

## **Definition of UC Student Employee (Employee Class = Casual/Restricted)**

UC student employment is a means of providing additional financial support to students in pursuit of their educational and career objectives. To be a student employee, one must be enrolled at a UC campus (the minimum number of units varies by campus). The exception is during the quarter and semester following a student's graduation or in between enrolled quarters/semesters when a student does not need to be enrolled (see below for possible impacts). A location may also allow student employees to take one quarter or semester off and retain their student employment.

The terms and conditions of student positions are governed by the Personnel Policies for Staff Members (PPSM). Student employees are designated as Professional and Support Staff (PSS) with Casual Restricted employee class. Employees may be classified as a UC Student Employee (Employee Class 5 = Casual Restricted) if all of the following considerations are met:

- The employee is a registered undergraduate and graduate students of the University of California (student positions are reserved for registered undergraduate and graduate students).
- The appointment is temporary.
- Work is secondary to the student's academic and student life.
- Work schedules are flexible enough to support the academic priorities of the student and therefore the work hours may be irregular.
- Student assistants normally work less than fifty percent, except for quarter breaks or during the summer, during which time the student may work up to full-time.
- Students may perform jobs that appear to be similar to Staff jobs, however, they should not perform the full range/scope of work that a staff employee performs. The student employee may work under closer supervision, or may not exercise the same level of independence or discretion, or may not perform certain duties or tasks, or may not fully participate in department operational responsibilities, and/or may not have the same level of overall individual responsibility given the sporadic nature of their work schedules.

*Students should coordinate through their location's financial aid and/or work study offices if they are eligible.*

**Possible Tax, Benefit, Retirement, Leave, Work Study and Visa Impacts.** Listed below are possible impacts:

- a. FICA Tax: Students employed by the University who are not members of the University of California Retirement Plan (UCRP) must be enrolled at least half-time<sup>[1]</sup>, as defined under the Department of Education regulations, to qualify for the FICA exemption.<sup>[2]</sup> Student employees not enrolled at least half-time must contribute 7.50% of their earnings to the Defined Contribution Plan (DCP) and 1.45% to Medicare. Student employees who meet the following requirements are not subject to DCP/Medicare withholding.
  - i. A student working for the University who has a total active appointment percentage (including both fixed and variable appointments) of 80% time or more for any part of the month, is not eligible for the FICA exemption.
  - ii. A student employed during the summer is subject to withholding, unless the student is taking the minimum number of units established for Summer Session and not employed **at** 80% time or greater.
  - iii. Withholding is not required during intersession and break periods of five (5) weeks or less as long as the student is otherwise eligible for the exemption on the last day of classes preceding the break and is eligible to enroll in classes in the academic period following the break.
  - iv. The student FICA exemption will **not** be granted if the number of units is less than the minimum number of units required for half-time status in any term. For undergraduates, the student FICA exemption will **not** be granted if the number of units is less than six (6) in any full term. If the undergraduate student's last term is in the summer or similar term of shorter length, then the FICA exemption will not be granted if the credit hours are less than three (3) hours.
  - v. If the student was in their last term prior to graduating **and** took less than the minimum number of units required for half-time status, they can request a refund of their FICA taxes from the IRS when filing income tax return.
  - vi. Campus requests for exemptions to these procedures must be submitted to the Associate Vice President and Systemwide Controller for approval.
- b. Benefits Eligibility: Students may become eligible for Core Benefits if they work equal to or greater than 75% FTE time for three (3) months or more.
- c. Retirement Eligibility: Regardless of time worked or appointment percentage, student titles are not eligible for retirement system benefits.
- d. Sick Leave Accrual: Students may become eligible for sick leave accruals if they work a total of 50% FTE in a monthly or quadri-weekly cycle depending on their exemption status calculated by the time and attendance system.
- f. Work Study: Departments may require student workers funded by work study to limit their work hours due to the maximum funding allowed per student.
- g. Visa Restrictions: International students are restricted to on-campus employment of no more than 50% FTE during the academic terms - no exceptions. Employment may increase up to 100% during the intersession breaks (winter break, spring break, and summer break). International students should check with campus international office on restriction.

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<sup>[1]</sup> If a student is enrolled less than half-time, the student can still be eligible if they are in their last semester or quarter of a course of study, and is enrolled in the number of units needed to complete the requirements of obtaining a degree.

<sup>[2]</sup> The exception applies to all services performed during all payroll periods of a month or less that fall wholly or partially within the academic term.

