

***Federal Work Study
Handbook
2007 / 2008***

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THOMAS JEFFERSON SCHOOL OF LAW
2007/2008 FEDERAL WORK STUDY EMPLOYMENT MANUAL

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Program Purpose

The Federal Work-Study (FWS) Program gives part-time employment to Thomas Jefferson School of Law Students who need the income to help meet their costs of education, and it encourages FWS recipients to participate in community service activities. Whenever possible, efforts should be made to provide job opportunities to students which relate to their academic and career goals.

General Information

The Federal Work-Study (FWS) Program is a federally subsidized employment program offering students and opportunity to earn financial aid through work. The amount a student is eligible to earn will depend on the FWS award and availability of Work-Study funds at the college.

A college must make FWS jobs reasonably available to all eligible students at the college. A school is required to make available a reasonable proportion of its FWS allocation to independent or less-than-full time students.

To the maximum extent practicable, Thomas Jefferson School of Law must arrange FWS jobs that will complement and reinforce each recipient's educational program or career goals.

Because of limited availability of FWS funds, it is very important that employers submit their requests for Work-Study student employees as early as possible in the award year (July through June). All requests for FWS employees should be submitted to the Financial Assistance Office at TJSL.

Schools are required to utilize money from their FWS Program funds to compensate students employed in community service jobs. The definition of "community services" given in the law now includes services to students who have disabilities and enrolled at the school

Student Eligibility Criteria

- ▶ *Demonstrate "Financial Need" (Financial Assistance Office to determine)*
- ▶ *Meet general Title IV eligibility requirements (see F/A Handbook)*
- ▶ *Maintain Satisfactory Academic Progress as defined by Thomas Jefferson School of Law (See Student Handbook)*
- ▶ *Meet Immigration and Naturalization Service requirements*
- ▶ *Meet employment/performance standards as required by the employer*
- ▶ *Complete ALL Federal Work-Study Student Employment Forms. (see Appendix A)*
- ▶ *Students must be enrolled as at least half-time status during Fall and Spring Semesters. (see page 3 regarding employment during periods of non-attendance)*

Employment During Periods of Non-Attendance

Employment During Summer session

A student may be employed under FWS during a period of nonattendance, such as a summer or equivalent vacation period. To be eligible for this employment, a student must be planning to enroll for the next regular session (i.e. Fall). The student's earnings during this period of non-attendance must be used to pay his or her cost of attendance for the next period of enrollment.

Types of Employment

Work on Campus

A Student may be employed on campus at Thomas Jefferson School of Law. An FWS job at Thomas Jefferson School of Law MUST, to the maximum extent practical, be related to the student's educational program or career goals as well as provide student services.

34CFR§675.21(b)

An FWS student may NOT be assigned to assist a professor. This type of work is inappropriate, since instructional activities are not considered student services. Student Services are defined in regulation. They are services that are offered to students that are directly related to the students training or education. Jobs that provide student services may include, but are not limited to jobs in the library, tutorial services, and jobs in the financial assistance office.

34CFR§675.2(b)

The Federal portion of wages paid may not exceed 75%.

Work Off Campus for Nonprofit or Government Agencies

Students may work off campus provided that the work performed must be in the public interest. Students may be employed by a federal, state, or local public agency or by a private nonprofit organization, providing jobs related to the student's academic goal.

Work is NOT in the public interest if -

- ▶ *the primary beneficiaries are members of an organization that has membership limits (ie. Credit Unions, a fraternal or religious order, or a cooperative).*
- ▶ *it involves any partisan or nonpartisan political activity or is associated with a faction in an election for public or party office.*
- ▶ *it is for an elected official unless the official is responsible for the regular administration of federal, state, or local government.*
- ▶ *it is work as a political aide for any elected official*
- ▶ *the student's political support or party affiliation is taken into account in the hiring process; or*
- ▶ *it involves lobbying on the federal, state, or local level.*

The Federal portion of wages paid may not exceed 75%.

Community Service Jobs

TJSL must make student aware of community service opportunities by encouraging them to get involved in community service activities. TJSL must use at least 7% of its FWS allocation to employ students in these jobs and at least one of the FWS students must be employed in a family literacy program or reading tutor program that provides services to families with pre-school age children or elementary school children.

The Federal portion of wages paid may not exceed 75%.

