

FEDERAL WORK-STUDY STUDENT HANDBOOK

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PROGRAM BASICS

PROGRAM OVERVIEW

Federal Work-Study (FWS) is a federally funded, need-based financial aid program that allows students with financial need to earn FWS funds through employment with authorized FWS employers. Federal Work-Study is considered employment and the earnings are taxable income.

The FWS Program provides employers with vital student support assistance while providing students with valuable employment opportunities and income to use toward educational and living expenses incurred throughout the year. An additional program benefit is that FWS earnings can be excluded when determining a student's financial need on the following year's financial aid application.

To be considered for FWS, undergraduate and graduate students must be matriculated in a degree granting program, enrolled at least half time (minimum of 6 credits for undergraduate students; 5 credits for graduate students) and maintain good academic standing as outlined for federal financial aid.

Note: If you are currently employed by another NYS agency you will not be eligible to participate in the Federal Work Study program at SUNY Empire.

Note: Study abroad students and students residing outside of New York state are not eligible for off-campus employment.

FWS AWARD EARNING LIMITS AND AWARD PERIODS

Federal Work-Study awards are granted when there is unmet need after all available aid including grants, scholarships and loans has been awarded. Federal Work-Study awards may be reduced as additional aid is added to a student's account or if there is a change in the students anticipated attendance pattern (i.e., full time vs. part time). Students will be notified by the Federal Work-Study coordinator of any changes to their FWS award.

The Federal Work-Study year runs from July 1-June 30. Students may only earn FWS wages up to their award amount corresponding to the award period in which they are offered the FWS award. Federal Work-Study is awarded for a limited, specific award period and awards establish the maximum earnings per award period. Earnings per semester do **not** matter as long as total earnings do not exceed the yearly award.

Students may not work before their initial enrollment with the university has begun. Students must continuously be enrolled at least half time to work in the FWS program. If a student drops below half-time status during any term the student must discontinue working until such time that the student enrolls at least half time. Students may work during periods of nonenrollment (i.e.,

summer) if they have been granted permission from the Federal Work-Study coordinator. These requests are handled on a case by case basis and may involve communication with the student's mentor prior to approval.

Students may not continue to work under the Federal Work-Study Program once they have graduated. A student may not work past the official end date of their final term regardless of any academic extensions granted for incomplete work.

HOW TO APPLY FOR FEDERAL WORK-STUDY

Students must complete the Free Application for Federal Student Aid (FAFSA). The Financial Aid office will not initially package Federal Work-Study unless you have previously had Federal Work-Study at SUNY Empire State University. Students must self identify interest in the program by emailing work.study@sunyempire.edu. The Financial Aid office continues to offer FWS awards throughout the academic year to eligible students on a case by case basis until available funds are exhausted. Due to the limitation of FWS funds and the fact that it is a need-based program, there is no guarantee that students receiving FWS in the current year will receive FWS in subsequent years.

Once eligibility is determined the student may seek employment on campus or at a nonprofit agency. Students choose which jobs they want to apply for and employers choose which students they want to hire.

TYPES OF FWS EMPLOYMENT

On Campus: Federal Work-Study students can be employed by any location of Empire State University. Students may assist an individual mentor or administrator, as well as providing clerical help at any location.

Community Service Employers: Students are encouraged to seek employment at nonprofit agencies doing community service work. These agencies are responsible for 25 percent of the student's overall pay rate. Students should identify themselves as applying under the Federal Work-Study Program when contacting potential employers.

America Reads Program: Federal Work-Study students may work in local schools, libraries or in other family literacy programs. If the student is tutoring in reading for children up to grade 6, tutoring in math for children up to grade 9 or performing family literacy activities in a family literacy project that provides services to families with preschool-age children or elementary school children, the employer does not have to contribute to the student's overall pay rate.

WORKING

FINDING FWS EMPLOYMENT

On-Campus Employment: Students should visit <https://sunyempire.edu/admissions-and-aid/financial-aid-and-scholarships/types-of-aid/work-study/on-campus-openings.html> to see what FWS opportunities are available. Typically, the Federal Work-Study coordinator is the contact for securing a position in the Coordinating Center.

