

Franklin Pierce Law Center

Student Employment Manual

Policies and Practices

The Law Center may modify, delete, add to or otherwise change, as deemed appropriate and/or necessary, the Franklin Pierce Law Center Student Employment Program policies and practices listed here.

General Information

Federal Work-Study Program

Students who apply for financial aid may be awarded Federal Work-Study (FWS) funds by the Franklin Pierce Law Center Financial Aid Office. The number of students offered Federal Work-Study, and thus available to work, is dependent upon a yearly allocation of funds to the program. Currently seventy-five (75) percent of a student's earnings are funded under the Title IV FWS program and are matched by twenty-five (25) percent from FPLC and/or an off-campus non-profit agency that employs the student.

FWS students may work a maximum of 20 hours per week when classes are in session and 37.5 hours per week during vacation periods. However, the actual scheduled hours per week will depend on the student's earnings authorization level that has been established by the Director of Financial Aid, as well as the student's academic schedule and the employer's need. FWS earnings are subject to federal and state taxes (State taxes are not withheld). FPLC will issue a W-2 to the student at the end of the calendar year which reflects all earnings for the tax period.

The term "work-study" indicates that eligible students will be authorized to seek employment with those on-campus departments allocated hours and those limited number of off-campus agencies who have executed a Contract for Work-Study Services with the Director of Financial Aid. The term does NOT mean students will receive jobs where they may have time to study at their place of employment. An authorization of FWS does NOT guarantee employment nor does it assure a disbursement of funds in lieu of unrealized earnings. Students are to be paid only for hours that are worked.

Other Law Center Employment Opportunities

There are a limited number of budgeted non work-study positions available. If a student has a specific skill set or experience that is especially beneficial to a hiring faculty member or department, but is not eligible to be authorized to be employed under the Federal Work Study Program, he/she may be hired under a non work-study program with prior written approval of the Vice President, Finance.

An "Outline" of Student Employment at FPLC

I. GENERAL

- A. A student employee position, regardless of source of payroll funds, is the one that is:
 1. Part-time, temporary, nonclassified;
 2. Not eligible for any employee benefits;
 3. Covered by the Law Center's Workers' Compensation policy;
 4. Not subject to FICA and Medicare during the academic year, but is subject to FICA and Medicare during summer or other vacation period employment;
 5. Not eligible for overtime, holiday pay or compensatory time.
- B. The part-time temporary nature of a student employment position is not altered by a student working 37.5 to 40 hours a week for limited periods of time; e.g., semester breaks, summer.
- C. Only currently enrolled students are eligible for student employment.
- D. Preference will be given to students with financial need, as demonstrated by having been authorized FWS.

II. SUPERVISOR RESPONSIBILITY

A. A supervisor is defined as the faculty member, department head or outside agency that employs an FPLC student worker.

B. A supervisor may not:

1. Employ a student under FWS for any period of time without prior approval by the Director of Financial Aid.
2. Employ a student under non-work study for any period of time without prior approval by the Vice President, Finance.
3. Employ any student at any time:
 - a) For more than eight (8) hours in any one day on any job or combination of jobs, or
 - b) For more than 20 hours/week in any job or combination of jobs (except for semester breaks and summer employment which allows for a 37.5 hour week).
4. Use a student employee in a position which would result in the displacement of a regularly employed worker.
5. Use a student in work other than that which is appropriate to the department or agency function.

C. A supervisor is responsible for:

1. Preparing a written job description and providing it to the student and providing a copy to the Director of Financial Aid.
2. Orienting the student to his or her role in the department and the standards of behavior expected of employees.
3. Training in skills and procedure necessary to perform tasks.
4. Keeping communications lines open, clear, and constructive.
5. Treating student employees in accord with their rights, which are the same as all employee's as defined by applicable regulations.
6. Verifying daily total hours worked.
7. Reviewing and approving time sheets.

III. STUDENT RESPONSIBILITY

A. A student is defined as an individual actively enrolled in a program of study at FPLC.

B. A student may not:

1. Work simultaneously for more than one supervisor without first receiving and processing a written authorization for each position.
2. Work at any time:
 - a) For more than eight (8) hours in any one day on any job or combination of jobs, or
 - b) For more than 20 hours/week in any job or combination of jobs (except for semester breaks and summer employment which allows for a 37.5 hour week).
3. Work more hours under FWS than those authorized by the Director of Financial Aid.
4. Work more hours under non work-study than those authorized by the Vice President, Finance.

C. A student is responsible for:

1. Providing the supervisor with a schedule of the hours and days he/she is available for work.
2. Accurately reporting the hours worked.
3. Submitting the approved time sheets to the Business Office by stated weekly deadlines.
4. Monitoring their total earnings in relation to the amount of Federal Work-Study authorized.
5. Maintaining his/her agreed-upon and/or understood-and-accepted work schedule and informing the employer in a timely and appropriate manner of his/her inability to maintain such schedule, in whole or in part, for any reason.
6. Seeking permission from his/her immediate supervisor, or other appropriate person, to be excused from his/her regularly scheduled work hours. Any student who is absent from his/her job for two consecutive working periods without notifying his/her supervisor, or other appropriate person in the department, is subject to termination.
7. Taking the job seriously and performing the job duties to the best of their ability.

