

Temporary Employment

Personnel – Temporary Employment

EWU Policy 407-01

Effective: May 11, 2018

Authority: EWU Board of Trustees

Proponent: Human Resources

Purpose: This policy establishes standards for the management of temporary employment at Eastern Washington University, to include both student and non-student temporary employment.

History: This policy revises and supersedes EWU Policy 407-01 dated January 7, 2016 was adopted by the EWU Board of Trustees on May 11, 2018.

Applicability: This policy applies to all temporary employees at Eastern Washington University.

CONTENTS

Chapter 1 – General

Chapter 2 – Requirements & Restrictions

Chapter 3 – Student Employment

Chapter 4 – Non-Student Employment

Chapter 5 – Administration

CHAPTER 1 – GENERAL

1-1. Responsibilities

- a. The Associate Vice President for Human Resources has overall responsibility for monitoring and controlling temporary employment for non-student employees. Human Resources is responsible for coordinating the non-student employment process.
- b. The Assistant Vice President for Student Services has overall responsibility for monitoring and controlling student employment. The Student Employment Office is responsible for coordinating the student employment process.
- c. Supervisors select, hire, terminate and direct the work of temporary employees for their department. It is the responsibility of every supervisor who directs the employment and work schedules of temporary employees to be familiar with, and to carry out the provisions of this policy. Supervisors are responsible to ensure that the employment of temporary employees is consistent with the requirements of this policy.

Temporary employees, which include student employees, are expected to conduct themselves and perform their duties in a professional and respectful manner.

Temporary employees are expected to comply with University policies and procedures, state and federal law and all applicable regulations.

1-2. References

- a. Chapter 41.06 RCW – State Civil Service Law
- b. Title 357 WAC - Financial Management, Office of — State Human Resources Director
- c. Chapter 28B.12 RCW – State Work-study Program
- d. EWU 401-04: Volunteers

e. Federal Student Aid Handbook

f. Washington State Work Study Program Manual

CHAPTER 2 – REQUIREMENTS AND RESTRICTIONS

2-1. General

Temporary employment positions are generally exempt from civil service rules per RCW 41.06.070.

Temporary appointments may be made without regard to civil service rules on recruitment, assessment, and certification as provided in RCW 41.06.010 & .070.

2-2. Restrictions

- a. Temporary employees shall not fill a position currently or formerly occupied by a classified employee during the current or prior calendar or fiscal year, whichever is longer, or take the place of a classified employee who was laid off due to financial or operational needs. However, a temporary employee may fill such a position on a temporary basis, in accordance with the collective bargaining agreement between the University and the Washington Federation of State Employees (WFSE). Temporary employees may only fill positions currently or formerly filled by bargaining unit employees represented by the Public School Employees of Washington in accordance with the applicable collective bargaining agreement.
- b. Student Employment Priority: Any temporary university position must first be posted and available for potential student candidates, unless the Student Employment Office approves the position as a non-student position because of a compelling reason. This posting shall last 48 hours or until filled by a student. When a supervisor deems that the position requires skills or schedules which are unsuitable for students,

the supervisor shall request that the Student Employment Office approve a non-student position and forward this information to Human Resources.

2-3. Student Employment and Educational Opportunities

a. Qualifications for Student Employment: Students employees must meet the following conditions:

- 1) A student employee must meet the enrollment requirements described in section 3-2;
- 2) Student employees are only permitted to work a maximum of 516 hours in any six consecutive months (this averages to 19 hours per week), exclusive of hours worked on established academic breaks;
- 3) Student employees may have more than one position on campus; however, the combined hours may not exceed the weekly maximum; and,
- 4) Running Start students who meet the enrollment requirements in Section 3-2 are eligible to work in institutionally-funded positions, but are not eligible for Federal or State Work Study.

b. Arrangements Not Considered to be Employment: the following academic and extracurricular activities are not considered to be "employment" and are not included with the term "student employment". For Internships and Training Opportunities listed below, students are only permitted to engage in such activities a maximum of 516 hours in any six consecutive months (this averages to 19 hours per week), exclusive of hours worked on established academic breaks:

- 1) Internships: Students who are participating in a documented and approved internship program which consists of an academic component and work experience are not considered to be "employees." Students may not volunteer or participate in an unpaid internship for which they have previously served as a paid student employee at EWU.
- 2) Training Opportunities: a student who is placed in a position, earning credit or not, directly related to the student's major field of study to provide a training opportunity is not considered an "employee" if:
 - i. the training is for the benefit of the student and the university derives no immediate advantage from the activities of the trainee,
 - ii. the trainee does not displace a regular employee
 - iii. the trainee works under close supervision,

iv. the trainee is not entitled to a job at the end of the training and understand he/she is not considered to be an employee.

c. Extracurricular Activities: students engaged in extracurricular activities, even if they receive some type of stipend or compensation, are not considered to be "employees" as the activity is conducted primarily for the benefit of the students and is part of the student's educational opportunities. This includes, but is not limited to, students elected to or appointed to a positions in ASEWU or recognized student organization, participants in sports or music, student publications, and Residential Life/Housing Staff.

2-4. Non-Student Employment

Non-Student employees are:

- a. not enrolled or are enrolled for less than the number of credits required by section 3-2 for student employees and,
- b. employed to work 1,050 hours or less in any 12 consecutive month period beginning with their original employment date.

CHAPTER 3 – STUDENT EMPLOYMENT

3-1. Restrictions

- a. Conflicting Employment: A student is not eligible for student employment if she/he has another non-student employment position at the university. This includes any temporary or permanent employment as classified staff, administrative exempt staff, or faculty. A student employee who subsequently receives university employment in a non-student employment classification must be terminated from student employment status at least one day prior to commencing non-student employment.
- b. Eastern Washington University cannot act as a temporary employment agency. Students working for EWU departments may not be contracted out to non-EWU employers.

3-2. Enrollment Requirements

Student employees, including work study employees, must be enrolled as half-time students or more, as follows:

- a. Undergraduate and Post Baccalaureate students: minimum six quarter credits per quarter or six semester credits per semester.
- b. Graduate students: minimum five quarter credits per quarter or five semester credits per semester.
- c. Graduate student employees who have completed all course work on their approved Plan of Study, except for thesis or research work, must be enrolled for a minimum of two quarter/semester credits per term or

one credit for the summer quarter of thesis or research, but are not exempt from FICA withholdings.

- d. International Students: International students on F-1 and J-1 visas may work on campus up to 19 hours per week while school is in session, as long as they are full-time student each academic quarter. To be considered full-time, students must complete, not just register for, a full course load each term (18 contact hours for English Language Institute students; 12 credits for undergraduate and post baccalaureate students and 10 credits for graduate students). An international student's eligibility to work must be certified by a Designated School Official (DSO).

3-3. Employment during Academic Breaks

To be eligible to work during a break period, the student employee must have been at least a part time student at EWU the term immediately prior to the break and must be registered to attend EWU as at least a part time student in a degree or certificate program in the term immediately after the break. Student employees are allowed to work in a student employment position up to 40 hours per week during break periods. Student employees may begin working more than 19 hours per week after completion of their last course requirements, including final examinations, projects, papers or other obligations.

3-4. Summer Employment

- a. Eligibility for summer work study. Summer enrollment is not a requirement to work during summer break. To be eligible to work on campus during the summer, a student must fit at least one of the following descriptions. All requests for exceptions are determined by the Student Employment Office.
- 1) New incoming and former returning student presents evidence of admission.
 - 2) Continuing or returning students enrolled at least part time during the previous term and have preregistered for fall or have not been able to pre-register and who provided written assurance that they will be registered.
 - 3) Students enrolled at least part time during the summer term.
- b. Institutional Employment. Students employed under institutional employment in the summer must meet the enrollment requirements in Section 3-2.
- c. FICA. Social security regulations make hourly employees subject to social security during summer session unless they are enrolled for at least six (6) credits as an undergraduate or five (5) credits as a graduate student. Students who were excluded from FICA during summer term continue to be excluded during the break between summer and fall. Students who were subject to FICA during the summer session

will be assessed FICA and FICA Medicare during the break.