Off-Campus Employment: Students interested in working off-campus may contact any nonprofit agencies in their area within New York state. Students can search for nonprofit agencies in their area at www.yellowpages.com under human service or community service agencies. An eligible, noncollege employer must meet the following criteria:

- The employer should be a federal, state or local public agency, or a private nonprofit organization functioning in the public interest, and having professional staff to supervise the work performed by students.
- The work done by FWS students must not displace regular workers or violate existing employment contracts.
- The employer must be willing to pay a minimum of 25 percent of the wages earned by the FWS student (unless the work falls under America Reads).
- The student's earnings must not exceed the amount of his/her FWS award.
- The student must be paid for all hours worked. The Fair Labor Standards Act prohibits any employer from accepting voluntary services from any paid employee.
- The work must not involve the construction, operation, maintenance of facilities or programs of sectarian religious instruction or worship, or of partisan political activity.
- Payment of dues, fees, gratuities or gifts must not be a condition of the student's employment. The student must not be paid for receiving instruction for college credit in a classroom, laboratory or other academic setting.
- A formal agreement must be concluded with each off-campus agency accepting a FWS as an employee.

The FWS website will be the primary resource where campus offices and FWS approved employers can place job announcements. Students should review all open jobs on the FWS website at <https://sunyempire.edu/admissions-and-aid/financial-aid-and-scholarships/types-of-aid/work-study/on-campus-openings.html>.

Note: Students may only hold one FWS job position at a time.

ACCEPTING A JOB

Once a position has been secured, students should contact the Federal Work-Study coordinator to obtain all appropriate paperwork needed to begin an appointment.

The student will be provided with the following forms:

- FWS Work Authorization form
- FWS Job Description
- Confidentiality Agreement (on-campus only)
- Federal Work-Study Terms of Agreement (off-campus only)
- I9 Form
- W4 Form
- IT-2104
- Direct Deposit Form (optional)
- New York State Employees' Retirement System Membership (optional)
- Federal Work-Study Handbook (online)

Once all completed paperwork has been submitted to the Federal Work-Study coordinator, students will receive an Appointment email from the Work Study Coordinator. **Students should not begin working until this confirmation is received. The Human Resources Office at SUNY Empire will send a welcome email on or about the student's first day of employment with information about the online timesheet system.**

Students and employers must notify the Federal Work-Study coordinator of any changes in employment status, including change in supervisor, position or hourly wage. Failure to do so may cause payroll delays or result in cancellation of the student's FWS award.

New FWS Work Authorization forms are required for each new FWS year (July 1-June 30). Participating students crossing over from one award period to the next will be sent renewal forms prior to the start of the new award year. Delay in submitting the updated forms may result in a delay in payroll processing or termination from the Federal Work-Study Program.

PAY WAGE GUIDELINES

Most on-campus students begin at an hourly rate of \$15.50 per hour. Depending on the job duties and requirements or the physical location of the job within NYS you could be paid a higher hourly rate.

Since the off-campus employers are required to pay a portion of the students' wages, off-campus work-study students' rate of pay is determined by the employer. This rate cannot be lower than the

federal minimum wage. On average, off-campus students earn \$15.50-\$18 per hour.

If a student is employed off campus as a tutor or is working in a literacy program, the rate of pay for these positions is currently \$18 per hour.

WORK HOUR GUIDELINES

Students may work up to 25 hours per week and up to eight hours per day. Permission to work more hours can be granted on a case by case basis through the Work-Study coordinator. However, student FWS earnings cannot exceed their FWS award.

Students may *never* work during scheduled class times.

