
UNIVERSITY OF MINNESOTA

REGENTS' BASIC POLICY ON

STUDENT EMPLOYMENT

AND

THE TWIN CITIES CAMPUS

STUDENT EMPLOYMENT RULES



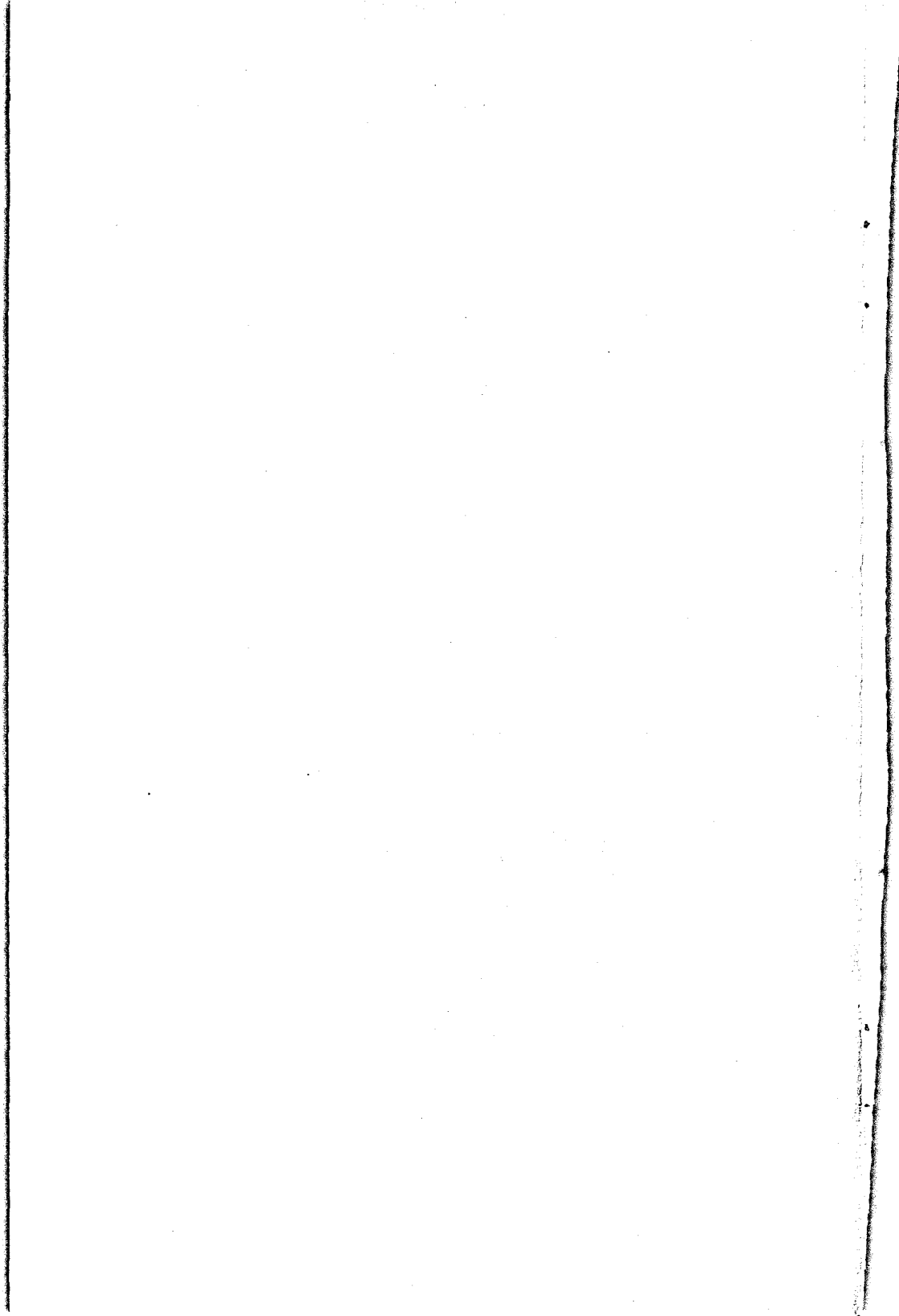


TABLE OF CONTENTS

Basic Policy on Student Employment.....2-6
Preamble to the Rules.....7-8

RULE 1 Student Employee and Supervisor
 Rights and Responsibilities.....9-10

RULE 2 Discrimination and Political Activity.....10-11

RULE 3 Position Classification Plan.....11-12

RULE 4 Compensation.....12-13

RULE 5 Recruitment and Employment.....13-15

RULE 6 Orientation and Probationary Period.....15-16

RULE 7 Employee Performance Ratings.....17

RULE 8 Hours of Work, Attendance, Holidays,
 and Official University Closings.....17-19

RULE 9 Authorized Leaves of Absence.....20-23

RULE 10 Job Abolishment, Termination,
 Resignation.....23

RULE 11 Discipline, Dismissal, and
 Protection from Retaliation.....24-25

RULE 12 Grievance Procedure.....25-29

RULE 13 Health and Safety and MERTKA.....30

Definitions.....31-36

BASIC POLICY ON STUDENT EMPLOYMENT AT THE UNIVERSITY OF MINNESOTA

A UNIVERSITY STUDENT EMPLOYMENT SYSTEM ESTABLISHED

A system of student employment, as hereinafter defined, shall be established at the University of Minnesota for the purpose of promoting effective employment of students in University departments through a system of management in which:

All qualified University students are accorded fair and equal opportunity to enter and continue in University employment on the basis of eligibility and/or qualifications.

Positions essentially alike in duties and responsibilities are treated alike in all personnel processes.

Employment opportunities support students' school related expenses and promote academic and career development.

