



VCU

Wage Employment (Hourly and Student Worker)

Policy Type: Administrative

Responsible Office: VCU Human Resources

Initial Policy Approved: 12/01/1993

Current Revision Approved: 11/11/2016

Policy Statement and Purpose

Virginia Commonwealth University (VCU) has a continuing need for temporary employees. Wage employment covers seasonal or temporarily excessive workloads, interim replacements, short-term projects or jobs that do not require classified or faculty employees. This policy defines wage employment and outlines job conditions and hour restrictions for these employees.

Note: this policy does not cover work-study students who are governed by VCU's Office of Financial Aid policies or graduate assistants and fellows who are governed by VCU Graduate School policies. Please note, however, that the 29-hour work restriction as described below also applies to these employee types. For more information, contact VCU's Federal Work-Study (FWS) Coordinator (see www.fws.vcu.edu) or the VCU Graduate School.

Noncompliance with this policy may result in disciplinary action, up to and including termination. VCU supports an environment free from retaliation. Retaliation is prohibited against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation.

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Who Should Know This Policy

Wage employees and anyone who hires wage employees are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

Definitions

Hourly Employees

Hourly employees are employees who perform similar work as classified staff but are paid an hourly rate and paid only for actual hours worked (rather than a fixed semi-monthly salary), and who are considered temporary and “at will.” Their employment status may be part-time or full-time but they are limited to working 29 hours or less per week on average or 1,480 hours over the Manpower Control Act (MCA) Standard Measurement Period (to ensure compliance with the “29-hour limit”).

Manpower Control Act (MCA) Standard Measurement Period

The 12-month period of May 1 through April 30 of the following year during which certain non-benefited employees cannot work more than 29 hours per week on average or 1,480 hours per measurement period (the “29-hour limit”).

Student Worker

Students at VCU enrolled for at least 6 undergraduate credit hours or 4.5 graduate credit hours* who are hired to perform a variety of duties ranging from entry-level service jobs to office support and professional activities. These individuals can be paid less than hourly workers or classified employees performing the same work. These employees do not have work-study awards through VCU’s Office of Financial Aid. Their employment status may be part-time or full-time but they are limited to working 29 hours or less per week on average or 1,480 hours per Standard Measurement Period (to ensure compliance with the “29-hour limit”).

Wage Employee

This term refers to both hourly and student workers who are paid by the hour.

*Note: Credit hour enrollment criteria do not apply during the summer sessions.

Contacts

VCU Human Resources officially interprets this policy. VCU Human Resources is responsible for obtaining approval for any revisions as required by the policy *Creating and Maintaining Policies and Procedures* through the appropriate governance structures. Please direct policy questions to VCU Human Resources.

Policy Specifics and Procedures

1. Recruitment:

- Equal employment opportunity policy applies to wage employment. The extent of hourly employment in a school, department, or unit will depend on funding availability and justification for establishing such a position(s).
- Departments may make decentralized recruitment and hiring decisions regarding hourly employees; however, the position must be advertised through VCU Human Resources' eJobs system (or VCU Career Center for student workers).

2. Classification and Compensation:

Wage employees are considered non-exempt under the federal Fair Labor Standards Act (FLSA), and they are paid for hours physically worked (both regular and approved overtime). Wage employees are required to submit hours worked to their manager for approval by department deadlines to ensure prompt payment. A sample timesheet is available from VCU Human Resources for this purpose. Wage employees must obtain prior, documented approval to work and be paid for overtime, if eligible, or to adjust work hours, as applicable, for FLSA compliance.

- **Hourly Employees** - Generally, hourly employees are classified within the Career Group Roles of the state's Classified Compensation System and are compensated similarly to classified staff performing comparable duties within applicable pay practices and considering applicable pay factors. Hourly employees must possess the same qualifications as those required for similar classified or faculty positions. Departments are encouraged to use the Wage Position Description to ensure appropriate classification and to communicate job duties to new employees.
- **Student Worker Employees** - Students must be paid at least the federal minimum wage not to exceed a maximum of \$15 an hour. The hourly rate paid to students must not exceed the hourly rate paid to classified staff performing similar work.