(1) The student is classified in one of the following **Non-Academic Student Employee job titles**.

| Employment Scenario   | Appropriate Title                     | Employee Class           |
|---|---------------------------------------|--------------------------|
| <p><b>Undergraduate Students (incoming, current, on-break, or newly graduated):</b></p> <ul style="list-style-type: none"> <li>a. Currently registered – minimum of six (6) units</li> <li>b. Taking one quarter or semester off with intent to return</li> <li>c. Working during the summer and planning to re-enroll in the fall</li> <li>d. Just graduated and staying on for one (1) quarter or semester in an existing position to finish up projects or help with transition/training of new student employees</li> <li>e. Just graduated and working in a student summer program position in Conference Services, Recreation, Family Vacation Center, etc.</li> <li>f. Incoming student starting school in upcoming quarter or semester and working during the quarter prior to starting school</li> </ul> <p><b>Note: Job Descriptions are required and retained by departments. Submission to and review by Human Resources (HR) is dependent on location.</b></p> <p><i>If you have a student with J-1 Visa seeking student employment, please work with your international students and scholars office.</i></p> | <p>See Title Specifications below</p> | <p>Casual Restricted</p> |

(2) **Non-Academic Student Title Specifications**

Location will determine which titles are appropriate for their location based on need. For example, a location may only have one (1) level of Student titles such as Student 1 or Student 4. Check TCS Inquiry to see what titles are extended at location:

<https://tcs.ucop.edu/tcs/jsp/nonAcademicTitlesSearch.htm;jsessionid=BED9F096C32EC01C75E9D9F8F050C11F.tcsppsapp02-tcs> .

| Job Code     | Payroll Title                             | Title Specifications   |
|--------------|---|--|
| 4919<br>4954 | Student 4<br>Student 4 ANR                | Under general supervision, Student 4's perform a variety of complex duties in support of academic research projects; perform clerical, manual, advising, and/or public contact duties that require the use of specialized skills, and may, in addition, coordinate the work of a group of lower level Students. The Student 4 class is distinguished from the Student 3 class by the greater degree of complexity involved in research and related assignments, more frequent use of specialized skills, and/or the responsibility for coordinating the work of a larger group of Students. Payment for hours worked must equal at least current minimum wage. |
| 4920<br>4955 | Student 3<br>Student 3 ANR                | Under general supervision, Student 3's perform a variety of skilled duties in support of academic research projects, student advising and contact with the public; perform clerical and manual duties that involve limited use of specialized skills; and may, in addition, coordinate the work of a group of lower level Students. The Student 3 class is distinguished from the Student 2 class by the greater use of specialized skills and/or the responsibility for coordinating the work of one or more groups of Students. Payment for hours worked must equal at least current minimum wage.   |
| 4921<br>4956 | Student 2<br>Student 2 ANR                | Under supervision, Student 2's perform a variety of clerical and/or manual related duties that are usually semi-skilled in nature and do not require extensive skill, training, or experience. The Student 2 class is distinguished from the Student 1 class in that the duties assigned at the Student 1 level are unskilled in nature and usually allow incumbents time for such activities as studying and reading. Payment for hours worked must equal at least current minimum wage.  |
| 4922         | Student 1                                 | Under close supervision, Student 1's perform a variety of unskilled clerical and/or manual related duties. The nature of duties assigned at this level may provide incumbents with free time for such activities as studying and reading. Incumbents may be required to have a general knowledge of the areas to which they are assigned. Payment for hours worked must equal at least current minimum wage.   |
| 4918         | Student Camp Program Offsite (exempt) BYA | To be used for students that are working at offsite camp; where they are staying with campers overnight. (e.g., UCLA Lake Arrowhead Summer Camp Counselors). Requires that camp be a separate establishment under DOL Regulations. <i>Use requires HR review and approval.</i>   |