When creating work schedules, students and employers are advised to consider:

- Student's course schedule
- Academic requirements and exam schedules
- Attendance during scheduled holidays and breaks
- Student's FWS award amount and hourly wage

Students may continue working until the end of their authorized period of employment, until graduation, until they have lost eligibility to use federal financial aid, until they are no longer registered for an eligible credit load, or until their FWS funds are exhausted, whichever comes first. **Students may not, under any circumstance, continue to work if any of these are the case.** It is the responsibility of the student and the employer to monitor earnings to be certain this does not happen. **Working beyond these funds may result in a reduction of other financial aid or repayment of funds owed to the university.**

WORK EXPECTATIONS

Students should be aware of their work expectations and adhere to their employer's office conduct guidelines, rules for attendance, and tasks and responsibilities. Employers need reliable workers. It is the expectation that students will be professional and follow their pre-established schedules and will contact employers in advance if they will be late or if they will be unable to work their entire shift. Additionally, it is the expectation that students will be on task and perform work-related duties while at work.

BREAKS

Under New York State Law, employees who work a shift of more than six hours starting before 11 a.m. and continuing until 2 p.m. must have an uninterrupted lunch period of at least half an hour between 11 a.m. and 2 p.m.

While there is no law, regulation or campus policy that requires employers to give students a break, the Department of Education requires that the FWS Program have a policy in place. Therefore,

it is the policy of the FWS Program that a paid 15-minute break is allowed for every continuous four hours worked. Breaks are not provided for periods of less than four hours. Breaks cannot be used to arrive late or leave early. A 30-minute unpaid meal break must be taken for shifts of six hours or more, although employers can require a 30-minute break after five hours of consecutive work.

TERMINATION PROCEDURES

If a student employee is not meeting job expectations or workplace policies, the university follows a progressive discipline process that the supervisor must follow:

- 1.) **Initial Written Warning:** The supervisor issues an initial written warning via e-mail to student for performance issues or conduct violations and notifies the work study coordinator via e-mail at work.study@sunyempire.edu.
- 2.) **Final Written Warning:** If performance does not improve, the supervisor sends a second final written notice via e-mail to the student, and a record is maintained by the department and notifies the work study coordinator via e-mail at work.study@sunyempire.edu.
- 3.) **Termination:** Following the two warnings, the supervisor may terminate the student's employment. **Please note: It is the responsibility of the supervisor to notify the student worker via e-mail immediately regarding the termination date and to also explain the reason for termination.** After notifying the student of the termination the supervisor is required to e-mail the work study coordinator at work.study@sunyempire.edu to advise of the termination date and the reason for termination. The work study coordinator will then notify the Human Resource office, Heather Griffin, and submit a completed Work Study Personnel Action Form.
- 4.) **Immediate Termination:** A supervisor can terminate a student immediately without a warning period for severe policy violations which include:
 - Falsifying hours worked on time sheets to their employer
 - Job abandonment (failing to report or call into work for 3 consecutive workdays)
 - Dishonesty-theft, or disclosing confidential information
 - Verbal or physical abuse toward supervisors, staff, or other students
 - Abuse or misuse of Empire State University property or equipment
- 5.) **Other reasons for Immediate Administrative Aid Termination:**
 - Exhausted Funds: Once student earns the total authorized dollar limit allocated for the award year, they can no longer continue working
 - Enrollment Changes: Dropping below required enrollment levels (below 6 credits for Undergraduate and below 5 credits for Graduate students) or taking a leave of absence student can no longer continue working
 - Satisfactory Academic Progress (SAP)-Student must meet

Federal Title IV academic standards to keep their funding.
Failure to do so triggers administrative aid termination

FEDERAL WORK STUDY TERMINATION POLICY FOR STUDENTS

Voluntary Resignation: Students may discontinue employment at any time without penalty; a minimum of two weeks' notice is requested when resigning from any work study position at Empire State University. Students should submit a notice of resignation via email directly to their supervisor and to the Work Study Coordinator. The student should include a specific final date of employment and the reason for voluntary resignation.