3. Conditions of Employment:

- Prior to start date, hourly employees are subject to criminal conviction background investigations, child support disclosure, direct deposit of their pay, Selective Service verification, completion of an Employment Eligibility Form (I-9), and verification of employment eligibility through the federal eVerify program.
- Regardless of funding source, total hours worked by wage employees at VCU are limited to 1,480 hours or 29 hours or less per week, on average, over the Standard Measurement Period, including regular and overtime hours, and any other hours worked in an overload job. If the workload permits, departments are encouraged to schedule wage employees at 29 hours per week or less to allow for continuous employment.

Supervisors are responsible for monitoring and ensuring compliance with the 29-hour rule. Departmental Personnel Administrators are responsible for monitoring and reinforcing compliance with this rule. If hours worked in a single week exceed 29, supervisors must ensure that hours worked in other weeks are limited so that work hours average 29 or less per week over the Standard Measurement Period.

- Hourly employees working on the MCV Campus are scheduled for a pre-placement health assessment with Employee Health Services. The assessment provides an opportunity for any required immunizations or health counseling in support of internal

safety programs and Occupational Safety and Health Administration (OSHA) laws including appropriate assessment of employees who may be in contact with human blood and/or body fluids. Departments that employ student workers on the MCV Campus who may work with animals or human blood and/or body fluids are encouraged to schedule a pre-placement health assessment for these employees as well.

4. Benefits:

- Wage employees may participate in the university's tax-deferred annuity and the state's deferred compensation programs and are covered under the Commonwealth of Virginia's Workers' Compensation Act. However, they are not eligible for participation in the state's health benefits program, life insurance, employer-funded retirement or cash match programs.
- Wage employees can apply for full-time positions and they are eligible for university service awards. However, if hired into classified or faculty positions, wage service does not count toward any form of continuous state service for benefits or retirement purposes. If hired into a full-time position, they may [purchase prior service credit](#), which can be credited to VRS for retirement purposes only. The purchase of prior service credit counts toward the five years needed to become vested in VRS.
- The provisions of the Virginia Personnel Act do not cover wage employees. Wage employees do not have access to the Employee Grievance Procedure because their employment is considered temporary and serve at the will of the university. Wage employees may file employment complaints under the university's Rules and Procedures or under Equity and Access Services processes as appropriate.

5. New Employee Orientation: Wage employees are also strongly encouraged to attend this orientation program. If unable to attend, managers should confirm their receipt of policy and safety information available on the VCU Human Resources website.

6. Discipline and Separation:

- **Voluntary Separation** – Normally, hourly employees are expected to provide at least two weeks' advance written notice to their supervisor when they intend to separate employment with VCU. If the employee is moving from one university department to another, a different notice period may be negotiated to continue services with minimal disruption. Failure to give adequate notice may adversely affect eligibility for re-employment with the university.
- **Discipline and Involuntary Separation** - Although hourly employees are not covered by the Virginia Personnel Act, it is recommended that they be given due process and progressive discipline to encourage satisfactory performance. Counseling memorandums should be used in place of written notices to document performance issues. In the case of employment termination, a letter should be addressed to the employee listing the reason(s) for the action(s) and the effective date. The employee also may be given the option to resign.

Forms

Search for the following forms at <http://hr.vcu.edu/forms/vcu-hr-forms/>.

1. Wage Employee Position Description

2. Wage Timesheet

Related Documents

1. VCU's Federal Work-Study (FWS) Program (see www.fws.vcu.edu)
2. State Manpower Control Act
<https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/assets/faqsworkhourlimitationsforwageemployees.pdf?sfvrsn=2>
3. VCU Policy: [*Reaffirmation of VCU's Equal Opportunity Policy*](#)
4. State Policy 2.05, Equal Employment Opportunity
<http://www.dhrm.virginia.gov/equal-employment-opportunity>
5. State Policy 2.20, Types of Employment
https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol2_20typesofempl.pdf?sfvrsn=2
6. [*VCU Policy: Criminal Conviction Investigations*](#)
7. [*VCU Policy: Overload Jobs*](#)
8. Virginia Personnel Act
<http://law.lis.virginia.gov/vacodepopularnames/virginia-personnel-act/>

Revision History

This policy supersedes the following archived policies:

April 10, 2011	<i>Wage Employment (Hourly and Student Worker)</i>
July 24, 2013	<i>Wage Employment (Hourly and Student Worker)</i>

FAQ

There are no FAQ associated with this policy and procedures.