

September 28, 2017

TO: Division Heads, Deans, Directors and Department Chairpersons

FROM: Christopher Lynch, Associate Vice President for Enrollment Services

RE: 2017 – 2018 Personnel Policy for Undergraduate and Graduate Student Employees of the University of South Alabama

The following is the updated 2017-2018 Personnel Policy for Undergraduate and Graduate Student Employees of the University of South Alabama. This policy has been established for undergraduate and graduate student employees **only** and does **not** apply to Graduate Assistantships. The Dean of the Graduate School maintains the Graduate Assistantship Policy. Contact the Dean of the Graduate School at 460-6310 or view the graduate assistantship policy at <https://www.southalabama.edu/graduatemajors/graduateschool>.

## I. Introduction

Student employment at the University of South Alabama is educational in nature and as such should afford students opportunities to use and further develop their skills, creativity, sense of awareness, and responsibilities while earning a portion of their educational costs. Student employees do not come under the umbrella of regular staff employees. Student employees are defined as those students who are employed as student assistants, have a paid internship through the University of South Alabama or employed in the Work-Study program. Nursing and Allied Health students employed by the University hospitals as part of their training, elected SGA student officials, and Resident Assistants **are not** a part of this definition.

It is the responsibility of supervisors to give new student employees the proper orientation, counseling, and supervision that is needed to develop healthy attitudes toward their jobs. Students are to supplement rather than replace University staff. Any modification or deviation from these guidelines must be approved by the Associate Vice President for Enrollment Services.

## II. The Meaning of "Hourly Employment"

Students are employed under "an hour's pay for an hour's work" arrangement. However, a department should not deny payments to students for brief interruptions in their daily schedules, such as rest periods or coffee breaks, if it is the department's policy and practice to permit such interruptions for its regular hourly employees. Students are not compensated under a salary, commission, or fee arrangement. In addition, fringe benefits such as paid sick leave, vacation pay, and holiday pay, which are provided benefits to eligible regular employees, do not apply to student employment. Student assistants are not covered by Social Security as long as they are enrolled at least half-time and regularly attending classes. Student employees are not covered by workmen's compensation or unemployment compensation. This should be explained to students when hired.

## III. Hourly Wage Rates

Wages paid to students working under the student employee program must be paid the minimum wage (**\$7.25/hour**); however, said hourly wage should not exceed **\$5.75** per hour over minimum wage for undergraduate student employees and should not exceed **\$10.25** per hour over minimum wage for graduate student employees without permission from the Executive Director for Enrollment Services. A written justification along with the Student Personnel Action form **MUST** be sent to the Enrollment Services Office **first** for hourly wages exceeding **\$13.00** for undergraduate student employees and **\$17.50** for graduate student employees. Once the written justification and student personnel action form has been approved by the appropriate office (Senior VP for Academic Affairs,

VP for Student Affairs, or VP for Health Sciences), Enrollment Services will deliver directly to the Payroll Office.

Medical Affairs and Dean of the College of Medicine, Enrollment Services will deliver directly to the Payroll Office.

Wages under \$13.00/hour for undergraduate employees and under \$17.50/hour for graduate employees can be sent directly from the departments to the Payroll Office as long as it does not require a signature by the Grants and Contracts Office (***Student Personnel Action Forms with the FUND # beginning with 2***). Signature is required for all grants except for Federal Work Study.

Students employed under the Work-Study program will be paid at least minimum wage as required under the federal guidelines to participate in the program. Employment under the Work-Study program is determined by the financial need of the family. The University of South Alabama is an equal opportunity employer and shall not discriminate on the basis of race, age, color, religion, national origin, disability, disabled veteran, Vietnam Era Veteran status, or sex.

#### IV. Mandatory Direct Deposit of Paychecks

All newly hired and current student employees will be required by the University to be paid by direct deposit. Student employees who are not already enrolled in direct deposit of paychecks will be required to do so through Payroll Accounting. If a student employee is unable to secure an account at an eligible financial institution they can establish an account at the USA Federal Credit Union. There will be a one-time \$25 share deposit required for opening the account. **STUDENTS SHOULD UNDERSTAND THIS REQUIREMENT BEFORE HIRING.**

The direct deposit enrollment form can be obtained at the following link:

[www.southalabama.edu/financialaffairs/payrollaccounting/directdepositform.pdf](http://www.southalabama.edu/financialaffairs/payrollaccounting/directdepositform.pdf)

Failure to establish a direct deposit account will result in termination of the student appointment.