The Board of Regents may, upon request, grant exceptions to the above stated policies on student employment to individual campuses of the University of Minnesota.

DEFINITION OF UNIVERSITY STUDENT EMPLOYMENT

Student employment at the University shall include all non-academic student employees paid from University funds.

STUDENT EMPLOYMENT COMMITTEES

Each campus shall establish or identify a committee responsible for student employment. Committee members shall represent all segments of the University community...students, staff, and faculty...and shall be persons who have an understanding of student employment and its role in the institution.

POWERS AND DUTIES OF THE STUDENT EMPLOYMENT COMMITTEES

The Student Employment Committee on each campus shall:

Review, conduct public hearings on, and present recommendations to the president, vice presidents, chancellors, and vice chancellors with respect to the rules which govern student employment on each respective campus.

Act as an appeals board for decisions made by the person designated to be responsible for student employment on each campus.

Make investigations concerning the administration of student employment either at the request of the president, vice presidents, chancellors, vice chancellors, or the person designated to be responsible for student employment or on its own initiative.

Perform such other duties as may be assigned to it by the president, vice presidents, chancellors, or vice chancellors.

DIRECTOR OF STUDENT EMPLOYMENT

There shall be, on each campus, a person designated to be responsible for student employment who shall discharge all duties imposed by the policies and rules for the government of student employment.

**POWERS AND DUTIES OF
THE DIRECTOR OF STUDENT EMPLOYMENT**

The person designated to be responsible for student employment on each campus shall:

Prepare and recommend policies and rules for the administration of a sound student employment program, including minimum requirements for student employment eligibility.

Conduct a program of job recruitment and selection at the University and in other public or private employment that meets the needs of University students and complies with federal and state regulations and University policy.

Provide for the compatibility of student employment with other employment systems in the University.

Serve as an ex-officio member of the committee responsible for student employment.

Discharge other duties as required to establish and maintain an effective system of personnel administration and/or financial aid.

STUDENT EMPLOYMENT RULES

The committee responsible for student employment on each campus shall be responsible for the formation of student employment policies and rules. The policies and rules and subsequent amendments to them shall, upon approval of the Board of Regents of the University of Minnesota, govern student employment on each campus. The policies and rules shall be published and shall be made available to all student employees.

**STUDENT EMPLOYMENT
POSITION CLASSIFICATION AND COMPENSATION**

The Director of Student Employment on each campus shall maintain compensation and classification systems for student employees which equitably and fairly compensate students in relation to other employees at the University, in the local community, and in the state of Minnesota.

GRIEVANCE PROCEDURE

The Student Employment Committee on each campus shall include in the rules and regulations, procedures for the uniform handling of all grievances involving student employees at the University.

PROHIBITIONS AGAINST DISCRIMINATION AND COERCION

Discrimination on the basis of race, color, religion, sex, including sexual harassment, marital status, sexual orientation, public assistance status, disability, age, national origin, veteran status, political opinions, or affiliation with any union or other organization representing the interest of public employees is forbidden by the University of Minnesota.

It is unlawful for any person in the University of Minnesota service, on the basis of prohibited discrimination, to (1) refuse to hire a student; (2) maintain a system of employment that unreasonably excludes students from employment; (3) discharge a student; or (4) discriminate against a student with respect to hire, employment terms, promotion, or privileges of employment. A person in the University of Minnesota service may not encourage or compel, or attempt to encourage or compel, any action forbidden by the University.

No student employee of the University Student Employment system shall be required to pay or be allowed to solicit or receive any assessment, contribution, or subscription for political purposes whatsoever during work hours. No student employee of the University shall directly or indirectly use the student employee's authority or official influence to compel any employee, student or non-student, in University employment to apply for membership in or become a member of any political organization; or to pay or promise to pay any assessment, subscription, or contribution; or to take part in any political activity.

University of Minnesota - Twin Cities Campus
STUDENT EMPLOYMENT RULES
Preamble

SECTION 1

Purpose of the Rules

The Student Employment Rules govern the rights and obligations of student employees and their supervisors. These Rules are established under the authority of the Basic Policy on Student Employment as approved by the University of Minnesota Board of Regents. Alleged violations of these Rules are grievable under Rule 12, Grievance Procedure.

SECTION 2

Application of the Rules

The Student Employment Rules cover student employees paid from University administered funds. Students must maintain student employment eligibility to be covered by these Rules. These Rules do not cover employees on civil service appointments or on academic appointments, or employees who are members of a certified bargaining unit.

SECTION 3

Amendment of the Rules

University staff, faculty, and students may propose amendments to the Rules to the Student Employment Committee at any time. The committee will regularly solicit, consider and review additional proposals, conduct public hearings, and recommend amendments to the University vice president, president, and Board of Regents.

No proposed amendment to these Rules shall be adopted before hearings are conducted by the Student Employment Committee or persons delegated by it for that purpose. Notice of intention to amend the Rules shall be published and shall be posted (not less than 10 working days prior to said hearing) on the official Student Employment bulletin boards. Such notice shall specify the day, hour, and place of the hearing(s).

University central administrative officers shall be provided with copies of the proposed amendments, and copies shall be available from the Office of Student Employment at least seven days prior to the public hearing(s).

Amendments shall become effective upon adoption by the Board of Regents except as otherwise specifically provided. The Director shall promptly transmit amendments to department heads and shall make the Rules and amendments available to employees. New or amended rules shall not affect retroactively personnel actions which were completed before the new Rule(s) went into effect.

Prior to issuing or reprinting the Rules, the Director may correct spelling, grammatical, or printing errors.

