

Name of Policy: Student Employment Policy Policy Number: 3364-30-23 Approving Officer: President Responsible Agent: Vice President of Student Affairs Scope: All positions hired through on-campus student employment.		 Original effective date: April 6, 2021	
<input checked="" type="checkbox"/>	New policy proposal	<input type="checkbox"/>	Minor/technical revision of existing policy
<input type="checkbox"/>	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

The basis for student employment is to assist in meeting the needs of the university, provide university students with financial support in pursuit of their academic goals, and provide opportunities for academic or administrative job experience. The job duties and responsibilities of student employees vary greatly, and may or may not be related to their field of study. A student employee is defined as an individual who is:

- (1) Enrolled at the University on a full-time or part-time basis, during the semester(s), they are working. During the summer semester, UToledo students who attended classes the prior spring and are enrolled for the following fall semester may work as student employees. Associated with the University, primarily in the pursuit of an academic degree.
- (2) Students attending other institutions who are under an approved consortium agreement may also be employed as UToledo student employees.
- (3) Appointed to a position designated as student employment.

The University maintains a distinction between on-campus student employment and staff employment. These distinctions may include but are not limited to the nature of work, hours worked, rate of pay, and benefit eligibility.

(B) Purpose of policy

Oversight for the recruitment, selection, and management of a student employee is the responsibility of the appropriate administrative authority within the various colleges, departments, and offices.

- (1) The hiring unit must adhere to all applicable federal and state employment laws when hiring student employees.
- (2) The hiring unit must adhere to all University Human Resources' policies and procedures when hiring student employees.
- (3) Students appointed to work-study positions must meet federal work-study program eligibility requirements as determined by the Student Financial Aid office.
- (4) Student employment positions must not be in conflict with University collective bargaining agreements.
- (5) Students are not eligible to begin working until all of the required actions have been completed, and they have received all required approvals. Allowing a student to begin working before they are cleared to start could result in the following:
 - (a) In the event of an injury the student may not be qualified for coverage under the University's Workers' Compensation Insurance.
 - (b) The student's paycheck cannot be processed until all employment and compliance processes has been completed and their ePAF is active in the system.
 - (c) This could result in corrective action being implemented with the hiring authority who does not follow all employment and compliance procedures.

(C) Scope

This policy applies to all positions that are being hired through on-campus student employment.

(D) Terms of Employment

- (1) Job Posting
To ensure all students have an equal opportunity to find and apply for positions, on-campus departments must post their positions on Career Services official job posting platform:
 - (a) Positions must be posted for a minimum of seven calendar days.

- (b) Departments must include the completed the job description template in the Job Description portion of the post to ensure a compliant job description has been provided to the student.
- (2) Background Check

Any department hiring an on-campus student employee for a position, which will require a background check based on the qualifying duties listed in the [Criminal Background Check Policy 3364-25-47](#), are responsible for:

 - (a) The cost of the background check.
 - (b) Completing the background check before submitting the student's ePAF.
- (3) New Hire Paperwork

Employment Authorization (I-9) and any other required employment forms must be completed and certified for all student employees before the first day of employment. Failure to complete the I-9 correctly and on-time may result in fines being issued by Immigration and Customs Enforcement <https://www.uscis.gov/i-9-central> . The non-compliant department would be responsible for payment of any imposed fines.
- (4) Wages and Compensation

All student employees must be paid on an hourly basis.

 - (a) On-Campus Student Employment and Human Resources (Compensation) are responsible for establishing student employee pay ranges and applicable guidelines. The guidelines can be found in the On-Campus Student Employer Handbook.
 - (b) All student employees must be paid at least the current minimum wage.
 - (c) Hourly pay rate for student employees should not exceed full-time staff.
 - (d) Any student employee wage increase must be approved by On-Campus Student Employment.
- (5) Hours of Work
 - (a) All student employees other than co-op employees are appointed on a temporary, part-time basis and may hold multiple student appointments as long as they do not exceed the maximum amount of hours.
 - (i) Domestic Students are eligible to work 28 hours per week (Saturday 12:00 am – Friday 11:59 pm).

- (ii) International Students are eligible to work 20 hours per week (Saturday 12:00am – Friday 11:59pm). International students are eligible to work 20 hours per week during scheduled breaks that are at least one week long.
- (iii) Federal Work-Study (FWS) Students are eligible to work 28 hours per week (Saturday 12:00 am – Friday 11:59 pm). They are limited to 20 hours of FWS, and the remaining 8 hours are paid for by the department's budget. FWS is part of the Federal Financial Aid program is only available to students who are eligible to qualify for Federal Funds.
- (c) Graduate Assistants must seek permission from the College of Graduate Studies to hold an additional position. These positions are limited to a maximum of 5 hours per week (Saturday 12:00 am – Friday 11:59 pm).
- (d) Departments are responsible for the monitoring of hours worked by student employees assigned to their unit; this is especially important for students who hold multiple student appointments.