\*\*\* NOTE: While direct deposit participation expedites payments, and is encouraged for all employees, Work-Study student employee participation, by law, is optional. If a Work-Study student employee chooses to participate, that participation may be cancelled at any time by indicating such cancellation on the form referred to in the link above.

#### V. Appointments

Each department should have on file a job description for each student employee position, including Work-Study. For student employees, the rate of pay can be based on job requirements and skills needed, but should not normally exceed minimum wage by more than \$5.75 per hour for undergraduate employees and should not exceed **\$10.25** per hour over minimum wage for graduate student employees. **ALL STUDENT PERSONNEL ACTION FORMS MUST REFLECT THE STUDENT I.D. NUMBER. The effective date on the Student Personnel Action Form should be the first day that the student actually starts to work.**

At the time of appointment, the student employee must:

- be enrolled at least half-time (**undergraduate 6 hours, and graduate 3 hours**)

***Note: Summer semester includes credit hours taken during the May semester and summer semester (June-July).***

- be a degree seeking student
- have completed I-9 (refer to section **VIII**)

Work-Study students generally must be enrolled full-time.

If a graduate student employee is in their final semester, they may continue employment as long as they are registered in a minimum of 1 credit hour.

**Student employees currently hired in a department may choose at their option not to enroll for one semester each academic year (Fall - Summer) during which time they may work up to a maximum of 56 hours per pay period with an average of 28 hours per week during the pay period.\* This does not apply to students who have not been enrolled for two consecutive semesters.**

**Example: A student was not enrolled in spring semester or summer semester but wishes to use the following fall for their semester to opt out of enrollment.**

A student must be enrolled in the prior semester and registered for the upcoming semester before they are allowed to opt out a semester of being enrolled.

\*For enrollment and employment requirements related to a student who is **NOT** a US citizen or a Legal Permanent Resident of the US please review the employment limitations below in Section VII.

Students admitted and registered to attend the University for the first time are not eligible to work as student employees until the first day of the semester.

Returning students and students who withdraw during a semester cannot begin working for the upcoming semester until the student has registered for classes for the upcoming semester. The student may not begin work until the first day of classes.

**Example 1:** Student withdraws during spring semester and has to cease working immediately. Student registers for classes for summer semester but cannot begin working until after spring exams are over and until the first day of the semester.

**Example 2:** Student has not been enrolled for several semesters and has applied for readmission and registered for classes for summer semester. The student cannot begin working until after exams are over for spring semester and until the first day of the semester.

It is recommended that student employees work no more than eight hours per day. Under special circumstances the supervisor may allow students to exceed the eight hour limit. The maximum number of hours a student employee is allowed to work is 20 hours per week when classes are meeting. If a student holds more than **one** student employee job, the maximum combined hours a student may work between the jobs is **still** 20 hours per week, not to exceed 40 hours per pay period. If a department feels it is necessary to have a student work more than 20 hours per week or more than 40 hours per pay period), written approval must be granted in advance by the Provost or their Vice President. If approved, the student may work up to a maximum of 28 hours per week or a maximum of 56 hours per pay period. A list of students with their JAG numbers and a copy of the written approval must be submitted to Office of Enrollment Services.

Student employees may **work up to a maximum of 56 hours per pay period with an average of not more than 28 hours per week during the pay period between semesters and during fall and spring breaks.** If a student enrolls for the May semester or summer semester and only takes classes for one term, the student is allowed to work 20 hours while taking classes and allowed to work 28 hours when not taking classes during the summer. Students **must** wait until final exams are completed for **all** students before they can begin working 28 hours per week. Students are not allowed to work more than 56 hours per pay period under any circumstance without permission from the Provost or their Vice President. If approved, a list of the students with their JAG numbers must be submitted to Office of Enrollment Services.