SECTION 4

The Student Employment Committee

The Student Employment Committee is composed of nine members, including a minimum of five students, appointed under the Basic Policy on Student Employment. In addition to the Rules, the committee is concerned with policies and practices relating to the personnel administration and compensation of student employment generally, and investigates, reviews, and recommends actions in these areas at the request of University administrators, or on its own initiative. Further information about the committee, its regular meetings, membership or chair, may be obtained from the office of the Director.

RULE 1

Student Employee and Supervisor Rights and Responsibilities

SECTION 1

Rights

Student employees shall have the right to:

Receive one copy of these Rules from the hiring department upon initial appointment to a position.

Obtain information from supervisors and administrators clarifying supervisory lines of responsibility; specifying assigned hours of work, tasks, duties, and responsibilities of their positions; establishing standards of performance expected in their work; and communicating work performance and what they can do to improve.

Review their personnel files in the hiring department or the Student Employment Center. (Procedures for review shall be established by the Student Employment Center in accordance with state law and University policy.)

Grieve supervisory action as defined in Rule 12.

SECTION 2

Duties and Responsibilities

Student employees are charged with the duties and responsibilities of:

Performing tasks assigned to them by their supervisors in accordance with work standards established by supervisors and administrators.

Communicating with their supervisors to clarify their understanding of departmental rules; organization of work; policies; lines of supervisory authority; job duties, work schedules; and performance standards.

SECTION 3

Supervisor Rights and Responsibilities

Department heads, administrators, and supervisors shall:

Exercise all rights inherent in the management process with respect to the supervision of personnel not denied to them by these Rules (or other policies).

Establish the number of hours of work assigned to the student employee and the schedule of hours the employee shall work.

Assign tasks and responsibilities to the student employee.

Establish work rules and standards of performance for the student employee.

RULE 2

Discrimination and Political Activity

SECTION 1

Discrimination

Discrimination on the basis of race, color, religion, sex, including sexual harassment, marital status, sexual orientation, public assistance status, disability, age, national origin, veteran status, political opinions, or affiliation with any union or other organization representing the interest of public employees is forbidden by the University of Minnesota.

It is unlawful for any person in the University of Minnesota service, on the basis of prohibited discrimination, to (1) refuse to hire a student; (2) maintain a system of employment that unreasonably excludes students from employment; (3) discharge a student; or (4) discriminate against a student with respect to hire, employment terms, promotion, or privileges of employment. A person in the University of Minnesota service may not encourage or compel, or attempt to encourage or compel, any action forbidden by the University.

SECTION 2

Political Activity

No student employee of the University Student Employment system shall be required to pay or be allowed to solicit or receive any assessment, contribution, or subscription for political purposes whatsoever during work hours. No student employee of the University shall directly or indirectly use the student employee's authority or official influence to compel any employee, student or non-student, in University employment to apply for membership in or become a member of any political organization; or to pay or promise to pay any assessment, subscription, or contribution; or to take part in any political activity.

RULE 3

Position Classification Plan

SECTION 1

Preparation of the Position Classification Plan

The Director shall classify all University Student Employment positions in accordance with the University Student Employment Classification Plan. Positions shall be classified according to the nature and difficulties of duties and responsibilities assigned to the employees appointed to such positions, and according to comparable jobs in the University.

SECTION 2

Reclassification of Individual Positions

When changes in the duties and responsibilities of individual positions occur due to changes in organization, work, staffing requirements, or technology, student employees may submit Job Review Questionnaires if they believe the classification to which their position is assigned is inappropriate or was initially incorrectly classified. Departments may also request reclassification of positions.

The reclassification of any position will normally be effective on the first day of the payroll period after receipt of the completed Job Review Questionnaire by the Student Employment Center or, in cases where the Job Review Questionnaire has been delayed in coming to the Student Employment Center, on the first day of the payroll period following the 16th work day after submission of the completed Job Review Questionnaire by the student employee to the supervisor. Reclassifications resulting in a demotion and reduction in salary will be made effective the first payroll period following notification of the decision by the Student Employment Center.

The department head, dean or administrator, and supervisor shall comment, in the space provided, on the accuracy of the statements made by the student employee. The department head, dean or administrator, or supervisor may not change or require the student employee to change any statement made by the student employee on a Job Review Questionnaire.

The Director shall rule on the requested reclassification within 30 calendar days of receipt of the questionnaire and shall notify the student employee and the supervisor of any decision in writing.

The Director's decision may be appealed by the student employee as a grievance under Rule 12, Section 1, within 10 work days of the date of receipt of the decision by the student employee.

Departments must comply with the Director's decision (or with the appeal board's decision when the Director's decision is grieved). If the decision is not implemented within 20 work days after receipt of the Director's written decision (or within 20 work days of the appeal board's written decision) the department must inform the student employee and the Student Employment Center, in writing, of the reason for the delay.

RULE 4

Compensation

The Director shall assign salary rates comparable with non-student rates as defined by the Civil Service Compensation Plan and University Hospital and Clinic Compensation Plan. Access to the current compensation plan shall be provided to employees upon request to their supervisor.

The Director shall formulate compensation policies for the regulation of salary increases, hiring rates, on-call rates, augmentation rates, and salary changes in cases of promotion, demotion, transfer, reinstatement, and return from leaves of absence. Such compensation policies shall be comparable with Civil Service and University Hospital and Clinic compensation policies to the extent that they are not inconsistent with other provisions of the Student Employment Rules.

RULE 5

Recruitment and Employment

SECTION 1

Eligibility for Student Employment

The Director shall establish registration requirements for student employment eligibility and shall post and distribute registration requirements to students and employers. Students must meet registration requirements at the University of Minnesota to use the services of the Student Employment Center or to be appointed to a student employment position at the University.

Students who graduate, leave school, or who fail to meet registration requirements shall lose eligibility for student employment. Student employees who lose student employment eligibility must be terminated from student employment immediately or, if notice of eligibility is delayed, retroactive to the date when ineligibility actually occurred.