3-5. Work Study

a. Earnings

- 1) It is the department's responsibility to monitor and track all work study earnings to ensure students do not earn more than their term award amount. Any earnings that exceed a student's term award will be charged to the department's institutional index code by the Student Employment Office.
- 2) In the event that a student becomes ineligible for their work study the department will be responsible for all earnings for all hours worked.
- 3) It is the student's responsibility to notify their supervisor immediately of any changes to their work study award or their eligibility for financial aid. Failure to promptly notify their supervisor may result in immediate termination.

b. Work Study Matching

- 1) Definition. "Work study matching share" is the percentage of wages outlined in the program plus benefit costs.
- 2) Policy. Areas which provide direct support to departments funded by state dollars will be charged to the state funding pool for work study programs. Areas that are self-support are responsible for funding the work study matching share. Determination of the responsible funding area is determined through the Student Employment Office and the controller. Exceptions to this policy shall be approved through the office of the controller.
- 3) Funding Areas. (a) State-funded Areas. For positions supporting state-funded areas, the work study matching share is paid from the state funding pool for work study matching. (b) Grant and Contract Activities. For positions supporting grant and contract activities, the work study matching share is paid by the appropriate grant or contract. (c) Service and Auxiliary Fund Areas. For positions supporting service and auxiliary fund areas, the work study matching share is paid by the appropriate account. (d) Other Areas. For positions supporting grant and contract activities, work study matching is paid by the appropriate account. Exceptions to this situation are any course fee accounts which are paid from the state funding pool for work study programs.

CHAPTER 4 – NON-STUDENT EMPLOYMENT

4-1. Inclusion in Collective Bargaining

Temporary non-student employees who exceed specified working hour limits may be included in an appropriate bargaining unit for purposes of collective bargaining. Working hour limits and additional details are contained in Appendix A of the current bargaining agreement between Eastern Washington University and the Washington Federation of State Employees (WFSE).

4-2. Remedial Action

Temporary appointment under the provisions of this section may be subject to remedial action by the State Human Resources Director within the Office of Financial Management (OFM) in accordance with WAC 357-19-450, when the following conditions exist:

- a. The employee has worked in one or more positions for more than one thousand fifty (1,050) hours in any twelve (12) month period since the original hire date or October 1, 1989, whichever is later. (Overtime and time worked as a student under the provisions of WAC 357-04-040 are not counted in the one thousand fifty (1,050) hours.)
- b. The position or positions are subject to civil service.
- c. The employee has not taken part in any willful failure to comply with these rules.

CHAPTER 5 – ADMINISTRATION

5-1. Employment Requirements

- a. **Background Check:** A temporary employee must successfully pass a background check for employment in accordance with EWU Policy 401-03. Such background checks shall be completed prior to employment absent written approval from the Associate Vice President of Human Resources or his/her designee.
- b. **Employment Documents:** Supervisors must ensure that required employment forms and documents are completed. Necessary items are available through Human Resource Services or the Student Employment Office.
- c. **Overtime:** If a temporary employee works in more than one department and submits over 40 hours in one week, the department that caused the overtime shall be charged overtime pay for the hours worked over 40. State work-study funds shall not be used to pay overtime compensation.
- d. **Hours Worked:** Employees will be paid in accordance with state and federal law and any applicable collective bargaining agreement.
- e. **Meal and Rest Periods:** For every four consecutive hours worked, employees receive a paid fifteen-minute rest period, which will be allowed no later than the end of the third hour of the shift. Employees who work for five or more consecutive hours, will receive a

half-hour unpaid meal period. Employees must work at least two (2) hours into the shift before the meal period can be used and cannot start more than five (5) hours after the beginning of the shift.

- f. **Holidays:** Temporary and student employees can only be compensated for actual hours worked. They may work on holidays at their usual rate of pay. No additional compensation shall be paid to temporary employees who work on holidays. A Work Study student may not be compensated for working a holiday from work study funds and must be paid fully by department funds. Hours worked on a holiday count toward a student's 516 hour limit, unless those hours occur during an academic break. For student employees, holidays are the same as those recognized in EWU Policy 403-01 and RCW 1.16.050.

5-2. Time Sheets

Timesheets shall be completed by the second working day following the end of the pay period. Timesheets shall accurately reflect any sick leave taken. Submission of a time-sheet certifies that the hours reported worked during a pay period are accurate and complete. Supervisors are required to approve or deny timesheets in a timely manner. Student employees, regardless of supervisory status, are not authorized to approve or deny time sheets. Supervisors who knowingly approve of a timesheet that delays or inaccurately reports hours worked is a violation of University policy.

5-3. Job Descriptions

Departments requesting temporary employees will provide a job description for the position. A copy of the job description will be forwarded to the Student Employment Office (for students) or to Human Resource Services (for non-student employees). Copies will also be kept by the department and provided to the employee.