INCLEMENT WEATHER AND OTHER EMERGENCY CONDITIONS

In an emergency, the campus, or a portion of the campus, may be closed from normal business operations, either prior to or during a work shift. If this should occur, appropriate announcements will be made through the Empire State University website home page. Canceling classes or closing state buildings does not necessarily mean that the campus will be closed for normal operations. You are expected to report to work and to remain as scheduled, unless you are advised to the contrary. Students should consult their supervisor regarding any specific inclement weather and emergency conditions procedures for their departments.

Students should be aware that they will **not** be paid for hours not worked because the university is closed, even if they were scheduled to work that day.

GRIEVANCE PROCEDURES

A grievance is a complaint about university services. A student may file a grievance if they believe they have been improperly served through the Federal Work-Study Program. Students wishing to file a grievance should utilize the following steps:

1. Informal Resolution

Students are strongly encouraged to seek informal resolution of a Work-Study grievance by bringing it to the attention of the Federal Work-Study coordinator in a timely fashion. An attempt at informal resolution should begin no more than 30 days after the concern arises.

2. Written Grievance

If the student is unsatisfied with the response, the student may make a formal, written complaint to the director of financial aid. Any formal complaint must be submitted within 60 days of the concern arising. The student must state the nature of the grievance, the remedy they are seeking and describe any previous attempts to resolve the issue. The Director will review the situation and should provide a written response within 15 days of receiving the complaint.

PAYROLL POLICIES AND PROCEDURES

EARNING YOUR FWS AWARD

Federal Work-Study earnings are not credited to a student's financial account, but are paid directly to the student. All FWS participants earn money from their FWS award through state of New York paychecks issued bi-weekly according to the Empire State University payroll schedule. All paychecks are based on an hourly wage and include only hours worked. Earnings are FICA exempt (for students who are at least half time), but also are subject to all applicable federal, state and local taxes. Since earnings are taxable, students will receive a W-2 form at the end of the year. For additional tax filing information, go to www.irs.gov or consult a tax advisor. Paychecks may be directly deposited into a bank account or mailed to the student's home address on file with Empire State University's Office of Human Resources.

Students will receive notification from the Federal Work-Study coordinator if they are getting close to reaching their award. The Federal Work-Study coordinator will review the student's account at that time to determine if the award can be increased. Once the award period has ended or once a student has earned their award amount (whichever comes first), that student must stop working under the Federal Work-Study Program. Working beyond your scheduled Federal Work-Study award may result in reduction of other financial aid or a balance owed to the university. Students may not begin to earn FWS funds again until awarded a new FWS award. Students may continue to work for the same department earning from **non-FWS** employer funds (at the discretion of the employer).

EARNINGS FRAUD

Students may only be paid for hours worked. If any student intentionally submits fraudulent time cards or time sheets to their employer, the FWS award will be removed and the student will be barred from future FWS participation at Empire State University, and the student will be recommended for conduct charges with the university. Fraudulent behavior may be reported to the Federal Department of Education for further action.

PAYROLL PROCEDURES

Time and attendance must be entered into the electronic Time and Attendance System (TAS) by the timesheet deadline date.

The Office of Human Resources will send a welcome email to the employee's SUNY Empire email address containing the username, SUNY ID, instructions to access TAS and current payroll calendar on the first day of employment.

Late, incorrect or incomplete time sheets may delay your pay. If you change your mailing address, you must notify the

Federal Work-Study coordinator, the Office of Human Resources, and the Registrar's Office with the updated information.

Students should expect to receive their first paycheck approximately five weeks after their initial start date. The paycheck will be issued by Empire State University payroll and direct deposit is highly recommended.

TAXATION/BENEFITS FOR FWS STUDENTS

FEDERAL, STATE AND LOCAL TAXES

All wages paid to FWS and non-FWS student employees are subject to withholding of federal, state and local income taxes unless the student qualifies for exemption. A W-2 form will be mailed to the student for tax purposes by Jan. 31.

UNEMPLOYMENT COMPENSATION

Students who are currently receiving Unemployment Compensation *must* report any work done under the Federal Work-Study Program when certifying benefits. However, time worked as a FWS student is not considered when determining eligibility under a new claim for Unemployment Compensation.