SECTION 2

Student Priority and Announcement of Employment Opportunities

The Student Employment Center shall receive and post all University jobs of 29 hours (or less) per week. University of Minnesota students have first priority for any vacant University position of 29 hours or less per week posted by the Student Employment Center. The Director, upon request by a department, may waive this requirement when it appears that University students would not be available to fill a position.

The Student Employment Center will also post student employee positions for 30 or more hours per week upon request.

Announcements of all local vacancies shall be posted on the official bulletin boards of the Student Employment Center.

Posting requirements may be waived upon request or for positions of five hours or less per week. Should the position require additional hours beyond five hours, the job must then be posted.

A minimum of three work days or five student applicants referred shall elapse between the initial posting of an announcement concerning a vacancy and the date of closing the position to additional referrals.

Applications for student employment shall be made on forms and in such manner as prescribed by the Director and, upon submission to the Student Employment Center, shall become the property of the University of Minnesota Board of Regents.

SECTION 3

Student Employment Procedures and Files

The University file access policy must conform to appropriate state of Minnesota and federal laws. Access to the current file access policy shall be provided to the student employee upon request to the Student Employment Center. The official personnel file for each student is the one maintained in the Student Employment Center. File locations may be changed when necessary as determined by the Director.

SECTION 4

Types of Appointment

No appointment shall be submitted by a supervisor without certification by the Director that the candidate is qualified.

Trainee appointments may be made when the Director approves trainee programs to qualify students for a particular work classification. A student employee hired as a trainee shall be hired at a rate below the salary range for the class, and may be granted incentive increases as he or she progresses through a training program until successfully completing the program and reaching the minimum salary of the range for the class.

Temporary appointments may be made for positions which have a beginning and an ending date and a duration of no more than 30 work days.

SECTION 5

Nepotism

Relatives may work for the University provided that there will be no immediate supervisory relationships. Relatives include: (1) by blood or adoptive relationship: parents, grandparents, children, grandchildren, brothers, sisters; or (2) by marriage relationship: husbands, wives, brothers-or sisters-in-law, fathers-or mothers-in-law, sons-or daughters-in-law, stepparents, stepchildren.

RULE 6

Orientation and Probationary Period

SECTION 1

Orientation

Each supervisor is responsible for the orientation of each student employee and for the distribution of the Student Employment Rules (Rule 1, Section 1).

SECTION 2

Definition of Probationary Period

The probationary period shall be regarded as an integral part of the selection process for appointment to any position and shall be used by the supervisor for closely observing the student employee's work, for helping the new student employee adjust to the position, and for rejecting any student employee whose performance does not meet required standards. Supervisors are required to help probationary student employees understand their job responsibilities and duties.

SECTION 3

Duration and Application of Probationary Period

A 260 work hour probationary period shall be served by every student employee hired regardless of whether such employment occurs as an original appointment, promotion, transfer, or demotion. 260 work hours shall be defined as consecutive hours worked in a position in a department.

No probationary period shall be required of a student employee who is an incumbent in a reclassified position, or who is assigned to a different position in the same job class and department following reinstatement after resignation unless probation is requested in writing by the appointing authority and approved by the Director.

SECTION 4

Termination of Employment During Probationary Period

If the supervisor determines during the probationary period that the student employee's performance is not satisfactory, he or she may terminate the employee. Such termination is not grievable except under the discrimination clause of Rule 2.

The supervisor shall give an employee who fails to pass his or her probationary period at least 14 calendar days notice before termination, except in cases of misconduct.

RULE 7

Employee Performance Ratings

The Director is responsible for administering a performance evaluation plan in which employers are encouraged to rate the quality and quantity of their employees' work and communicate the ratings to the employees.

If rated, each student employee shall be rated by his or her immediate supervisor. Each student employee shall be informed by his or her supervisor of each performance rating made by the supervisor at the time of such rating.

Each student employee has the right to see a performance rating and any subsequent changes or additions to the performance rating made by a higher supervisor or department head. Such changes shall be discussed with the student employee.

Each student employee has the right to review with the Director, or his or her designee, the performance rating, comments made by supervisors and administrators, and any letters relating to work or performance ratings in the student's official personnel file (Rule 1, Section 1 and Rule 5, Section 3).

RULE 8

Hours of Work, Attendance, Holidays, and Official University Closings

SECTION 1

Work Hours

Student positions at the University may be part time or full time. The normal full-time work week for all job classifications in the University, except for employees of the University Hospital and Clinic, shall be 40 hours per seven-day work week.

Scheduled unpaid meal periods interrupting a work shift shall be not less than 30 minutes nor more than 1 hour. If a work shift is extended to more than 8 hours, additional or longer meal periods may be scheduled as warranted. Meal periods are unpaid. Student employees who work a minimum of 4 hours in one shift shall be granted a minimum 5 minute paid rest period during each consecutive 4 hours of work. Rest periods for student employees working regularly-scheduled shifts of more than 8 hours may be extended proportionally if only one break is scheduled during each half of the shift.

Split shifts shall be avoided whenever possible. No split shift shall extend the working hours of a student employee over a period of more than 13 hours in any 24-hour period, except in agricultural operations, where the period may extend to 14 hours in a 24-hour period; in an emergency; and in the University Hospital and Clinic where two 8-hour shifts may occasionally be scheduled in a 24-hour period.

SECTION 2

Holidays

Student employees paid on an hourly rate who are required to work on any official University holiday shall be paid at the rate of time and one-half for the hours worked.

Student employees paid on an hourly rate who are not required to work or cannot work because their department is closed on any official University holiday are not paid for the holiday.