8. Acting in a professional manner concerning confidentiality. A student employee may be required to sign a Confidentiality Agreement.
9. Following the procedure for changing jobs or ceasing to work by giving a minimum two weeks' written notice to their immediate supervisor.

IV. HIRING A STUDENT EMPLOYEE

A. Defining the Job

1. The efficient functioning of any department requires that all job positions in the department be identified, assessed, and classified in a manner consistent with good management practices.
2. Federal Work-Study regulations require that job descriptions be provided for every federal work-study job.
3. FPLC requires that a written job description is prepared and provided to the student employee.
4. Further, these job descriptions can be excellent management tools which can provide the employer and employee with a clear sense of expectation and departmental function.

B. The descriptions should include the following:

1. Job Purpose – Define the job in terms of its purpose, including the specific duties and responsibilities of the job.
2. Job Qualifications – If the duties require special skills or specific hours, these should be clearly stated in the job description.
3. Job Period – A determination of how long the job will run must be made for the following reasons:
 - a) Job duties must be planned to fit a student work schedule and academic schedule;
 - b) The amount of the Federal Work-Study award will determine the number of hours per week the student may work.
4. Job Supervisor – The job supervisor should establish written and clearly defined reporting lines of authority and responsibility for the student employee.

C. Average hours per week while classes are in session

1. The initial authorization for a first year student will permit him/her to work approximately 5 hours per week during the 30 weeks of classes for the academic year.
2. The initial authorization for a second year student will permit him/her to work approximately 10 hours per week during the 30 weeks of classes for the academic year.
3. The initial authorization for a third year student will permit him/her to work approximately 15 hours per week during the 30 weeks of classes for the academic year.

D. Academic Year or Summer Beginning-Ending Dates

1. Academic year employment begins with the first day of scheduled classes in the fall semester and ends on graduation day, the third Saturday of May (a period of approximately 38 weeks, including breaks).
2. Summer employment begins on the Sunday following graduation and ends on the Sunday prior to the first day of scheduled classes for the fall semester (a period of approximately 14 weeks).

V. TERMINATING A STUDENT EMPLOYEE

A. Expended Award

1. Notice is automatically sent via e-mail to the student employee and the student's supervisor when the remaining authorization is less than \$100.
2. At the time of notice, the student must see the Director of Financial Aid to determine if an adjustment can be made to his/her authorization.
3. In the case of a non-FWS student employee. The supervisor must see the VP, Finance to determine if additional budget funds are available.

B. Withdrawal From the Law Center

Any student withdrawing from the Law Center for whatever reason will lose their student status, thus losing their eligibility to work under FWS or student payroll. They must be terminated from FWS or student payroll immediately.

C. Student Quits a Job Without Notice

1. Any student who quits any on-campus job without first giving his/her supervisor two weeks written notice will be suspended from all on campus employment for a minimum period of four months.
2. The supervisor is required to notify the Financial Aid Office of the termination of the student employee immediately upon notice.

D. Student Quits a Job With Notice

Any student desiring to terminate their employment without working a two week notice must submit a written request to their supervisor. The supervisor may waive the two week notice requirement and should inform the Financial Aid Office of the waiver decision.

E. Financial Aid Office Terminates Student Employment

1. The Financial Aid Office must terminate a student employee if:
 - a) The student is no longer actively enrolled, or
 - b) The student has earned the total amount of Federal Work-Study authorized and is not eligible for an adjusted award.
2. The department head/supervisor and the student employee will be informed, in writing, if the above should occur.

F. Firing a Student Employee

1. A student employee, like any other employee, must earn her/his pay, whether Federal Work-Study or non work-study, and may be terminated for unsatisfactory job performance.
2. Firing an employee is a last resort following every effort to correct the undesired behavior. The following procedures are recommended before termination:
 - a) The supervisor must speak to the employee at the time of the incident or when the employee next reports to work.
 - b) A written warning must be issued at this time or at the first recurrence of the undesired actions. This warning should state that the employee will be terminated if there is no improvement.
 - c) Immediate termination of a student employee is expected for gross misconduct, including actions threatening the safety of others; for malicious use or theft of FPLC property; falsification and/or forgery on time sheets. Questions about termination may be directed to the Financial Aid Office.

G. Rehiring a Student

A department may rehire a student employee for another year assuming the student meets the following criteria:

1. Continues to be authorized to receive FWS money;
2. Has a satisfactory job performance evaluation;
3. Desires to be placed in the same position.