Students who are participating in a paid internship program through the University of South Alabama while taking classes are allowed to work up to 20 hours per week or 40 hours per pay period. However, students who are participating in an internship program through the University of South Alabama and are not enrolled in any other classes may work up to 28 hours per week or 56 hours per pay period.

***Note: Students who hold a student employee position and are participating in a paid internship through the University of South Alabama are limited to working 20 hours per week or 40 hours per pay period.***

Fifteen hours per week is the maximum number of hours allowed for Work-Study students. International student employee limitations are defined in Section VII.

Work-Study students generally are not allowed to work between semesters or other periods of non-enrollment.

Students are not allowed to work at home. All work must be conducted under departmental supervision.

Student employees, if they desire, may work during official University holidays if the office in which they are hired remains open during the holidays. Students cannot be required to work during official University holidays.

Students holding both a part-time staff position and a student position may work no more than 20 hours in their student appointment with the combined total hours worked not to exceed 56 hours per pay period with an average of 28 per week during the pay period.

**Students who completely withdraw during a semester or who are suspended should cease working immediately.**

Students may not continue to work after they graduate.

The international student employee must meet Department of Labor and Immigration regulations regarding citizenship or alien status. Documentation proving satisfaction of regulations must be provided to the Payroll Office. Documentation includes I-94 card, passport with expiration date, visa and the form I-20. Illegal aliens will not be employed.

Each department must submit a new Student Personnel Action appointment form when a student is hired. The student employment date will only be required at time of termination unless the student is a work study student, in which case an end date is required for each year. See Section VIII for instructions on the mandatory I-9 policy. In addition, Payroll must be notified (for FICA withholding purposes) when a student employee is not enrolled. The original or a copy of the social security card must be presented to the Payroll Office for social security number and name verification. When employment ends for the student a termination PA must be completed. (See section XIV)

Changes to a current student employee's PA (i.e. current student employee hired at pay rate of \$7.25 per hour and you wish to increase the rate of pay to \$9.40 per hour) should be made effective with the beginning of a pay period. A link to USA's biweekly payroll calendar is on the website at [www.southalabama.edu/financialaffairs/payrollaccounting/calendar.html](http://www.southalabama.edu/financialaffairs/payrollaccounting/calendar.html).

Departments and divisions should observe University policy and state laws regarding **nepotism**. Students that have relatives working at the University **cannot** work in the same department as their relatives but they **can** work within the same division. Refer to Section 3.1.3 of the **Staff Employee Handbook** for more information.

## VI. Breaks and Lunch

**When working conditions warrant and the student employee's supervisor agrees, a student employee may take the following:**

1. A one 15 minute unpaid break if the student assistant works at least a 4 hour shift.
2. Two 15 minute unpaid breaks if the student assistant works a full 8 hour shift.
3. A student assistant who works a full 8 hour shift may be provided an unpaid meal period. Length of meal periods is at the discretion of the supervisor.

## VII. International Student employment

United States immigration regulation **8 CFR 214.2(f)(9)(i)** limits the employment eligibility of international students. International students who maintain their F-1 or J-1 immigration status are eligible to work part-time on the premises of the institution that issued their current, valid I-20 or DS-2019. On- or off-campus employment must be "incident to status" and cannot affect the international student's course work or studies. F-1 students do not require authorization or updates to their SEVIS record (I-20) from the Office of Immigration & International Admissions prior to accepting on-campus employment. However, J-1 students **require** authorization and updates to their SEVIS record (DS-2019) from the Office of Immigration & International Admissions **prior** to accepting on-campus employment. International students may only work "on campus" (academic department, bookstore, cafeteria, Aramark, Starbucks, etc.) a maximum of 20 hours per week while school is in session. According to University of South Alabama policy, on-campus student employees may work up to a maximum of 56 hours per pay period with an average of not more than 28 hours per week during the pay period between semesters and during fall and spring breaks as long as students who are eligible and demonstrate an intent to register for the subsequent academic semester. For any international student awarded a scholarship, fellowship, or assistantship, there is **no exception** to the overall 20 hours per week cap for on- or off-campus employment. International students may be subject to U.S. tax withholdings and should speak with USA Payroll to discuss their requirements. International students with questions regarding their eligibility for on- or off-campus employment should be referred to the Office of Immigration & International Admissions.