Off-Campus Agreements

When a Thomas Jefferson School of Law student works for any off-campus agency or company under FWS, TJSL must make sure the organization is a reliable agency with professional direction and staff and that the work to be performed is adequately supervised and consistent with the purpose of the FWS Program. The College will enter into written agreement with the organization with regards to the FWS employment program. The agreement sets forth the FWS work conditions and establishes responsibilities. (See Appendix A for model off-campus agreement.)

The National and Community Service Act of 1990, Section 124(A)

School officials may periodically visit each organization with which they have an off-campus agreement to determine whether students are doing appropriate work and whether the terms of the agreement are being fulfilled. Students may be required to submit a formal evaluation of their work experience at the end of the assignment. TJSL may use these to assist the agencies improve their work programs.

Evaluating off-campus employment

Employing FWS Students as Reading and Mathematics Tutors

The FWS regulations require TJSL to employ at least one student who will either perform family literacy activities or act as a reading or math tutor for children who are pre-school age or are in elementary school. Employing a FWS student in these positions serves the needs of the community and gives the FWS student an enriching and rewarding experience. TJSL must ensure that reading tutors receive training from employing agency in the instructional practices used by that agency. To further encourage schools to employ FWS students in these positions, FWS regulations authorize a 100% federal share of FWS wages.

34CFR§675.18(g)

Employment Conditions and Limitations

FWS employment must be governed by employment conditions, including pay, that are reasonable according to the type of work performed, the geographic region, the employee's proficiency, and any applicable federal, state, or local law.

General Conditions

Federal Work-Study employment must not displace employees or impair existing service contracts. Replacement is interpreted as displacement.

Displacing Workers

If a student receives academic credit from the work performed, the job may still qualify as an eligible job for a FWS employee. If a student must complete an internship or practicum as part of their degree requirements, the internship or practicum can qualify under FWS if the employer normally pays persons who have held the position before.

Academic Credit for work-study

A student's FWS wages may be garnished only to pay any costs of attendance that the student owes Thomas Jefferson School of Law or that will become due and payable during the period of the award. Thomas Jefferson School of Law will oppose any garnishment order they receive for any other type of debt. FWS funds are to be used solely for educational purposes. To garnish students FWS wages would be a violation of Federal Regulation.

Wage Garnishment

FWS positions may not involve the construction, operation, or maintenance of any portion of a facility, which is used or is to be used for sectarian instruction or as a place for religious worship.

Employment in a building used for religious purposes

Workload

Students are awarded a specific amount of FWS funds to be earned during a specific award period. FWS employees are not required to earn their full scheduled award, but may not exceed it. Note: Thomas Jefferson School of Law reserves the right to change student employee schedules or awards as necessary.

Awards vs. Earnings

The student may not work in excess of the number of hours specified on the student hiring agreement or limitations of employment based upon program of enrollment at TJSL, whichever is lower. Variances from the weekly schedule are not a violation of the FWS program, except that at no time may a FWS student work more than 6 hours without taking a 1/2 hour break.

Maximum hours per week/day/duration

The Fair Labor Standards Act of 1938, as amended, prohibits employers from accepting voluntary services from any paid employee. Any student employed under FWS must be paid for hours worked during periods of eligibility.

Voluntary Services prohibited

Job Classification

Work-Study students are classified as non-exempt temporary employees and are not eligible for benefits, but are subject to the overtime requirements of the Fair Labor Standards Act.

Thomas Jefferson School of Law reserves the right to change a work-study employee's work schedule or award as necessary.

The hourly wage for Thomas Jefferson School of Law work-study employees is determined by the agency. The criteria to be used in establishing the rate of pay for a particular position are:

- ▶ *The particular set of skills and abilities required to perform the job.*
- ▶ *The prevailing rate at which persons with those skills and abilities in the local area for similar jobs.*
- ▶ *Any applicable Federal, State, or local legislation that would require a particular wage rate.*

Minimum Hourly Wage

Time Sheets

A copy of the time sheet becomes part of the official college record and is required for audit purposes. The actual hours worked, and supervisor initials are required daily. Please record hours to the nearest quarter hour.

Time sheets must be signed by the student and supervisor and delivered to the Financial Assistance Office at TJSL by 10 a.m. on the date indicated on the 'list of due dates and pay dates'. (See Appendix B) The employer and the employee should retain a copy of the time sheet for their records.

If a time sheet is late or incorrect, the student will not be paid until the following pay period.

