

Rules Governing Student Employment Chart:

<u>Student Employee</u> ¹	<u>Fall/Spring</u>	<u>Summer I and II</u>	<u>Breaks (<= 5 weeks)</u>	<u>Breaks (> 5 weeks)</u>	<u>FICA Exempt</u>	<u>Overtime</u>
American Student (enrolled)	30 hrs/wk	30 hrs/wk	40 hrs/wk	30 hrs/wk	yes, enrolled in 6 credit hrs in f/sp 3 credit hrs sum	over 8 hrs/day over 40 hrs/wk ²
American Student (non enrolled) ³	40 hrs/wk	40 hrs/wk	40 hrs/wk	40 hrs/wk	no	over 8 hrs/day over 40 hrs/wk
International Student (enrolled or under enrolled) ⁴ ⁵	20 hrs/wk	20 hrs/wk	40 hrs/wk	20 hrs/wk	yes	over 8 hrs/day for over 40 hrs/wk for breaks of less than 5 wks only
International Student (non enrolled) ⁵	Not eligible is illegal to work	40 hrs/wk as long as enrolled full time in upcoming fall	N/A	N/A	no/unless treaty	over 8 hrs/day for over 40 hrs/wk in Summer I and II only

The above hours are acceptable maximums guided by the Fair Labor Standards Act, MES Act, INS regulations and WMU policy. Actual hours in each department are subject to supervisor approval. An American student has U.S. citizenship or legal permanent resident status (Green Card). An International Student does not usually have U.S. citizenship.

¹ **A student employee can be anyone who is admitted to WMU and is enrolled in at least one credit hour. Also they can't be considered a career employee, benefits eligible or have a retirement plan at WMU. A student must be enrolled part-time to be FICA exempt.** Please refer to Article 1, Section 1.3 of 2000-2003 collective bargaining agreement in regards to student employees working in **AFSCME staffed** operations.

² No enrolled student employee should be working over 30 hours/week except during break time. Break time is defined as winter closure, spring break, time periods between terms or semesters and university periods of non enrollment. During a semester, holidays like Labor Day, MLK Celebration, Thanksgiving, Memorial Day and Independence Day are not considered breaks as defined here.

³ A **non-enrolled student** is considered a **temporary employee** by university policy and is subject to FICA; a Temporary Appointment form must be filled out and routed to the Human Resources Department. The term “non enrolled,” in this case, means they may have been enrolled or even plan on being enrolled in classes, but currently they are not. These employees do not have the same rights and privileges as students because they are **NOT considered students**.

⁴ An international student is **only** allowed to work on campus in most cases, unless his/her visa allows off-campus academically related work. They are ineligible for federal work-study.

⁵ An under-enrolled or non-enrolled international student is not allowed to work on or off-campus in all cases unless working in summer and they were previously enrolled full time in preceding fall/spring and will be again in the upcoming fall semester. Anything less than full-time enrollment status is considered under enrolled unless it is their last semester. **An international student may work when under-enrolled so long as it is their graduating semester.**

N/A – Employee should not be working and doesn't apply.

6/2003