On-campus employment must be performed on the school's premises (including on-campus commercial firms that provide services for students on campus, such as, the school bookstore or cafeteria), or at off-campus locations that are approved by the Associate Vice President for Enrollment Services as educationally affiliated with the University of South Alabama.

## VIII. Mandatory I-9 Policy

All new employees are required by the provisions of the Immigration and Reform and Control Act of 1982, to complete a government form I-9. Complete information including the I-9 New Hire Notification form is located at:

[www.southalabama.edu/financialaffairs/payrollaccounting/i9.html](http://www.southalabama.edu/financialaffairs/payrollaccounting/i9.html)

1. **Prior to the first date of employment**, the hiring manager completes the I-9 New Hire Notification form ([www.southalabama.edu/financialaffairs/payrollaccounting/i9newhire.html](http://www.southalabama.edu/financialaffairs/payrollaccounting/i9newhire.html)) in order to inform Payroll of the established date of hire for the new employee.
2. The hiring manager or designee is to advise the new employee to report to the Payroll Office before or on the first day of work prior to reporting to his/her work location. Student nurses/workers located at the hospitals may go to their respective Human Resources Office.
3. The Payroll Office will follow-up with the hiring department if the employee does not arrive for their appointment time as indicated on the I-9 New Hire Notification form.
4. Upon completion of Section I (or Sections I and II) the new employee will be given an I-9 completion receipt to take to the hiring department. **The employee is not allowed to begin work until they provide the hiring department with this receipt.**

5. Those who do not provide acceptable documentation as required for Section II of the I-9 form on the first day of employment, are required to return to the Payroll Office in person within three business days of the first day of work with acceptable documentation.

**IX.** The Payroll Office will notify hiring managers/designees of any new employees who fail to comply within three business days and advise the department that the new employee is to be terminated immediately. The employee cannot report to work for a fourth working day without adherence to the federal act.

#### **X. On-the-Job Injury**

If a student is injured while performing duties as a student employee,

1. An Accident/Incident Report must be completed by the student or employee's supervisor within 72 hours of an on-the-job injury. The employee or their supervisor will complete the Employee Accident/Incident Report Form on the USA's Risk Management Office website at [www.southalabama.edu/departments/financialaffairs/riskmanagement/index.html](http://www.southalabama.edu/departments/financialaffairs/riskmanagement/index.html).
2. Out-of-pocket expenses and/or reinstatement of time will not be considered if an incident form has not been submitted.
3. All claims for out of pocket expenses may be filed with Human Resources, or you may be referred to the Alabama State Board of Adjustment if the claim exceeds \$1,000.00.

A letter explaining the State Board's claim filing procedures and requirements along with the appropriate claim forms can be obtained by the student employee from Human Resources or USA's Office of Risk Management, CSAB 216.

#### **XI. FICA Taxes**

The IRS has announced, through a private letter ruling that student employees who are enrolled less than half-time (less than three hours graduate or six hours undergraduate) are subject to FICA taxes. To comply with this ruling, student employees' enrollment status will be verified each payroll period.

#### **XII. Graduation**

A student employee cannot work after they graduate from the University. Students must cease employment on the last day of finals during the student's last semester. If a student chooses to continue their education at the University of South Alabama, they must be degree-seeking and cannot begin employment until the first day of classes.

#### **XIII. Voluntary Services**

The Fair Labor Standards Act of 1938, as amended, prohibits a covered employer (including educational institutions) from accepting voluntary services from any paid employee. Therefore, students **must not** be allowed to work more hours than their maximum limitations as established at the time of appointment and must be paid for all hours worked. Students must be paid for all work performed. Voluntary services should not be permitted.

#### **XIV. Pay Policy and Procedure**

**Student employees must be paid through normal student personnel/payroll procedures initiated by completing the appropriate student personnel action papers.**

**A Termination/Resignation Student Personnel Action Form must be completed and submitted to the Payroll Office when a student is no longer employed with the University of South Alabama or has graduated.**

**Students should not be paid by a requisition.** Exceptions to this policy must be approved by the Associate Vice President for Enrollment Services.