Late or incorrect time sheets

Pay Periods and Payment of Wages to Students

Thomas Jefferson School of Law will be responsible for issuing the student's complete paycheck on a bi-weekly basis. Actual payroll period will be determined by TJSL. See 'Schedule of due dates and pay dates' for exact pay date.

Thomas Jefferson will then submit to the agency a Monthly Billing Statement (see Appendix A) for the non-federal portion of the payroll expense plus 5% of the gross earnings as an administrative fee to cover TJSL's administrative costs not already paid from its ACA. The agency will pay the billing statement within one month of it's receipt.

Monthly Billing Statements

Agency / Supervisor Responsibilities

The primary responsibility of the agencies are to interview, hire and to establish and provide adequate supervision, training and support to the FWS student employee. Some students may have a great deal of potential, but very little work experience. Their job becomes part of the educational process and may complement their academic work. Patience and support on the part of the supervisor can help the student develop their potential and at the same become a valuable asset to the operation of the department.

Agencies/supervisors are asked to assume the following responsibilities:

- ▶ *Supervisors are asked to work with the student, taking into consideration the student's class and vacation schedule, to establish a regular work schedule. Supervisors should thoroughly discuss expectations with regard to job duties and adherence to work schedule.* *Establish work schedules*
- ▶ *Earnings control. Earnings control is required due to the regulations governing the FWS program. The agency is liable for penalty payment at the rate of 100% for each dollar earned by a FWS employee in excess of their documented need and/or award amount.* *Earnings Control*
- ▶ *Supervisors are responsible for daily verification of time sheet accuracy and completeness. The FWS employee time sheet must be checked and initialed each day the student works. Initialing time sheets at less frequent intervals is completely unacceptable. The student and the supervisor should initial all changes to FWS time sheets.* *Time sheet accuracy*
- ▶ *The agency is responsible for providing to the Financial Assistance Office at TJSL a Student Hiring Agreement for every rate change. No new rate will be paid until the student, agency, AND TJSL have signed the Student Hiring Agreement.* *Rate change*
- ▶ *The agency is responsible for scheduling the FWS employee for no more than the number of hours indicated on the hiring agreement.* *Maximum hours per week*
- ▶ *Supervisors should realize that Federal Work-Study employment is, in fact, a job and not a grant. It is reasonable to assume that students will behave and perform as responsible employees. Students are expected to earn their award. Use of FWS funds for study time is prohibited.* *FWS employment vs. grant funds*
- ▶ *Supervisors should complete a FWS Employee Evaluation form (see Appendix A) at least once during the award year or when the student leaves the job.* *Evaluation periods*
- ▶ *Supervisors are responsible for insuring that an entire 'Thomas Jefferson School of Law Federal Work-Study Student Employee Packet' is accurately completed and submitted to the Financial Assistance Office at TJSL before the FWS employee begins working.* *Employment Packets*

The following documents are to be kept on file by all employing agencies:

**Record Keeping
Requirements**

- ▶ *The FWS Agreement*
- ▶ *Copies of each Job Description Form*
- ▶ *A Student Hiring Agreement for each FWS student*
- ▶ *Copies of all time sheets for each FWS student*
- ▶ *Copies of each Authorization of Payment Form*
- ▶ *Copies of all Monthly Billing Statements*
- ▶ *Copies of all correspondence from TJSL relating to FWS*

The accounting, record keeping, and reporting system is set up in such a way to demonstrate readily on audit, that Federal Funds have been used properly and for the purpose intended.

Student Responsibilities

Students are required to sign a 'Student Responsibilities and Document Checklist'. This form details the student's responsibilities as a FWS Employee through Thomas Jefferson School of Law (see Appendix A).

TJSL Responsibilities

The Financial Assistance Office at TJSL functions as liaison between the student and the agency to facilitate employment of students under the Federal Work-Study Program.

TJSL is responsible for determining the eligibility of students participating in the Program and the amount of their FWS award. It must ensure that employment under the Program is reasonably available to all students who qualify and are in need of additional funds. In order to accomplish this, TJSL reserves the right to:

- ▶ *set a maximum annual FWS award amount*
- ▶ *restrict the number of hours any student may work at any time*
- ▶ *decrease or cancel an award at anytime*
- ▶ *set the student's hourly wage in certain circumstances*

Employment under FWS does not discriminate with respect to race, creed, sex, color, or national origin. However, in the event that more students are eligible for awards than funds are available, preference must be given to those students who demonstrate the greatest financial need and who complete a financial assistance packet by the campus based priority deadline.