The University Hospital and Clinic has the right, by Board of Regents' action, to designate an alternate holiday schedule. Student employees working in the University Hospital and Clinic shall follow the Hospital and Clinic holiday schedule.

SECTION 3

Official University Closings

Departments and student employees shall follow the policies and procedures established by the University president and/or provost for official University closings.

SECTION 4

Overtime

Overtime is the time worked in excess of 40 hours per work week or in excess of 8 hours per day or 80 hours per pay period for University Hospital and Clinic non-exempt student employees. Overtime may be compensated for, either in pay or time off, if such work was performed at the request of the supervisor. (Work which a supervisor does not request but allows and which qualifies as overtime, is treated as requested overtime).

All student employees shall be paid at the rate of time and one-half whenever their time worked is in excess of 40 hours per work week; if designated by the University Hospital and Clinic, non-exempt student employees shall be paid at the rate of time and one-half for over 8 hours per day and/or 80 hours per pay period.

All student employees may choose to take compensatory time off at a later date approved by their supervisor at the rate of time and one-half. Departments shall have discretion to make reasonable restrictions on the amount of compensatory time off that can be accumulated or on the length of time during which a compensatory time-off balance can be carried forward which are consistent with the provisions of state or federal law.

See also Rule 8, Section 2, regarding extra pay for holiday work.

SECTION 5

Absence without Leave

When a student employee is absent from work without authorization, such absence shall be grounds for disciplinary action (see Rule 12). A student employee absent without authorization for three consecutive work days on which the employee is scheduled to work shall be considered as having resigned. However, a person may subsequently apply for a retroactive leave of absence to cover the unauthorized time off. Such a request may be granted by the supervisor.

RULE 9

Authorized Leaves of Absence

SECTION 1

General Regulations Governing Leaves of Absence

Leaves of absence include, but are not limited to: vacation, sick leave, jury duty, voting in specific elections, military duty, and parental leave. Student employees shall be eligible only for leaves of absence without pay, except as defined in Rule 9, Sections 3 and 5. Special rules explained below govern leaves of absence for College Work-Study student employees.

Leaves of absence may be granted only when employees submit requests to their supervisor within a reasonable time before the desired leave, or in the case of sick leave or emergencies, as soon as possible.

All leaves of absence of more than five regularly-scheduled work days must be documented by the department with a copy to the student employee and a copy to the Student Employment Center.

Federal and state College Work-Study regulations specify that students employed under the College Work-Study Program may only be paid for actual hours worked and are eligible for employment based on individual financial need within a fiscal year. Therefore, College Work-Study student employees are not eligible for paid leaves of absence as described in this section nor for unpaid leaves beyond the period of financial aid eligibility in the fiscal year.

SECTION 2

Parental Leave

A student employee who has completed a minimum of 9 consecutive months of employment in a department at an average of 20 hours or more per week, shall, upon request, be granted a 6 week unpaid leave of absence in conjunction with the birth or adoption of his or her child. The student employee must be a biological parent or adoptive parent and the leave must be requested in conjunction with the birth or adoption of his or her child.

College Work-Study employees are eligible for unpaid leave if the leave does not extend beyond the period of financial aid eligibility within the fiscal year.

SECTION 3

Military Leave

Except for College Work-Study employees, student employees shall be granted a paid leave of absence for required service in the National Guard or military reserve up to a maximum of 15 work days in a calendar year. Paid military leave shall cover only those hours the student employee is regularly scheduled to work or, should hours be scheduled irregularly, the average number of hours the student has worked per week for the 10 weeks preceding the leave of absence.

Note: Federal and state College Work-Study regulations do not permit payment for time not actually worked. Students employed under the College Work-Study Program must, however, be granted an unpaid leave of absence for military service described in the above paragraph, up to, but not beyond, the period of financial aid eligibility within the fiscal year.

Except for College Work-Study employees, student employees who are in continuing positions with no specified ending date shall be granted unpaid leaves of absence for up to four years for active duty in the regular military service, or for initial training in the National Guard or military reserve, provided that: 1) the employee's position has not been abolished or the term of employment expired; 2) the employee is not physically or mentally disabled from performing the job and; 3) the employee submits evidence of satisfactory service. Written application for reinstatement must be received within 90 days of termination of regular active duty or within 31 days of completion of initial training in the National Guard or military reserve.

Note: federal and state College Work-Study regulations require employment to be based on a student's financial need within a specific fiscal year. For this reason, the University cannot guarantee continued employment for students on College Work-Study appointments beyond the period of financial aid eligibility within the fiscal year.

SECTION 4

Jury Duty

Except for College Work-Study employees, student employees shall be granted unpaid leaves of absence for required jury duty.

College Work-Study student employees are eligible for unpaid leaves of absence, up to, but not beyond, the period of financial aid eligibility within the fiscal year.

SECTION 5

Voting

Except for College Work-Study employees, student employees shall be granted paid leaves of absence to vote during the morning hours of any state-wide general election or in any election to fill a vacancy in the office of United States senator or representative. Paid leaves to vote shall cover only those hours the student employee is regularly scheduled to work and shall be reasonable in relation to voting site location and distance.

Federal and state College Work-Study regulations do not permit payment for hours not actually worked. However, upon request, College Work-Study students must be granted an unpaid leave of absence to vote in elections as described in the above paragraph.

SECTION 6

Reinstatement From Leave of Absence

A student employee granted a leave of absence must be returned to his or her employment in the same classification and department at the expiration of the leave. Such student employee may return to employment before the leave expires upon his or her supervisor's approval.

A student employee who is terminated before his or her leave expires because his or her position has been abolished may seek employment by using the services of the Student Employment Center.

SECTION 7

Documentation

A department head and/or immediate supervisor may require written documentation supporting paid and unpaid leave-of-absence requests prior to granting a paid or unpaid leave of absence to a student employee.