| Job Code | Payroll Title                            | Title Specifications   |
|----------|--|--|
| 4948     | Student Camp Program Onsite (non-exempt) | To be used for students working as camp counselors for on-campus programs. Payment for hours worked must equal at least current minimum wage.  |
| 4928     | Student Artist or Performer BYA          | To be used for students performing at theatre productions, musical recitals, or similar type work. They receive nominal payment that is allowed only for services and expenses. Compensation is paid as a flat dollar amount through UCPath additional pay.                                  |
| 4930     | Student Clinical                         | To be used for students working in labs or clinics with direct patient care responsibilities. Payment for hours worked must equal at least current minimum wage.   |
| 4932     | Student Events                           | To be used for students working as ushers, event staff, or similar type work. Payment for hours worked must equal at least current minimum wage.   |
| 4934     | Student Information Technology           | To be used for students performing help-desk duties, web page design/programming, programming, network maintenance, etc. Payment for hours worked must equal at least current minimum wage   |
| 4936     | Student Intramural Sports 1              | To be used for students serving as intramural sports coaches, officials, supervisors, scorekeepers, or functioning in similar roles. Payment for hours worked must equal at least current minimum wage   |
| 4261     | Student Intramural Sports 2              | To be used for students with certification requirement serving as intramural sports coaches, officials, supervisors, scorekeepers, or functioning in similar roles. Payment for hours worked must equal at least current minimum wage  |
| 4938     | Student Peer Counselor                   | To be used for students working for a peer counseling program; coaching and advising students, providing academic assistance to other students in an established program. Payment for hours worked must equal at least current minimum wage  |
| 4940     | Student Recreation 1                     | To be used for students facilitating, teaching, leading recreation activities such as swimming instructors, lifeguards, sports/fitness trainers, exercise assistant/trainer, etc. Payment for hours worked must equal at least current minimum wage.   |
| 4260     | Student Recreation 2                     | To be used for students with certification requirement that are facilitating, teaching, leading recreation activities such as swimming instructors, lifeguards, sports/fitness trainers, exercise assistant/trainer, etc. Payment for hours worked must equal at least current minimum wage. |
| 4942     | Student Researcher                       | To be used for undergraduate students who are working under supervision of faculty performing research work. Approval from the Graduate Division is required for use by graduate students. Payment for hours worked must equal at least current minimum wage.                                |
| 4740     | Student Intern                           | To be used for students in paid internship positions; these are for UC students. Paid internships must meet minimum wage requirements.   |

| Job Code | Payroll Title | Title Specifications   |
|----------|---------------|--|
|          |               | <p><i>Unpaid Student Intern - Unpaid student internships are for UC students who primarily receive training for their own educational benefit and must meet all seven of the Department of Labor (DOL) internship criteria (see criteria at <a href="http://www.dol.gov/whd/regs/compliance/whdfs71.pdf">http://www.dol.gov/whd/regs/compliance/whdfs71.pdf</a> )</i></p> <p><i>-Unpaid Interns do NOT need to be put into UCPATH unless they need access to certain campus systems, in which case they should be input as Contingent Workers.</i></p> <p>Payment for hours worked must equal at least current minimum wage.</p> |

(3) Special Student Situations:

| Job Code | Payroll Title                              | Employment Scenario  | Employee Class Type |
|----------|--|--|---------------------|
| 4000     | Student Aid Outside Agency                 | <p>To be used for students working for an eligible outside agency (usually non-profit), which in turn reimburses the University for their portion of the work-study program. This is virtually a pay vehicle for the non-profit agencies. If the agency at which the student is working has fewer than 25 employees, their minimum wage may be different from that of UC.</p> <p><i>As a best practice, there should be an agreement between the location and third party related to responsibilities regarding these employees. If you are employing student employees that work for third party, you should work closely with campus counsel on obligations related to minimum wage, wage and hours, etc.</i></p>                        | Casual Restricted   |
| 4329     | Appointed Official, Student Activities BYA | <p>To be used for students appointed to and serving official time on a Board or Student Activity committee (i.e. Chairperson of the Programming Board, Director of Activities Fairs, Pep Band Director, etc.). They receive nominal payment that is allowed only for services and expenses. Compensation is paid as a flat dollar amount through UCPath additional pay.</p>  | Casual Restricted   |
| 4331     | Elected Officer, Student Government BYA    | <p>To be used for students elected to and serving official time on a Board or Student Activity committee (i.e. Chairperson of the Programming Board, Director of Activities Fairs, Pep Band Director, etc.). They receive nominal payment that is allowed only for services and expenses. Compensation is paid as a flat dollar amount through UCPath additional pay.</p>  | Casual Restricted   |
| 9920     | Student Volunteer BYA                      | <p>To be used for students who are volunteering but they receive nominal payment that is allowed only for services and expenses:</p> <ul style="list-style-type: none"> <li>a. Volunteering</li> <li>b. Notetaking for other students through Disabled Students Program</li> </ul> <p>Compensation is paid as a flat dollar amount through UCPath additional pay.</p> <p>Hourly paid student volunteers should be placed into another student title.</p> <p><i>Unpaid student volunteers do NOT need to be put into UCPath unless access to certain UC systems are required, in which case they should be set up as a contingent worker. Bringing on unpaid volunteers requires compliance with local campus volunteer guidelines.</i></p> | Casual Restricted   |