(6) Performance Evaluations

All hiring departments are required to provide a performance appraisal for student employee. On-Campus Student Employment will provide the appraisals after the half way point of each semester.

(7) Unpaid Time Off

- (a) Student employees do not accrue vacation, sick leave, or other paid time off.
- (b) Arrangements for time-off without pay are negotiated and approved within the employing unit, 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.

(8) Holidays

Generally, student employees are not required to work on university-designated holidays, and they are not paid for the holiday. In those university offices where services are maintained on holidays, you may request a student to work on the holiday. If they agree, their pay is at the regular hourly rate. An opportunity should be offered to take an alternate day-off without pay within the pay period in which the holiday is observed.

(9) Workers' Compensation

The Ohio Workers' Compensation Law covers student employees.

(10) Unemployment

Student employees are not entitled to unemployment compensation.

(11) Social Security and Medicare Tax

All employees of the University are exempt from the pension portion of Social Security. In addition, student employees enrolled on at least a half-time basis are exempt from Medicare tax withholding. The University is required to withhold the Medicare tax from the wages of student employees enrolled on a less than half-time basis. Consult Payroll for information regarding exemption eligibility.

(12) Ohio Public Employees Retirement System

Employees of Ohio public colleges and universities do not contribute to the federal Social Security system, other than contributions to Medicare. They contribute to state retirement systems.

- (a) Membership in the Ohio Public Employees Retirement System (OPERS) is optional for Student Employees and Work-Study Students enrolled on at least a half-time basis at a qualifying institution. OPERS membership is mandatory for co-op students, and student employees enrolled on less than a half-time basis in any quarter. OPERS membership requires a tax-deferred payroll deduction. These deductions are remitted to OPERS for the purpose of accumulating service credit toward future retirement benefits.
- (b) Student employees may request an exemption from OPERS membership by responding to an email or text sent to them by OPERS. They must respond to the email or text within 30 days of covered employment. OPERS exemption requests will be honored for the duration of a student's employment status unless enrollment drops to less than a half-time basis. In such cases, OPERS deductions will be withheld until sufficient credit hours are added in subsequent term(s). Co-op students are not eligible for the option exemption from OPERS.
- (c) Upon termination of employment, student employees who participate in OPERS can either leave their accumulated contributions on deposit to qualify for future retirement benefits or request a refund of their accumulated contributions and will be issued by OPERS. Refunds from OPERS are subject to federal and state income tax withholding, and reporting by OPERS is taxable income on IRS Form 1099R.

(13) Jury Duty

Time used by a student in the performance of jury duty, or when summoned as a witness, shall be treated as an excused absence without pay.

(14) Termination

A student employee is an at-will employee and may be terminated with or without cause unless there is an explicit written contract between the student employee and the University that provides otherwise.

- (a) If a student's position is eliminated due to budget constraints, lack of work, or any other valid reason unrelated to job performance, the employer should give the student a notice with an explanation.
- (b) If the supervisor determines that the student employee is not performing satisfactorily, the following process is required;
 - (i) A verbal conversation must occur to try and help the student employee understand the issue in order to resolve the concern.
 - (ii) A written warning must be provided with a course of action to deliver one final attempt to help the student employee correct the problem.

(15) Military Duty

Per The 1994 Uniformed Services Employment and Reemployment Rights Act -- .
http://www.dol.gov/vets/programs/userra/userra_fs.htm

- (a) A student employee who is a member of any reserve component of the United States Armed Forces, who is voluntarily or involuntarily ordered to extended U.S. military service, shall be granted time off without pay.
- (b) The student employee should provide to the supervisor advance written or verbal notice of the call for impending training or active duty.
- (c) Upon completion of training, or if discharged under honorable conditions, and upon re-registration as a student, the student employee shall be returned to his or her former position in a timely manner, based on the availability of a student position. Due to the temporary nature of student employment, if the position is abolished during the student's absence, then no obligation exists.

(16) Conflict of Interest/Nepotism

Student employee appointments shall conform to the university policy 3364-25-18
Conflict of interest and nepotism

<p>Approved by:</p> <p><u>/s/</u> Gregory C. Postel, M.D. Interim President</p> <p><u>April 6, 2021</u> Date</p> <p><i>Review/Revision Completed by:</i></p> <p><i>Student Affairs Office, Office of Legal Affairs, SLT</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none">• 3364-25-11 Student employment effective April 30, 2018 <p>Initial effective date: April 6, 2021</p> <p>Review/Revision Date: n/a</p> <p>Next review date: April 6, 2024</p>
---	---