RULE 10

Job Abolishment, Termination, Resignation

SECTION 1

Job Abolishment

A supervisor may terminate a student employee because of abolition of position, shortage of work or funds, or other reasons beyond the student employee's control which do not reflect discredit on the student employee's services.

SECTION 2

Termination

A department terminating a non-probationary student employee for reasons other than disciplinary action (see Rule 11) must provide written notice of the termination at least 10 University work days prior to the student employee's last day of work. A copy of the notice must be sent to the Student Employment Center.

SECTION 3

Resignation

A student employee may resign by presenting his or her resignation in writing to the supervisor. To resign in good standing, an employee must give the supervisor at least 10 University work days prior notice. The employer may waive this requirement.

RULE 11

Discipline, Dismissal, and Protection from Retaliation

SECTION 1

Discipline

Supervisors may only discipline student employees for just cause. Normally, discipline shall be progressive. Disciplinary action may take the form of oral warning, written warning, suspension without pay, and dismissal.

Supervisors must make a record of disciplinary action, except for oral warnings, with a copy to the official personnel file and a copy to the student employee outlining the problems and, if possible, summarizing their history, previous discussions between the supervisor and the student employee, and previous disciplinary action, if any. The letter should clearly state the present disciplinary action being taken.

Disciplinary action shall become effective upon the supervisor's communication of the action to the student employee. A student employee may appeal any disciplinary action in accordance with Rule 12.

SECTION 2

Dismissal

A student employee who has passed probation may be dismissed from his or her position for just cause.

Student employees who have passed probation shall receive a written statement of reasons for dismissal with a copy to the official personnel file.

The student employee may appeal a dismissal within 10 University work days in accordance with Rule 12. The appeal shall not affect the effective date of the dismissal.

A student employee who willfully practices or has attempted to practice any deception or fraud in his or her eligibility or appointment may upon discovery and proof thereof be dismissed or otherwise appropriately disciplined. Charges alleging such deception or fraud may be initiated by the department in which the student employee is working at the time or by the Director, in conformity with the provisions of those rules relating to notice of dismissal. Students may appeal such decision in accordance with the provisions of Rule 12.

Absence for three consecutive work days without authorization shall be considered a resignation, in accordance with Rule 8, Section 5.

SECTION 3

Protection from Retaliation

Supervisors may not take disciplinary action against an employee who, in good faith, reports a violation of any federal or state law or regulation to a governmental body or law enforcement official. Disciplinary action may not be taken against an employee who is requested by a public agency to participate in an investigation, hearing, or inquiry as well as an employee who refuses to participate in any activity that the employee, in good faith, believes violates any federal or state law or rule or regulation adopted pursuant to law.

RULE 12 ***Grievance Procedure***

SECTION 1

Definition

A grievance shall consist of a charge of an alleged improper application of the Student Employment Rules or the Student Employment Classification or Compensation Plans, or alleged improper interpretation of these Rules.

However, grievances concerning classification of positions or change in the salary range for a class of work shall go to the Student Employment Committee in accordance with Rule 4, Compensation, and Rule 5, Recruitment and Employment. Discretionary salary increases shall be grievable only through step two of this procedure, except where a violation of Rule 2, Discrimination, is alleged.

SECTION 2

Time Limits

To be processed through this procedure, grievances involving dismissal must be submitted within 10 University work days of receipt of written notice. All other grievances must be submitted no later than 30 calendar days after the aggrieved condition became known or should have been known.

All time limits stated herein shall be strictly observed unless both parties to the grievance agree in writing to a specific extension date. Failure by the aggrieved student employee to meet time requirements will result in the grievance being considered "waived." Failure by the department supervisors to meet time requirements shall give the student employee the option of moving immediately to the next step.

The Director may, with due notice to both parties of the grievance, waive step one or step two in the grievance procedure.

SECTION 3

Who May File; Filing Procedure

All student employees who have passed probation (see Rule 6) may file grievances under Rule 12.

Student employees who have not completed their probationary period may also file a grievance under Rule 12 but termination may only be grieved under Rule 2, Discrimination.

Student employees may represent themselves or designate an authorized representative who may or may not be a University employee.

A grievance is initiated under Rule 12 by a student employee giving an oral or written statement to his or her supervisor stating the problem or grievance and by filing a grievance initiation form with the Student Employment Center.

SECTION 4

Grievance Procedure

Step One: Oral Resolution

The aggrieved student employee and/or designated representative shall take up the grievance with the appropriate supervisor. Discussion and resolution at this step shall be oral and informal. The supervisor shall respond with an answer within five University work days of the discussion.

If the aggrieved student employee remains dissatisfied with the supervisor's disposition of the grievance or failure to take action, the employee shall have five additional University work days in which to reduce the grievance to writing, including the rule(s) or procedures that were allegedly improperly applied and to which relief is requested, and to submit a copy of said grievance to the appropriate Student Employment Center staff member.

Step Two: Formal Resolution

Within five University work days after receipt of a written grievance, a Student Employment Center representative shall schedule a meeting between the aggrieved student employee and/or his or her designated representative and the supervisor at the next management level. The Student Employment Center representative shall make a written record of the proceedings and will attempt to mediate the grievance. Within five University work days after such a meeting, the supervisor shall respond in writing to the grievant with a copy to the Student Employment Center representative.

If the aggrieved student employee remains dissatisfied with the supervisor's disposition of the grievance or failure to take action, the employee shall have five additional University work days in which to contact his or her Student Employment Center representative and request further action.

In grievances alleging a violation of the discrimination policy (Rule 2), the University Equal Opportunity Officer will be contacted prior to the step two meeting.

