity guidelines, hiring departments are encouraged to publicize student positions as widely as possible. HR should be consulted for assistance in posting student position announcements.

#### **B. Work-Study**

Departments hiring work-study students are responsible for having a position description on file in their department. Departments must also review students' class schedules each term, as students are not to work during regularly scheduled class time. In addition, a work-study referral form is required to protect the department and the University by satisfying work-study audit requirements. Questions regarding work-study should be referred to OFA.

#### **C. Employment Applications**

Student employees are required to complete AU employment applications. The information contained within the employment application should assist the hiring manager to evaluate the student's ability to perform job requirements and satisfy the University's record keeping and other hiring guidelines. HR can provide employment applications if necessary. Student applications and interview records (interview notes and reference check information) should be forwarded to HR for retention in confidential personnel files.

#### **D. Background Checks**

Students may be required to undergo a background check as in accordance with the Background Check Policy # 4.109. Similarly situated applicants applying for similarly situated student positions should be treated in a like manner. Student applicants who self-disclose a criminal history during the application and interview process should undergo a background check. HR can provide background check release forms if

needed.

#### **E. Priority Applicants**

Departments may impose additional requirements when filling positions specific to their area. For instance, job descriptions may give priority to students who have completed coursework or degree requirements.

#### **F. Immigration Reform and Control Act**

Hiring departments must work with HR to comply with University policies and procedures regarding the Immigration Law Compliance Policy # 4.101. Students must provide evidence of their identity and employment eligibility and complete an I-9 form as a part of the hiring process. Departments shall send completed I-9 forms to HR for filing.

### **V. General Guidelines**

#### **A. Student Employee Responsibilities**

Student employees are expected to comply with all relevant AU employment policies such as the Employee Code of Conduct and Employee Code of Ethics as appropriate.

#### **B. Classification, Wage Rates, and Benefits**

Most student positions are temporary, non-exempt and thus, students are paid an hourly rate. Non-exempt employees are subject to minimum wage and overtime regulations. Student employees by nature of their classification are not entitled to any benefits or paid leave. Exceptions to hourly pay must be requested in advance and in writing to HR.

#### **C. Change of Status**

A student position cannot be changed to a regular ongoing position without following the applicable procedures for the creation of, and hiring for, a regular position as outlined in the Hiring and Search Committee Policy # 4.103. Specifically, the position must be posted internally. A student is not considered an internal candidate for promotion and transfer purposes and they may not be placed in the vacancy without external posting.

If no internal candidate is successful in filling the vacancy, then the position shall be posted externally pursuant to the Promotion and Transfer Policy, 4.309. A student may then apply as an external applicant.

#### **D. Maximum Hours of Work**

Student employees are students first and foremost and, in recognition of this, are limited to a total of 25 hours per week while classes are in session, and 35 hours per week between sessions. This limit applies to the total hours of all student employment positions held simultaneously. This also allows a more equitable distribution of available student jobs.

#### **E. Supervision**

Student employees should be scheduled in such a manner that a direct supervisor or designee is on duty at all times, at the same site as the student employee. This ensures proper supervision and guidance as needed for student employees. Student employees should never be left alone or in place of a regular employee.

#### **F. Attendance Records**

Student employees are required to complete time record sheets each week showing all hours actually worked. These records satisfy federal and state regulations. Forms are available from HR or from the Payroll Department.

#### **G. Overtime**

The Federal Labor Standards Act ("FLSA") and/or local regulations require that non-exempt employees be paid overtime at the rate of one and one-half times the regular rate of pay for all hours "actually worked" in excess of 40 in one week, and in California in excess of 8 hours in a day "actually worked." Generally, student work will be structured not to exceed these weekly or daily maximums. Student employees are not eligible to earn comp time.

#### **H. Breaks and Meal Periods**

1. Students must be given a 10-minute break for every four hour stretch of work, or major portion thereof, approximately in the middle of the hours worked. Two hours is considered a "major portion" of a four-hour shift of work, thus students should be given breaks for any shift of more than two hours.
2. Meal periods must be given to employees who work six hours or more in a shift. Meal periods must be 30 minutes without interruption to be unpaid time.
3. Please contact HR if you have questions about the scheduling of breaks and meal periods for student employees.

**I. Paid Leave**

Student employees receive no paid leave for holidays, vacations, sick leave, emergency/weather related closings, or any other time off.

**J. Unpaid Leave**

Arrangements for time off without pay must be approved by the hiring manager, including time off during academic break periods. Academic break periods are a function of the academic calendar, and do not relate to student employee work assignments.

**K. Premium Pay**

Premium rates such as holiday pay and night differential do not apply to student employees.

**VI. On-the-Job-Injuries**

If a student employee is injured on the job, the accident reporting procedures are the same as for regular employees. See Work Related Injuries and Reporting Policy # 4.509.

**VII. Layoff, Termination, Grievances**

- A. Student employees are employed at will and may be laid off or terminated with or without cause as the University, in its sole discretion deems necessary or appropriate. If a layoff is necessary due to lack of work, lack of funds, reorganization or other reasons not reflecting discredit on the student employee, reasonable notice in writing shall be given. Ordinarily this will be no less than two weeks.
- B. Students will be terminated if their performance is deficient or if their behavior does not merit continued employment. Supervisors are encouraged to give students the opportunity to correct their deficiencies prior to termination. No written notification is required, but is strongly recommended. Students who wish to appeal any employment related issue, including disciplinary action, may file a grievance under the university's Grievance and Conflict Resolution Policy # 4.625 available to all employees. If student employees believe that an employment action was based on unlawful discrimination, they may file a complaint under the University's Discrimination Complaint Procedure Policy #4.619. The Affirmative Action/Equal Opportunity Officer can assist student employees with formal and informal means of discrimination complaint resolution in those matters alleging illegal employment discrimination.

- VIII.** Reasonable Accommodations Student employees may request accommodations for disability in accordance with AU policy 4.107 (Reasonable Accommodations). With student consent, the Office of Disability Student Services may coordinate with HR and/or a student employee's supervisor by providing information regarding a student employee's academic accommodations and/or medical documentation.

#### **Policy Cross References**

Affirmative Action and Equal Opportunity	Policy # 4.005
Immigration Law Compliance	Policy # 4.101
Hiring and Search Committee Policy	Policy # 4.103
Background Checks	Policy # 4.109
Promotion, Transfer and Reassignment	Policy # 4.309
Discrimination Complaint Procedure	Policy # 4.619
Grievance and Conflict Resolution Process	Policy # 4.625
Benefits Eligibility	Policy # 4.701
Student Employment and Confidentiality	Policy # 6.201
Reasonable Accommodation	Policy #4.107

#### **Forms Cross Reference**

I-9 Employment Verification Form	Form # 4.101:01
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