

Policy: **Student Employees**

Date Adopted: 10/03/80

Last Revision: 04/15/02

References: Student Employment Manual; Financial Aid

As used in this procedure, the following definition applies:

Student Employee is defined as an individual meeting all of the following criteria:

1. Enrolled for at least six (6) academic credits at The University of Montana;
2. Performing duties not typically performed by regular or temporary classified, academic, or administrative personnel;
3. Student employment is considered incidental to the individual's academic pursuits and class attendance;
4. Rate of pay is established in accordance with guidelines established by the Human Resource Services Office; and
5. Student employees are ineligible for all benefits provided to regular employees of the University unless specifically included in this policy.

EMPLOYMENT CONDITIONS

Departmental hiring authorities appoint student employees as set forth in the "Student Employment Manual." In the event of discrepancies between the "Student Employment Manual" and this policy, the provisions of this policy shall apply. The intent of this policy is that all applicable federal policies shall be observed. If there is a conflict, federal policies shall take precedence.

Student employees shall not replace or displace classified employees nor shall the employment of students result in a reduction of the number of regular work hours assigned to any classified employee.

1. **Overtime:** Student employees are ineligible to have a work schedule that would result in overtime compensation and/or compensatory time unless specifically authorized in advance by the supervisor. Overtime shall be paid for hours worked in excess of forty (40) per week. In the event a student employee holds more than one position at the University and works overtime, the department in which the student was actually working at the time he/she exceeded 40 hours per week shall pay the overtime rate of pay for total hours worked in excess of 40 per week.
2. **Benefits:** Benefits including, but not limited to, annual leave, sick leave, holiday pay, health insurance coverage, retirement, and other benefits for which regular employees of The University of Montana are eligible, shall not apply to student employees.

3. **Length of Appointment:** The duration of student appointments may not exceed one academic semester. Written notice of the duration of an appointment shall be provided to the student employee by the hiring authority. There is no right to renewal, and employment ends at the expiration of the designated term of employment, unless renewed at the discretion of the hiring department or terminated earlier for reasons discussed under section V of this policy.
4. **Graduate Assistants:** Graduate assistants conducting research related to their academic programs for fifteen (15) or less hours per week during the academic year, under the direction of a principal investigator, will receive compensation commensurate to that of a teaching assistant.
5. **Eligibility for Student Employee Status:** Undergraduate students enrolled for a minimum of six (6) credits during the academic year or summer sessions are considered student employees. Enrollment shall be verified after the third week of each semester. If the individual is not enrolled for at least six (6) credits at that time, he/she shall be immediately discontinued as a student employee and cannot be transferred to temporary classified employment status. Guidelines for work study employment shall be established by the office of Financial Aid. Graduate research assistants and teaching assistants are governed by policies established by the Graduate School.

In the event an individual's academic credit hours are less than six (6), the individual can no longer be considered a student employee. For taxation purposes, students enrolled for less than six (6) undergraduate or six (6) graduate credits are subject to F.I.C.A., state, and federal taxes. If a student is enrolled for less than six (6) credits, he/she shall continue to be considered a student employee for employment purposes under the following conditions:

- A. During summer and other scheduled academic breaks, student employees are not required to be enrolled. Applicable payroll withholdings will apply. In order to be considered a student employee the during summer, the student must be enrolled for at least six (6) credits during the immediately preceding or successive academic semester.
- B. Any student participating in an internship program and enrolled for at least one (1) credit at The University of Montana shall continue to be classified as a student employee.

DESCRIPTION OF JOB DUTIES

A brief written description of job duties will be provided to each student employee and the Human Resource Services/Student Employment Office upon initial appointment. If duties change significantly during the term of employment, an updated description will be completed by the hiring department and a copy provided to the Human Resource Services/Student Employment Office.

Written performance evaluations may be required by policies of employing departments.

Records of student employment, as discussed in this section, shall be maintained by the employing departments.

TERMINATION OF EMPLOYMENT

Students are employed at the discretion of the hiring department. Due to a department's operational needs, staffing requirements, and/or funding limitations, a student's employment may be discontinued at any time notwithstanding the term for which the student was hired.

A student employee shall give ten (10) days notice of resignation, unless otherwise agreed with the hiring department.

If termination is the result of unsatisfactory job performance, the student may be given an opportunity to improve his/her performance prior to termination. A student may be informally counseled relative to substandard job performance. If performance does not improve, a written warning letter should be issued to the employee. The warning letter shall include a complete explanation of unsatisfactory performance and the acceptable standard of performance. A copy of the letter shall be sent to Human Resource Services.

Notice of termination should be issued in writing and a copy sent to Human Resource Services/Student Employment Office.

APPEAL PROCEDURE

A student shall have the opportunity to appeal a termination due to poor job performance. Terminations resulting from funding constraints and/or revised operational or staffing needs of a department cannot be appealed.

The purpose of this procedure is to promote the prompt and efficient resolution of student complaints concerning employment with the University. The parties agree that problems which might ultimately be a cause of complaint should be resolved wherever possible without resorting to this procedure.

The student employee should, but is not required to, consult with the ASUM Student Complaint Officer prior to initiating a complaint or appeal.

Student employees alleging discriminatory treatment may file a complaint in accordance with the University's Discrimination Grievance Personnel Policy and Procedure. Complaints regarding terminations due to unsatisfactory job performance may be filed as follows:

Step 1: The student shall, within ten (10) working days after the act or omission that caused the complaint, discuss the complaint with his/her immediate supervisor. The supervisor shall have five (5) working days to resolve the complaint. If the student believes the matter is unresolved after Step 1, the student may appeal the complaint to Step 2 within three (3) working days of the Step 1 response.

Step 2: The student may file a written appeal in the form of Appendix A to the Director or Dean of the employing department. The Dean or Director shall have five (5) working days from receipt of the complaint to reach a satisfactory resolution. If a student believes the matter is unresolved after Step 2, the student may appeal the complaint to Step 3 within five (5) working days of the Step 2 response.

Step 3: The student may file a written appeal with the Director of Human Resource Services. Within ten (10) working days of receipt, the Director of Human Resource Services shall conduct a hearing. Members of the hearing board shall include: the Director or her designee, a student representative appointed by ASUM, and a representative from Student Affairs appointed by the Dean of Students. A written response shall be completed within five (5) working days of the hearing. The decision of the board shall be final and binding. Legal counsel for the University and the grievant shall be excluded from the hearing.

Failure to comply with the time limits by the student, in the absence of written agreement, shall be construed as satisfactory resolution of the complaint. If the supervisor or Dean/Director fails to comply with the time limits, in the absence of a written agreement, the student may proceed immediately to the next step.

In calculating time limits in this section, Monday through Friday, excluding legal holidays, shall be counted. The date of occurrence or receipt shall not be included.

THE UNIVERSITY OF MONTANA
STUDENT EMPLOYMENT APPEAL FORM

Name of student complainant: _____

Date(s) complaint occurred: _____

Name of supervisor involved in complaint: _____

Summary and explanation of appeal: _____

Witnesses: _____

Documents (identify here and attach): _____

Remedy requested: _____

Dated this _____ day of _____, 20____.

Signature of Student Employee