Step Three: Grievance Review Hearing

Within 10 University work days after receiving a request from the aggrieved, the Student Employment Center shall arrange a hearing to review the grievance.

The aggrieved student employee and/or his or her designated representative shall present the step two written grievance to a review panel composed of the unit vice president or his or her designee, the Director or his or her designee, and a University student, staff, or faculty person selected by the grievant. All parties may present written notes from the step one and two meetings, the written answer from management, and any pertinent oral testimony before the panel. The panel may also request additional testimony from other witnesses in the matter before it, except that no witness may be required to testify against his or her objection.

In grievances alleging a violation of the discrimination policy, the University Equal Opportunity Officer or his or her designee shall serve as an ex-officio member of the Grievance Review Panel, without vote, and the University Equal Opportunity Officer shall review all decisions of the panel before they are finalized.

The panel's decision shall be in writing and sent to the grievant, the department, and the Student Employment Center within 30 calendar days of the hearing. Decisions of the panel are binding upon the University, as long as they are in compliance with these Rules and no further appeal avenue exists within the provisions of these Rules.

SECTION 5

Grievances Against the Student Employment Center

A grievance against the Student Employment Center must be filed at the Center by completing a grievance initiation form no later than 20 University work days after the aggrieved condition became known or should have been known. Should any student employee file a grievance against the Student Employment Center, the grievance shall be handled at the first step between the aggrieved student employee and/or his or her designated representative and a Student Employment Center representative.

If satisfactory resolution has not been reached within five University work days, the grievance shall be reduced to writing and filed with the Director, or if the Director is the representative at step one, with the next level administrator for the Student Employment Center.

A meeting will be scheduled by the Director, or the next level administrator for the Student Employment Center within five University work days for the purpose of resolving the grievance. The Director or his or her designee and the aggrieved student employee or his or her representative will be present, along with such witnesses as shall be required to appear.

If the grievance has not been satisfactorily resolved within five University work days, the aggrieved student employee may request a hearing at the third step in accordance with Rule 12, Section 4, except that the Director's place on the panel shall be filled by a member of the Student Employment Committee determined by the committee.

In cases where the Director's place on the panel is filled by a Student Employment Committee member, the committee member shall have no direct working relationship to the aggrieved and shall not be related to the case in any immediate way.

RULE 13

Health and Safety and MERTKA

At the time of hire or re-employment, employees shall be informed by their supervisors of the Minnesota Employees' Right-To-Know Act (MERTKA), regarding potentially hazardous substances or situations encountered in the workplace.

Departments are responsible for providing and maintaining work areas that meet with health and safety standards required by state and federal law. Each department should have a designated safety coordinator to be the departmental liaison with the University's Department of Environmental Health and Safety. Supervisors shall take steps for the safety of employees within the work area.

Employees shall report health and safety concerns and problems to their supervisors. Supervisors must respond promptly to the concerns and/or problems until such time as the problem is resolved. Supervisors should consult with their departmental safety coordinator to determine if there is a need to make use of the services of the Department of Environmental Health and Safety Services. These services include such items as fire safety evaluations, measurement of noise and radiation levels, and analysis of biological, chemical, and all other hazards.

Employees shall immediately report on-the-job accidents and injuries to their supervisors. The supervisor shall take appropriate steps to insure that the employee's injury is not further aggravated and to enable the employee to obtain care for the injury. This may include the provision of first aid services, medical services, ambulance services, or transportation to a hospital, or it may require taking or sending the employee home. The supervisor shall report these incidents to the designated safety coordinator for that department and submit an accident report (First Report of Injury) within 48 hours of the accident to the Student Employment Center, whether or not injury resulted.

Employees whose on-the-job injury prevents them from performing their regular duties, and who are physically and mentally able to perform in a satisfactory manner, shall be hired in vacant positions for which they are certifiable, at the same or lower pay range, ahead of all other applicants (except laid-off employees).

DEFINITIONS

The following words and terms, wherever used in these Rules, shall have the meaning indicated below.

Academic Appointment.

Appointment to an instructional or research position, or to a position which administers or assists with instructional programs. Included in this category are undergraduate teaching assistants and undergraduate research assistants. Academic appointments and vacancy announcements are administered by the Office of the Vice President for Academic Affairs, and undergraduate teaching assistant and undergraduate research assistant vacancies are posted through the Student Employment Center which also processes applications and issues referrals for these vacancies.

Calendar Week.

12:01 AM Sunday to midnight Saturday. (Should not be confused with the "work week," which may be different.)

Civil Service Appointment.

Appointment to a position within the University Civil Service System. People on civil service appointments are governed by the Civil Service Rules, and all appointments are administered by the University Personnel Department, 1919 University Avenue, St. Paul.

Class.

Descriptive title given to a position or a group of positions with similar duties and responsibilities.

Committee.

Student Employment Committee(s) of the University of Minnesota.

Compensation Plan.

The policies and procedures which govern student employee compensation for a particular fiscal year.

Compensatory Time.

Time off allowed for extra time put in. It can be straight time or time and one-half depending on the circumstances.

Demotion.

A change of a student employee from a position in one class to a position in another class which is assigned to a lower pay range in the same schedule; or a change of a student employee from a position in one classification to a position in another classification on a different schedule where the midpoint of the new classification's range is lower than the midpoint of the old classification's range by 4 percent or more. Probation is required.

Department Head.

The administrative head of a department or anyone authorized by him or her to perform personnel functions such as initiating personnel requisitions, hiring, or similar actions.

Director.

The Director of the Student Employment Center of the University of Minnesota-Twin Cities campus, or his or her designated representative.

Dismissal.

The termination of one's job by a supervisor for just cause.

Discretionary Increase.