VI. PAYROLL PROCESSING

A. Completing and Submitting Student Time Sheets

The Student Time Sheet is used to report hours worked by student employees during each pay week. The time sheet must have the following information:

1. Week Ending Date
2. Employee Name
3. Department or faculty member name
4. Employment type (Work-Study, non- work study or off campus)
5. Start and stop times each day, daily total hours
6. Weekly total hours
7. Signature and date certifying accuracy of the time sheet
8. The student must submit the approved time sheet to the Business Office

B. Supervisors must:

1. Review actual time worked each day.
2. Verify the total number of hours and minutes to be paid.
3. Sign or have a designee authorized to sign and date the time sheet, using blue or black ink.

C. The deadline for submitting time sheets to the Business Office is noon on Friday. Early payroll deadlines will be scheduled whenever a holiday is observed.

D. Student pay checks will be placed in student mailboxes. The payroll is processed every other week and is paid the Friday after the payroll period ends.

VII. STUDENT COMPLAINT PROCEDURE.

There is no formal grievance procedure for student employees. However, if a complaint does arise, the student's supervisor or the student may contact the Director of Financial Aid for guidance in handling the complaint. Should arbitration be necessary, the Financial Aid Office may refer the complaint to the Assistant Dean for Students.

VIII. NONDISCRIMINATION POLICY

Franklin Pierce Law Center does not discriminate on the basis of sex, age, race, color, religion, ethnicity, disability, marital status, national origin or sexual orientation in admission to, employment in, or treatment in the Law Center's programs and activities.

The person designated to handle inquiries regarding the Law Center's nondiscrimination programs and policies is:

Professor Marcus Hurn
Franklin Pierce Law Center
2 White Street
Concord, NH 03301-4197
Telephone: 603-228-1541, extension 1114

Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, U.S. Department of Education, Office of Civil Rights, J.S. McCormack Post Office & Court House Building (POCH), Rm. 222, Boston, MA 02109-4557.

IX. OFF-CAMPUS FEDERAL WORK-STUDY

A. Work performed by students must be in the public interest, must be nonsectarian, and cannot involve partisan politics. The new FWS Community Service Program allows students to be employed in positions which are designed to directly improve the quality of life for community residents, particularly low-income individuals, in such fields as health care, child care, literacy training, and counseling.

- B. The off-campus organization will enter into a contractual agreement with FPLC. Students may NOT begin work until the contract has been signed by both the agency and FPLC. Most of the student's salary is paid by the federal government; the organization pays a percentage of the student's salary. The contract will be for an academic year or for a summer period.
- C. FPLC determines that the student meets the eligibility requirements for employment under the Federal Work-Study program and assigns students to work for the organization.
- D. Under the FWS contractual agreement, the employing organization is considered the student's employer. It controls and directs student's services and is responsible for supervision.
- E. Student's arrange their work schedule with the organization. The maximum number of hours to be worked will be determined by the FPLC Financial Aid Office.
- F. The student will be paid by the hour as determined by FPLC. The organization must submit the Student Time Sheets as stated above under section VI.

X. SEXUAL HARASSMENT POLICY

Franklin Pierce Law Center (FPLC) will not tolerate the harassment of any employee, student, visitor, or client on the basis of sex. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or nonphysical conduct of a sexual nature, when:

- Submission to, or rejection of, such conduct is made explicitly or implicitly a term or condition of employment of enrollment.
- Submission to, or rejection of, such conduct by an individual is used as a basis for employment or academic decisions affecting that individual, or for the awarding or withholding of favorable employment or academic opportunity, evaluation, or assistance or such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work or study or creates an intimidating, hostile, or offensive environment in which to work or study.

Sexual harassment includes a wide range of behaviors, from the actual coercion of sexual relations to unwelcome offensive comments, jokes and innuendo, other sexually oriented statements, and unwelcome advances emphasizing sexual identity. Sexual harassment may be indirect and even unintentional.

This policy prohibits all such activities whether engaged in by a supervisor, employee, agent of FPLC, co-worker or non-employee who is on FPLC premises or who comes in contact with FPLC employees or students.

All employees and students, particularly those in positions of authority, should be sensitive to the questions about mutuality of consent that may be raised, and to the conflicts of interest that are inherent in personal relationships where professional associations are involved.

In addition, FPLC will not tolerate harassment on the basis of race, color, religion, gender, national origin, age disability, sexual orientation, or for any other unlawful reason.

Harassment of any sort is a violation of FPLC's policy and it is prohibited by both state and federal law. If you believe that you have been subjected to sexual or other harassment, you should report the incident to your supervisor or a member of the Sexual Harassment Committee. The matter will be promptly investigated and appropriate action will be taken depending on the nature and severity of any proven incident. To the extent practicable, such investigations and their results will remain confidential.

Retaliation against an employee or student who makes a complaint about sexual or other harassment is a violation of FPLC's policy and is prohibited by both state and federal law. Such retaliation is a form of harassment and will be handled in the same manner as other forms of harassment.