

Student Employment Compensation-Type Guidelines

Students contribute in valuable ways to the mission of the university. It is important that we recognize these contributions in a manner that meets the criteria set forth by the US Department of Labor, specifically under the Fair Labor Standards Act (FLSA).

Below outlines the types of services that students provide to the university and how these services are compensated.

Note that regardless of the compensation-type, it should be assumed that the earnings are taxable income.

EFFECTIVE FEBRUARY 7, 2016: Services that Must Be Paid Hourly

1. Services that would need to be performed by non-student employees if they were not provided by students.
2. The services provided are readily measurable “by the hour” or an average number of hours per week are noted in the job description.

Examples of hourly paid positions include, but are not limited to: food service, facilities management, tutoring, disability-related accommodation services (note-taking, etc.), athletic camp assistance, ticket takers, concessions, athletic field prep, child care, ushering, event hosts, tour guides, TAs, office work, photographers, etc.

Services Exempt from FLSA and Can Be Paid Via a Small Lump Sum Payment*:

1. **EFFECTIVE FALL 2016**
Resident Hall Assistants, Assistant Resident Directors, BUILD Mentors, or other Housing Assistants or Mentors:

As with most universities, the university relies heavily on mature students to act as resident hall assistants, assistant resident directors, or BUILD program housing mentors.

Students providing these services are specifically exempt from the Fair Labor Standards Act (FLSA) as long as they are currently enrolled students.

These RAs, ARDs, and housing mentors receive payment in the form of reduced room or board charges, tuition credits, and other similar benefits, and are not considered employees.

2. EFFECTIVE SPRING 2016

Extra-Curricular Activities:

FLSA law also does not consider students involved in extra-curricular activities as “employees” even though they may receive expense reimbursement, free meals, or a small monetary payment (stipend).

Some of the activities that students may assist in that qualify under this exemption include student publications (such as a student newspaper), drama, bands, choirs, debating teams, student radio station, intramural, student government, residence hall hosts, research activities, and interscholastic athletics (e.g., team managers or statisticians) and other similar activities.

These activities are considered to be primarily for the benefit of the students as part of the educational program of the school and are not considered “work” of the type that creates an employer-employee relationship.

Students will receive payment from the accounts payable area in the business office as they are not considered employees.

3. EFFECTIVE SPRING 2016

Seminary students working in local churches:

Seminary students that work with local churches to help in religiously related programming are exempt from FSLA regulations and are not considered employees.

The relatively small stipend/honorariums that they receive do not make them into “employees” under federal law.

Students will receive payment from the accounts payable area in the business office as they are not considered employees.

*Services compensated outside of the student payroll system cannot be funded using a student worker budget account (i.e. 6101).