FICA (SOCIAL SECURITY TAXES)

The IRS has revised the regulations that governed the exemption from Social Security and Medicare taxes (FICA) for students enrolled in colleges and universities. Student employees will be exempt from FICA taxes if they are enrolled at least half time regardless of the number of hours they may work.

WORKER'S COMPENSATION

Any student employed at Empire State University is eligible for worker's compensation in the event that they experiences a work-related injury. Whenever an employee is injured on the job, the employee should report the injury to their supervisor, as well as the FWS coordinator as soon as possible.

RIGHTS AND RESPONSIBILITIES

ALL EMPIRE STATE UNIVERSITY FWS STUDENT RIGHTS

Any student hired for employment through the FWS Program can reasonably expect:

1. Information regarding their award amount, rate of pay, average number of work hours per week, and general FWS policies.
2. A specific job description including supervisor's expectations and standards.
3. A clearly defined work schedule which accommodates their course schedule and academic requirements.
4. Adequate training to perform assigned tasks.
5. A safe, clean and professional working environment.
6. Supervision and direction from Empire State University/off-campus agency staff.
7. Instructions for recording hours worked, as well as information regarding the university's payroll procedures and payroll calendar.
8. Instructions regarding procedures to be followed if the student cannot report for a scheduled work period.
9. A grievance procedure for stating concerns related to the award, the job or the supervisor.

ALL EMPIRE STATE UNIVERSITY FWS STUDENT RESPONSIBILITIES

Any student hired through the FWS Program can be reasonably expected to:

1. Arrange a mutually agreeable work schedule with the supervisor prior to the period of employment. Students must adhere to this schedule and notify the supervisor of any subsequent changes as soon as possible.
2. Understand the specific job responsibilities, including the supervisor's expectations and standards.
3. Complete duties as assigned and not conduct personal business at work unless authorized to do so by supervisor.
4. Keep an accurate record of hours worked and submit time sheets in a timely manner in accordance with your employer and Empire State University payroll procedures and calendar.
5. Adhere to any confidentiality/security agreements set forth by employer.
6. Dress appropriately for the workplace.

Along with universitywide responsibilities, each FWS student has the additional responsibility to:

1. Complete and submit Free Application for Federal Student Aid (FAFSA) for consideration of financial aid and FWS award.
2. Become familiar with information provided regarding the terms of the FWS award and FWS Program policies and procedures.
3. Notify supervisor if FWS award amount changes.
4. Adhere to stated procedures and inform the supervisor and/or FWS Program staff of any grievances, concerns or problems regarding FWS employment.
5. Maintain the required enrollment of at least half time and notify supervisor if enrollment status changes.
6. Maintain good academic standing for federal financial aid.

EMPLOYER RESPONSIBILITIES

All employers employing FWS students can be expected to:

1. Ensure that the hiring of FWS students will not result in the displacement of permanent, full-time staff or the impairment of existing contracts for services.
2. Understand student's academic schedule and needs have priority over part-time employment tasks and responsibilities.
3. Ensure that FWS employees are supervised at all times by full-time university staff and that all work performed by FWS students is consistent with the purposes and intent of the FWS regulations and legislation.
4. Pay students only for hours actually worked, and not pay students for lunch, sick days or other hours not actually worked.
5. Establish an appropriate hourly wage.
6. Confirm approval with the Federal Work-Study coordinator before allowing a student to work more than 25 hours per week.
7. Never allow a student to work more than 40 hours per week.
8. Comply with all FWS regulations, and all federal, state and local labor laws and regulations.
9. Assume complete responsibility for the conduct of its FWS employees, in addition to public liability, worker's compensation liability insurance coverage and unemployment compensation.

10. Advise students on procedures to follow for reporting emergencies, accidents, problems or potential hazards in the work environment.
11. Comply with the Title IV Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1983 and not discriminate on the grounds of sex, race, color, national origin or disability.
12. Provide proper working conditions and permit the Federal Work-Study coordinator to inspect the premises if he/she elects to do so.



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