Wage increases (incremental, percentage, or lump sum) which may vary in amount from employee to employee within the limits prescribed in the compensation plan based on performance evaluations.

Exempt.

Class of work not regulated under the Fair Labor Standards Act. For further information, call the U. S. Department of Labor, Wage and Hour Division.

Full -Time Appointment.

One-hundred percent time or 40 hours per work week or 2,088 straight-time hours per year for the period of appointment.

Illness.

Inability to work for mental or physical reasons which justifies the granting of leave of absence.

Just Cause.

A standard or test often applied to determine the appropriateness of disciplinary action. The factors that may be considered in determining just cause include but are not limited to: 1. forewarning; 2. reasonableness of the rule or standard which was violated; 3. whether or not there was a supervisory investigation to verify student employee culpability and to verify the circumstances of the violation; 4. establishment of proof at a level consistent with the disciplinary action being taken; 5. prior consistent enforcement of the rule or standard which has been violated; 6. disciplinary action proportional to the offense.

Nondiscretionary Increase.

Wage and salary increases (incremental, percentage, or lump sum) which are granted to all student employees or to specific groups of student employees (e.g. all those on a particular schedule or in a particular classification) across the board without regard to the student employees' job performance.

Non Exempt.

Class of work regulated by the provisions of the Fair Labor Standards Act. For further information, call the U. S. Department of Labor, Wage and Hour Division.

Overtime.

Time worked in excess of 40 hours per week on one or more University jobs. However, at the discretion of the University Hospital and Clinic, it may be defined as time worked in excess of 8 hours per day and/or 80 hours per pay period.

Part-time Appointment.

An appointment at less than 100 percent time for the period of the appointment.

Position.

A group of current duties assigned or delegated by responsible authority requiring the full-time or part-time employment of one person.

Position Classification Plan.

The schedule of classes and revisions adopted by the University of Minnesota Board of Regents on September 22, 1945, together with the subsequent amendments and revisions adopted by the University of Minnesota Board of Regents.

Probationary Period.

A period of time which is part of the selection process during which the student employee is required to demonstrate fitness for the position by actual performance of the duties of the position.

Promotion.

A change of a student employee from a position in one classification to a position in another classification which is assigned to a higher pay range in the same schedule, or a change of a student employee from a position in one classification to a position in another classification on a different schedule where the midpoint of the new classification's range is higher than the midpoint of the old classification's range by 4 percent or more. Probation is required.

Reclassification.

A change in the class of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed. No probation is required unless requested, in writing, by the appointing authority and approved by the Director.

Student Appointment.

Appointment to a position within the student employment system. Persons on student appointment are governed by the Student Employment Rules, and appointments are administered by the Student Employment Center, 120 Fraser Hall, Minneapolis.

Student Status.

Status is granted to persons enrolled at the University who meet the eligibility requirements stated in the Student Employment Rules. Student status is a prerequisite for gaining, and a condition for continuing a student appointment in a University position.

Supervisor.

A person who exercises major supervisory functions over a student or non-student employee or employees. These functions are hiring, evaluating, assigning work to, disciplining, and dismissing.

Temporary Appointment.

Appointment to a position which has a beginning and ending date lasting not more than 30 work days.

Termination.

Discontinuance of University employment.

Transfer.

A change of a student employee from a position in one department to a position in the same schedule and pay range in another department, a change of classification within the same department when the new position is assigned to the same schedule and pay range as the former position, or a change of a student employee from a position in one classification to a position in another classification on a different schedule where the difference in the midpoints of the two ranges is less than 4 percent. Probation is required.

Vacancy.

A position opening which exists when a position is created or when an existing position opens up due to the termination (dismissal, resignation, transfer, or promotion) of a student employee.

Work Week.

A fixed and regularly recurring period of 168 hours: 7 consecutive 24-hour periods. It need not coincide with the calendar week but may begin on any day and at any hour of the day. The beginning of the work week shall be established by the department head; and, once established, remains fixed. It may be changed by the department head if the change is intended to be permanent. Different work weeks may be established for different student employees or groups of student employees.

Work Year.

One year, 100% time = 2,088 straight-time paid work hours;
One year, 75% time = 1,566 straight-time paid work hours;
One year, 50% time = 1,044 straight-time paid work hours.

"The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, religion, color, sex, national origin, handicap, age, veteran status, or sexual orientation. In adhering to this policy, the University abides by the Minnesota Human Rights Act, Minnesota Statute Ch. 363, by the Federal Civil Rights Act, 42 U.S.C. 20000e; and by the requirements of Title IX of the Education Amendments of 1972; by Sections 503 and 504 of the Rehabilitation Act of 1973; by Executive Order 11246, as amended; 38 U.S.C. 2012, the Vietnam Era Veterans Readjustment Assistance Act of 1972, as amended; and by other applicable statutes and regulations relating to equality of opportunity.

Inquiries regarding compliance may be directed to Patricia A. Mullen, Director, Office of Equal Opportunity and Affirmative Action, 419 Morrill Hall, 100 Church Street S.E., University of Minnesota, Minneapolis, Minnesota 55455, (612) 624-9547, or to the Director of the Office of Civil Rights, Department of Education, Washington, D.C. 20202, or to the Director of the Office of Federal Contract Compliance Programs, Department of Labor, Washington, D.C. 20210."

Applicable federal and state laws and regulations prevail in the case of inconsistency with any provision of these Rules.

This edition of the Basic Policy for Student Employment has been adopted by the University of Minnesota Board of Regents effective November 11, 1988. This edition of the Student Employment Rules has been adopted by the University of Minnesota Board of Regents, effective March 10, 1989. These documents were edited and published by the Student Employment Center. The Student Employment Center is a division of the Office of Student Financial Aid, a Student Support Services Department.