| <b>Job Code</b> | <b>Payroll Title</b>                | <b>Employment Scenario</b>  | <b>Employee Class Type</b> |
|-----------------|-------------------------------------|---|----------------------------|
| 4946            | Student Residence Hall Lead         | To be used for students live-in or not live-in housing; who work daily with students in a lead capacity on an individual or group basis in a residence unit. Payment for hours worked must equal at least current minimum wage.<br><br><i>If you hire someone that is not a UC Student, you would use a Non-UC Student Titles or 4570 Resident Advisor 2</i>  | Casual<br>Restricted       |
| 4944            | Student Residence Hall              | To be used for students live-in or not live-in housing; who work daily with students on an individual or group basis in a residence unit. Payment for hours worked must equal at least current minimum wage<br><br><i>If you hire someone that is not a UC Student you would use a Non-UC Student Titles or 4570 Resident Advisor 2</i>   | Casual<br>Restricted       |
| 5286            | Student Residence Hall Lead BYA     | To be used for students live-in or not live-in housing; who work daily with students in a lead capacity on an individual or group basis in a residence unit. They receive nominal payment that is allowed only for services and expenses. Compensation is paid as a flat dollar amount through UCPath additional pay and reflects deductions for room and board.<br><br><i>If you hire someone that is not a UC Student you would use a Non-UC Student Title or 4570 Resident Advisor 2</i>               | Casual<br>Restricted       |
| 5287            | Student Residence Hall BYA          | To be used for students live-in or not live-in housing; who work daily with students on an individual or group basis in a residence unit. They receive nominal payment that is allowed only for services and expense. Compensation is paid as a flat dollar amount through UCPath additional pay and reflects deductions for room and board.<br><br><i>If you hire someone that is not a UC Student you would use a Non-UC Student Title or 4570 Resident Advisor 2</i>                                   | Casual<br>Restricted       |
| 5211            | Firefighter Student Resident Senior | To be used for students that protect life, property, and the environment by preparing for and performing the assigned duties of student resident firefighter. Duties also include participating in the department's training program, preparing for and conducting student resident firefighter training sessions, assisting the shift officer with supervision of student resident firefighters, and assisting with fire prevention and public education assignments. Supervision includes scheduling of | Casual<br>Restricted       |



| Job Code | Payroll Title                | Employment Scenario  | Employee Class Type |
|----------|------------------------------|--|---------------------|
|          |                              | shift & nonshift work, data entry into the national fire reporting system & staffing system, and sending out communication. Payment for hours worked must equal at least current minimum wage.   |                     |
| 5212     | Firefighter Student Resident | To be used for students that protect life, property, and the environment by preparing for and performing the assigned duties of student resident firefighter. Duties also include participating in the department's training program, assisting with fire prevention (including responding to emergencies), participating in staffing events, providing EMT coverage and public education assignments. Payment for hours worked must equal at least current minimum wage.  | Casual Restricted   |
| 4926     | Spc Stdt BYA                 | (UCB)<br>a. UCB uses to grant building access.   | Casual Restricted   |
| 4412     | AmeriCorp Member             | (UCB and UCR ONLY)<br>a. UCB uses for Grizzlie Corps Program (employees are per diem).<br>b. UCR uses for mentoring in K-6 schools and after school community centers (employees are casual restricted, BYA).<br><br>AmeriCorps is a network of national service programs, made up of three (3) primary programs that each take a different approach to improving lives and fostering civic engagement. Members commit their time to address critical community needs like increasing academic achievement, mentoring youth, fighting poverty, sustaining national parks, preparing for disasters, and more. | Depends             |

Purple shared rows do not have minimum wage requirement.

Link to IRS FICA Student Exemption Bulletin:

[http://www.irs.gov/irb/2005-02\\_IRB/ar16.html](http://www.irs.gov/irb/2005-02_IRB/ar16.html)

Link to HEERA Definition of Student:

[http://www.leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=GOV&division=4.&title=1.&part=&chapter=12.&article](http://www.leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=GOV&division=4.&title=1.&part=&chapter=12.&article)

SB 201 Approved 2017

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB201](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB201)

Bill Analysis

[https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=201720180SB201](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180SB201)