5-4. Job Classifications/Pay Rates

Hourly Paid Positions: Most temporary positions are paid on an hourly basis. Current job classifications and pay levels are available through the Student Employment Office (for students) and Human Resources Office (for non-student employees). Temporary employees may not be paid a rate of pay higher than the entry level pay of a classified person in a comparable position without approval of the Human Resource Services Manager.

Special Rate Positions: An agreed-upon sum is paid in return for services rendered when the assignments or project is completed. This may include a one-time assignment or a series of related assignments or projects. The agreed-upon sum must meet or exceed the minimum wage.

5-5. Pay Raises

Pay increases for all temporary employees are discretionary. Temporary employees are eligible for a pay increase when they have worked 450 hours at the same

job in the same department. Pay increases will take effect in the pay period following the pay period in which the pay increase is approved.

Supervisors may also initiate a pay increase at any time based on increased job duties and responsibilities. Supervisors are responsible for tracking hours worked for temporary employees and for requesting pay increases in a timely manner. Some increases require special authorization by Human Resources or the Student Employment Office when they exceed established guidelines. Retroactive raises will not be given.

5-6. Problem Resolution

If a temporary employee believes that he/she has been unjustly treated with regard to job classification, increases in pay, work assignments, or any other employment related issue, he/she shall discuss the issue with their immediate supervisor.

If the problem cannot be resolved after meeting with the immediate supervisor, employees may contact the Student Employment Office (for student employees) or the Human Resource Services Office (for non-student employees) for assistance.

5-7. Termination and Resignation

- a. Temporary employees are at-will and may be terminated at any time. Student employees are not authorized to make hiring, disciplinary or termination decisions.
- b. A temporary employee may resign at any time. Whenever possible, employees should give the employer two week's written notice prior to resigning their position.

CHAPTER 6 – BENEFITS AND LEAVE

6-1. General Benefits

Temporary employees are generally not eligible for employee benefits such as health insurance or retirement. In exceptional cases, however, a temporary employee may become eligible for health and/or retirement benefits. Specific details are available in the Benefits Office.

Full-time students are exempt from PERS membership under WAC 415-108-520. At the time of employment, students receive a copy of the WAC and a Statement of Personal Ineligibility for Membership in the Washington Public Employees Retirement System form to sign.

Temporary employees participate in the Washington State Industrial Insurance program, which provides coverage for on the job injuries and occupational diseases as provided in RCW 51.

6-2. Paid Sick Leave

- a. Accrual of Sick Leave:

Starting with the first day of employment, temporary employees shall accrue paid sick leave for all hours worked including overtime. Temporary employees shall accrue one (1) hour of sick leave for every forty (40) hours worked as an employee.

- b. Usage

Temporary employees may use paid sick leave up to the amount accrued under the following conditions:

- 1) Absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
- 2) When the University has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason;
- 3) To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care. "Family member" means any of the following:
 - i. A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
 - ii. A biological, adoptive, de factor, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
 - iii. A spouse;
 - iv. A registered domestic partner;
 - v. A grandparent;
 - vi. A grandchild; or,
 - vii. A sibling.
- 4) Domestic Violence Leave as provided EWU Policy 403-05 (Employee Leave related to Domestic Violence, Sexual Assault & Stalking).

- c. Reporting and Verification of Sick Leave.

Temporary employees must notify their supervisor (or designee) as soon as reasonably possible when they will be absent due to illness or injury. If an employee is in a position where a relief replacement is necessary if they are absent, he or she will notify their supervisor at least two (2) hours prior to their scheduled time to report to work, whenever possible. The University may require a written medical certificate for absences of three (3) or more

consecutive days or where there is reason to suspect sick leave abuse.

d. Cash Out of Sick Leave.

No sick leave earned under this policy may be cashed out.

e. Carry Over

A temporary employee may not carry more than forty (40) hours from one calendar year over to another.

f. Re-employment or change of employment status.

If a temporary employee separates from employment at EWU and is rehired within twelve months by EWU, the employee's accrued unused sick leave will be reinstated. If a temporary employee transfers into a permanent or non-temporary position at EWU, the employee will retain any unused sick leave accrued as a temporary employee. Non-compensable sick leave earned under this policy must be used prior to any compensable sick leave accrued in a non-temporary position.

g. Eastern Washington University cannot interfere with, restrain, or deny the exercise of any employee right provided under or in connection with chapter 49.46 RCW, the Minimum Wage Requirements and Labor Standards.