The Financial Assistance Office at TJSL is also responsible for keeping the agency informed of any changes in the status of the students that would affect their ability to work under the Program. The agency is also informed of any changes in the student's original FWS award amount.

The Financial Assistance Office at TJSL is available to the student and the agency to answer questions about the FWS Program and to aid in any employment difficulties by contacting: Financial Assistance Office at (619) 297-9700 Ext. 1350 or via e-mail: info@tjssl.edu.

Hiring Procedures

- ▶ **Agencies wishing to hire students are required to sign a 'Federal Work-Study Agency Participation Agreement' and submit the following documentation to the Financial Assistance Office at TJSL:** **Step 1**
- ❑ **With Agency's initial year of participation and as often as needed to reflect updates and or changes:**
 - ❑ **A completed and signed Federal Work-Study Agency Agreement; and**
 - ❑ **A copy of a Position Announcement and Job Description Form; and**
 - ❑ **A brief description of the Agency's operations and functions (not required for governmental agencies); and**
 - ❑ **A statement of the Agency's sources of funding and support (not required for governmental agencies); and**
 - ❑ **Copies of documents from the IRS verifying tax-exempt status (not-for-profit agencies only); and**
 - ❑ **Certification of Worker's Compensation coverage and policy number thereof.**
- ▶ **Job Postings are made available for student review in the Financial Assistance Office at TJSL. The Financial Assistance Office will post the 'Position Announcement / Job Posting' until the application close date indicated on the form. All FWS employment opportunities must be posted to insure that all students are given an equal opportunity to apply.** **Step 2**
- ▶ **Students who are interested in a particular posting are pre-screened by the Financial Assistance Office to insure that they meet the minimum qualifications before they are referred to the agency. The Financial Assistance Office will certify the student's eligibility under the FWS program and complete the 'FWS Employment Eligibility Form'. If the student has not met the priority Campus-based deadline, the Financial Assistance Office will only be able to determine their FWS Eligibility if funding is available in the FWS Program Allocation. The student is responsible for contacting the agency and setting up an interview with the person indicated on the job posting.** **Step 3**
- ▶ **The agency will schedule interviews with students. The interview will aid the supervisor in the decision making process. Prospective student employees should understand that although deemed 'eligible for the FWS program, there is no guarantee that they will be hired as an FWS employee or awarded funding.** **Step 4**
- The decision making process may also include follow-up interviews, instructor reference and recommendation, staff consultation, and employment verification.**
- ▶ **Upon hiring a student, a complete FWS Employee Packet must be filed with the Financial Assistance Office at TJSL. NO STUDENT MAY BEGIN WORKING UNTIL THE STUDENT HIRING AGREEMENT HAS BEEN SIGNED BY THE STUDENT, AGENCY, AND TJSL.** **Step 5**

Commonly Asked Questions

- Q: May a student earn more than has been approved on the FWS Employment Eligibility Sheet?***
- A: No. The eligibility sheet specifies the maximum amount that the student may earn for the award year under the FWS Program. The student may petition for additional funds under the work-study program. Additional funds may be allowed only if the student has additional financial need available and if there are still program funds available.***
- Q: May a student's FWS eligibility and/or award change during the award year?***
- A: Yes. Student eligibility may be affected by such factors as change in enrollment status or change in financial aid package. In these cases, the Financial Assistance Office will notify the student and/or the agency.***
- Q: May the student work for more than one agency at the same time?***
- A: Yes, as long as student works within his/her personal FWS budget and does not exceed either 20 hours (30 hours if part-time) per week.***
- Q: Are student earnings taxable?***
- A: Yes. The student must carefully review the instructions on the W-4 form to determine if he or she meets conditions for "exemption from withholding" status.***
- Q: May I be paid for work that I complete even though my FWS paperwork is incomplete?***
- A: No. A student is not eligible for FWS until the student, TJSL and the agency successfully complete all paperwork.***
- Q: Will I get paid if my time-sheet is late or incomplete?***
- A: Yes. However, a late or incomplete time-sheet, if completed after the payroll deadline, will result in a delay of your FWS payment until the next scheduled pay date, usually two weeks later. (see Appendix B for payroll times and dates)***
- Q: How will I know how much FWS eligibility I have remaining?***
- A: You will receive a spreadsheet every time you pick-up your FWS check that lists your total award, gross earnings to date, and remaining eligibility.***
- Q: May I earn academic credit as well as compensation for FWS jobs?***
- A: Yes. These jobs include but are not limited to internships, practica, or assistantships (e.g., research or teaching assistantships). However, a student employed in a FWS job and receiving academic credit for that job may not be: paid less than he or she would be if no academic credit were given; paid for receiving instruction in classroom, lab, or other academic setting; and paid unless the employer would normally pay the person for the same job.***