**Students are paid every two weeks. Payroll authorization (electronic time sheets) must be approved by the student and supervisor (except for off-campus work-study STAY students) and received by the Payroll Office before 9:00 a.m. on Monday before payday. Changes to the timesheet deadline will be posted on the Payroll website**

**[www.southalabama.edu/financialaffairs/payrollaccounting/calendar.html](http://www.southalabama.edu/financialaffairs/payrollaccounting/calendar.html). Student employees must have direct deposit and check stubs can be accessed through their PAWS account.**

**If the hiring department fails to meet paperwork deadlines for the Student Personnel Action Forms and/or timesheets, the student employees' pay will be deferred to the following pay date. No manual checks will be issued.**

**Students must complete their electronic timesheet on Web Time by the Payroll deadlines. Non-compliance of student regulations may result in termination of the student appointment.**

**See Section IV for the mandatory direct deposit for paychecks requirement.**

**[www.southalabama.edu/financialaffairs/payrollaccounting/directdepositform.pdf](http://www.southalabama.edu/financialaffairs/payrollaccounting/directdepositform.pdf).**

Students unable to work because of a natural disaster or other causes beyond their control **will not** be paid for lost work. The students may be allowed to make up the lost work during the semester at the discretion of the supervisor.

## **XV. Supervision**

The employing department must provide sufficient staff to adequately supervise the work performed by student employees, set work schedules including starting and ending time, arrange for absences when necessary, see that pay procedures are followed, and in general ensure that a reasonable work relationship is developed and maintained between the student employee and the department.

Students are not allowed to work at home. **All work must be conducted under departmental supervision.**

## **XVI. Grievances**

Student employees may use the grievance procedure to seek redress of grievances arising out of terms or conditions of student employment. A student employee having a complaint or grievance should first discuss the matter orally with the immediate supervisor within ten working days after the incident. The supervisor should consider the grievant's request and render an oral decision within five working days of the discussion. Failing satisfactory adjustment from the supervisor, the aggrieved student employee shall, within five working days following receipt of the supervisor's decision, reduce the grievance to writing stating (1) the facts of the case, (2) the nature of the complaint, and (3) the adjustment desired. The written grievance shall be presented to the department head who shall give a written response to the grievant within five working days. (NOTE: if the department head is the immediate supervisor, initial grievance may be oral, followed by a written grievance to the dean or director).

Failing satisfactory adjustment from the department head, the aggrieved employee shall, within five working days after receipt of the department head's response, present the written grievance to the appropriate dean or director who shall render a written statement to the grievant within five working days. If satisfactory adjustment is not forthcoming from the dean or director, the grievant shall, within five working days after receiving the dean's or director's response, submit the grievance to the Vice President for Student Affairs. The Vice President for Student Affairs shall thoroughly investigate the case and render a written answer within ten working days.

Work-Study students should follow the same grievance procedure as student assistants. Rather than submit the grievance to the Vice President for Student Affairs, the grievance should first be

presented to the coordinator of the Work-Study program. The case shall be investigated thoroughly and presented to the chief student personnel officer. A written answer shall be rendered to the aggrieved employee within ten working days.

## **XVII. Terminations**

Student employees are considered to serve at the pleasure of the University and are "at will" employees.

### **Ending Employment:**

The following constitute ending employment with the University:

- The student graduates
- The student is no longer enrolled
- The student resigns from employment

A termination/resignation PA must be completed for the above occurrences.

<http://www.usouthal.edu/departments/eforms/enrollmentservices/studentpaform.pdf>

### **Disciplinary:**

In the event that need arises to terminate a student employee, the supervisor should discuss with the student the on-the-job problem and corrective action necessary to maintain job and appropriate time-line to correct problems before termination. Proper documentation supporting any or all disciplinary actions should be maintained by the department. Their employment must not violate Affirmative Action/Equal Employment Opportunity laws and regulations. The filing and resolution of grievances shall be done in accordance with the terms of Section XVI of this policy.

Grounds for immediate termination would include, but not be limited to

- student who falsifies their time sheet.
- theft or misuse of university property.
- disclosure of confidential records which the student may be privileged to in the scope of their student employment.

