

University at Albany  
Student Assistant Employment Policy  
December 2014

## **Summary**

Student Assistant positions are established for the purpose of giving financial support to students while at the same time accomplishing necessary work for the campus with the recognition that they are students first. This procedure sets forth guidelines on the use of Student Assistant positions at the University at Albany.

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## **Appointment Criteria:**

Student Assistants are part-time positions in the non-competitive class of Civil Service with non-statutory salary rates and are not assigned to a bargaining unit. No fringe benefits are provided to individuals in these positions, except as noted below. Their work status is temporary and no long-term commitments are possible. Student assistants are paid at an hourly rate only for hours actually worked.

Student Assistants must be paid at least the federal minimum wage. The maximum rates are set by the SUNY Office of University-wide Human Resources.

Individuals assigned to these positions during the academic year must be regularly enrolled students of the University at Albany at least half time (6 credits) during the semester of employment. Students for whom half time status is less than 6 credits (graduate students enrolled in courses numbered 899) will need their status verified before appointing. Individuals assigned to these positions over the summer must be enrolled in the State University of New York for summer classes or for the upcoming fall semester as half time students. Students of other SUNY campuses must provide proof of enrollment to Human Resources prior to appointment.

Student assistant positions fall into three basic levels of difficulty and should have appropriate pay distinctions:

1. Minimum level of specialized skills or previous work under the immediate supervision of an experienced employee. Only minimum training normally required.
2. Previous related experience required. Duties usually require considerable skill. Skills normally obtainable in previous work assignments, educational classes, or hobbies.
3. Para professional assignments. Expertise required, often as a result of student college training. Usually related to the student's instructional program.

## **Work Hour Limits:**

Student assistant hours of employment should not exceed 20 hours per week while classes are in session. Students who are in good academic standing may be allowed to work up to 25 hours/week while classes are in session. A statement from the student's advisor indicating good academic standing must be sent to Human Resources prior to working more than 20 hours. Students who are struggling academically should continue to be limited to 20 hours per week.

International students are limited per [USCIS regulations](#) to working no more than 20 hours per week while classes are in session.

**All student assistant employment, including semester and summer breaks, is limited to a maximum of 25 hours per week total for all jobs.** With *prior* approval from Human Resources for work assignments specifically associated with experiential requirements of an academic program an additional 4 hrs per week may be granted during breaks. Under no circumstances may students work more than 29 hrs/week to comply with SUNY Policy.

Student assistants may work more than one job on the student assistant payroll however the maximum number of hours per week cannot be exceeded in combined hours for all jobs.

### **Appointment Procedures:**

All Student Assistant appointments will be made through the on-line Student Employment [site](#) accessed from the Human Resources/Payroll website [www.albany.edu/hr](http://www.albany.edu/hr). Appointments must be submitted prior to the student beginning work. All students must verify employment eligibility with the certification of [Form I-9](#) within three days of employment.

### **Benefits:**

Student Assistants do not qualify for benefits with the following exceptions:

1. Student assistants are eligible to enroll in the New York State Employees' (ERS) Retirement System. Enrollment currently requires a 3% contribution to the Retirement System for students. The equivalent of ten years of full-time service is needed to become eligible for pension benefits.
2. Student assistants injured during the performance of their duties are covered by New York State's worker's compensation policy.

### **Jury Duty:**

A 1991 amendment to the [State Judiciary Law, Section 519](#) gives New York State employees ineligible for paid leave, (hourly employees, student employees, etc) who would normally receive no wages for time spent on jury duty, entitlement to certain payments. Specifically, when employees not eligible for leave are called to jury duty, the employer must pay the employee up

to **\$40.00** a day for the first three days of jury duty which conflict with the employee's regular work schedule. Proof that such absences are required must be submitted.

### **Military Leave:**

Student assistants are eligible for military leave under [Section 242 of the New York State Military Law](#).

### **Meal Breaks:**

A meal break of a minimum of 30 minutes of unpaid time must be taken when a student assistant works more than 6 consecutive hours. **This unpaid break must be recorded on the timesheet.**

### **Timesheets:**

Student assistants are required to complete a biweekly timesheet for each job they are working. Each timesheet must be approved by the supervisor. Timesheets and submission schedules are available at <http://www.albany.edu/hr/schedules-timesheets.php>

### **Student FICA (Social Security and Medicare) Exemption:**

[Section 3121\(b\)\(10\) of the Internal Revenue Code](#) and [Revenue Procedure 2005-11](#) set forth an exemption from FICA tax for employees of schools, colleges, and universities who are enrolled and regularly attending classes at those institutions a) as at least a half-time undergraduate student or at least a half-time graduate or professional student, (b) is not a full-time employee of the campus, (c) is not a “professional employee” and (d) does not receive certain specified employment benefits, will qualify for the student FICA exemption. at least half-time.

International students are exempt from Social Security and Medicare under [IRC Section 3121\(b\)\(19\)](#) if they are:

1. A nonresident alien;
2. Present in the U.S. under an F, J, M, or Q visa;
3. Performing services in accordance with the primary purpose of the visa's issuance (i.e. the primary holder of the visa, the “-1”).