Appendix A

List of Forms

<i>Form name</i>	<i>Complete or/and Sign by</i>		
	<i>Agency</i>	<i>School</i>	<i>Student</i>
<i>FWS Agency Participation Agreement</i>	<i>X</i>	<i>X</i>	
<i>FWS Agency Authorized Signatures Listing</i>	<i>X</i>		
<i>FWS Position Announcement and Job Posting</i>	<i>X</i>		
<i>FWS Employment Eligibility Form</i>		<i>X</i>	
<i>FWS Report of Hours Worked (timesheet)</i>	<i>X</i>	<i>X</i>	<i>X</i>
<i>FWS Student Responsibilities</i>			<i>X</i>
<i>FWS Student Hiring Agreement</i>	<i>X</i>	<i>X</i>	<i>X</i>
<i>FWS EDD Report of New Employee Information</i>		<i>X</i>	<i>X</i>
<i>FWS Student Certification of Intent to Enroll</i>			<i>X</i>
<i>FWS Student Employee Evaluation Report</i>	<i>X</i>		<i>X</i>
<i>Form W-4</i>			<i>X</i>
<i>Form I-9</i>			<i>X</i>

Appendix B

FWS Payroll Schedule for the 2007/2008 Award Year

THOMAS JEFFERSON SCHOOL OF LAW - FWS PAYROLL SCHEDULE 2007

PP#	BEGIN	END	FWS TIMESHEETS DUE	PAY DATE	TIME
1	12/16/06	12/29/06	Due Early-See Note #1	01/05/07	10:00am
2	12/30/06	01/12/07		01/19/07	10:00am
3	01/13/07	01/26/07	01/29/07	02/02/07	10:00am
4	01/27/07	02/09/07	02/12/07	02/16/07	10:00am
5	02/10/07	02/23/07	02/26/07	03/02/07	10:00am
6	02/24/07	03/09/07	03/12/07	03/16/07	10:00am
7	03/10/07	03/23/07	03/26/07	03/30/07	10:00am
8	03/24/07	04/06/07	04/09/07	04/13/07	10:00am
9	04/07/07	04/20/07	04/23/07	04/27/07	10:00am
10	04/21/07	05/04/07	05/07/07	05/11/07	10:00am
11	05/05/07	05/18/07	05/21/07	05/25/07	10:00am
12	05/19/07	06/01/07	06/04/07	06/08/07	10:00am
13	06/02/07	06/15/07	06/18/07	06/22/07	10:00am
14	06/16/07	06/29/07	07/02/07	07/06/07	10:00am
15	06/30/07	07/13/07	07/16/07	07/20/07	10:00am
16	07/14/07	07/27/07	07/30/07	08/03/07	10:00am
17	07/28/07	08/10/07	08/13/07	08/17/07	10:00am
18	08/11/07	08/24/07	08/27/07	08/31/07	10:00am
19	08/25/07	09/07/07	09/10/07	09/14/07	10:00am
20	09/08/07	09/21/07	09/24/07	09/28/07	10:00am
21	09/22/07	10/05/07	10/08/07	10/12/07	10:00am
22	10/06/07	10/19/07	10/22/07	10/26/07	10:00am
23	10/20/07	11/02/07	11/05/07	11/09/07	10:00am
24	11/03/07	11/16/07	Due Early-See Note #2	11/21/07	10:00am
25	11/17/07	11/30/07	12/3/2007	12/07/07	10:00am
26	12/01/07	12/14/07	12/17/2007	12/21/07	10:00am

First Payroll of 2008

1	12/15/07	12/28/07	Due Early-See Note #3	01/04/08
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Notes:

- #1 Due to the School Holiday from 12/25/06 - 01/01/07 - Timesheets for this period are due early and must be completed and approved by **10am, Friday 12/22/06.**
- #2 Due to the Thanksgiving Holiday from 11/22/07 -11/23/07 - Timesheets for this period are due early and must be completed and approved by **10am, Thursday 11/15/07.**
- #3 Due to the School Holiday from 12/24/07 - 01/01/08 - Timesheets for this period are due early and must be completed and approved by **10am, Thursday 12/20/07.**