In cases involving student misconduct, the matter will be referred to the University Disciplinary Committee for adjudication as outlined in the Student Handbook. The University reserves the right to suspend the student employee job related activity without pay pending the outcome of the University Disciplinary Committee hearing process.

In terminations involving students on the Work-Study program, the supervisor will complete the evaluation sheet to be returned with the termination papers.

## **XVIII. Child Labor**

All departments hiring student employees must post the following script regarding Child Labor. A printable copy is available at

[www.southalabama.edu/departments/enrollmentservices/studentemployeeepolicy.html](http://www.southalabama.edu/departments/enrollmentservices/studentemployeeepolicy.html)

**Per Alabama child labor laws: Workers under 18 cannot do the following: work in or around steam boilers; operate any power-driven woodworking, bakery, or paper-products machinery; operate any paper cutting, stapling, corrugating or punching machines; operate any stamping machines used in sheet metal or tin ware, or in paper or leather manufacturing or washer or nut factories; operate any power-driven metal forming, cutting, straightening, drawing, punching or shearing machines; assemble, adjust, clean, oil or service machinery in motion or**

serve as a model in a nude or nearly nude condition (as defined by Alabama law). Certain time and hour restrictions apply to any models under age 18.

## XIX. Summary

The basic guidelines for student employees are:

1. As hourly employees, student assistants must be paid only for hours actually worked.
2. The hourly pay rate should not normally exceed the current minimum wage (**\$7.25/hour**) by more than **\$5.75/hour** for undergraduate student employees or **\$10.25/hour** for graduate student employees. A written justification along with the Student Personnel Action form **MUST** be sent to the Enrollment Services Office **first** for hourly wages exceeding **\$13.00/hour** for undergraduate student employees and **\$17.50/hour** for graduate student employees.

Once the written justification and student personnel action form has been approved by the appropriate office (Senior Vice President for Academic Affairs, VP for Student Affairs, and VP for Health Sciences), the Enrollment Services office will deliver directly to the Payroll Office.

Wages under **\$13.00/hour** for undergraduate employees and **\$17.50/hour** for graduate employees can be sent directly from the departments to the Payroll Office as long as it does not require a signature by the Grants and Contracts Office (*Student Personnel Action Forms with the FUND # starting with 2*). Signature is required for all grants except for Federal Work Study.

3. Student employees are limited to a 20 hour week when classes are meeting. If a student holds more than one student employee job, the total maximum hours to work between the jobs is still 20 hours per week.
4. International students cannot work more than 20 hours a week during the Fall and Spring Semesters. Prior to employment, check with the Office of Immigration and International Admissions for any further limitations or exceptions.
5. Student employees must be enrolled at least half-time and be a degree seeking.
6. Student employees must meet Department of Labor and Immigration regulations.
7. University policy and state laws regarding nepotism must be followed.
8. This policy must be reviewed with the student at the time of employment.
9. Student employees may work (maximum of 56 hours per pay period with an average of 28 hours per week during a pay period) and not be enrolled for one semester each academic year (Fall-Summer). This does not apply to international students during the fall and spring semesters.
10. Student employees may not work after they graduate from the University. Student employee must cease employment on the last day of finals during the student's last semester. If a student chooses to continue their education at the University of South Alabama they must be degree-seeking and cannot begin employment until the first day of classes.
11. If a graduate student employee is in their final semester, they may continue employment as long as they are registered in a minimum of 1 credit hour.
12. Termination/Resignation Student Personnel Action Forms must be completed and submitted to the Payroll Office when a student is no longer employed with the University of South Alabama or has graduated.

13. **Student employees who are working and not enrolled at the University are not eligible to utilize the USA Student Health and are not exempt from FICA.**
14. **Students enrolled less than half-time are subject to FICA taxes.**
15. **All new employees are required by the provisions of the Immigration and Reform and Control Act of 1982, to complete a government form I-9 PRIOR TO beginning employment. Complete information including the I-9 New Hire Notification form is located at:**

[www.southalabama.edu/financialaffairs/payrollaccounting/i9.html](http://www.southalabama.edu/financialaffairs/payrollaccounting/i9.html)

**Any modification or deviation from these guidelines must be approved by the Associate Vice President for Enrollment Services.**