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GOVERNOR

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COMMISSIONER OF ADMINISTRATION

State of Louisiana

Division of Administration
Office of Human Resources

DIVISION OF ADMINISTRATION

PERSONNEL POLICY NO. 10

EFFECTIVE DATE: **August 1, 1991**

REVISED DATE: **1/24/94; 10/1/96; 9/1/97; 3/31/99; 7/5/04; 9/1/04; 1/4/06; 7/24/07; 5/5/08; 7/24/09; 1/29/10; 11/28/11**

SUBJECT: **Appointment and Pay of Student Employees**

AUTHORIZATION: _____
Steven Procopio, Appointing Authority

I. POLICY:

It is the policy of the Division of Administration (DOA) that the appointment of student employees shall be solely to enhance the accomplishment of the mission of the agency. Appointments shall be done equitably and in accordance with Federal and State Law and Civil Service Rules. Students must always meet the definition of Bona Fide Student contained in the Civil Service Rules (see Definitions).

II. PURPOSE:

The purpose of this policy is to ensure equity and compliance with applicable laws in the employment and pay of students throughout the Division of Administration.

III. APPLICABILITY:

This policy shall be applicable to all student employees in all sections of the Division of Administration, both appropriated and ancillary.

IV. DEFINITIONS:

"Bona Fide Student" means a person enrolled in an accredited high school, college or university in the State, or a person enrolled in a State-operated technical college, in a sufficient number of courses and classes in such institution to be classified as a full-time regular student under the criteria used by the institution in which he is enrolled; or a person enrolled in an off-campus college work-study program in a proprietary institution of higher education as defined in Section 102(b) of the Higher Education Act of 1965, as

amended. Less than full time students may be considered for employment as bona fide student employees only for work performed under the Federal Work-Study Program. A bona fide student shall retain his status during breaks, which occur in the course of or between sessions, including summer breaks. In addition, colleges and universities may employ their own full-time and part-time students as bona fide students.

V. PROCEDURE:

A. APPLICATION FOR STUDENT POSITIONS:

1. Student applications (SF-10D) may be obtained from the Office of Human Resources (OHR) website at: http://www.doa.louisiana.gov/ohr/forms/sf10d.pdf or from the personnel liaison in each section.

2. A certified student application may be forwarded to the OHR where it shall be maintained on file for the duration of the semester during which it was received. Sections may contact the OHR when seeking applications from interested students.

B. SELECTION OF STUDENT APPOINTMENTS:

No applicant who is the:

Brother	Son	Nephew	Step Sister
Sister	Grandmother	Aunt	Step Mother
Mother	Grandfather	Uncle	Step Father
Father	Grandchild	Step Child	
Daughter	Niece	Step Brother	

of a current employee of the section may be appointed in that same section. The above restrictions apply to student workers related through either blood or marriage.

C. REQUIRED DOCUMENTATION FOR APPOINTMENTS:

The following documentation must be forwarded to the OHR when requesting a student appointment:

1. A completed Personnel Action Request (PAR) form, which specifies within the remarks section, the student's major and the points attained for educational level and work experience (both state and non-state). Points are determined by the Student Pay Schedule listed at the end of this policy.

2. A student application (SF-10D) certified by the registrar of the school or delegated official of the appropriate school OR a student application and a Current Enrollment Verification Certificate. These documents must contain the student's educational level or overall credit hours earned.

3. Documentation from previous state and non-state employers, indicating the work experience gained and the number of hours worked.

4. An employment certificate for students under the age of 18. The student applicant should contact his school to determine where an employment certificate may be obtained and what documents must be presented in order to make application for the employment certificate. In many cases, the school itself will issue a certificate. Otherwise, the school board for the parish in which the student applicant resides should issue the certificate. Documents that normally would be required in order to receive an employment certificate would be an "Intention to Employ" form (located on the Louisiana Workforce Commission's website) and suitable documentary proof of age of the minor (i.e. birth certificate, driver's license).

5. Proof of selective service registration for all males between the ages of 18 through 25. This may be obtained on the Internet at: http://www.sss.gov/regist.htm

Sections are responsible for obtaining and maintaining a copy of all documentation required for student appointments and subsequent student pay raises, (i.e. proof of past work experience and educational level etc.) in the section at all times.

D. OFFER OF EMPLOYMENT:

The employing section shall not make a commitment for employment until the student has taken and passed a drug screening, a criminal history check is conducted, and the PAR has been approved by the appointing authority. All appointments are subject to verification of the employee data by the OHR.

Students shall attend an Orientation Program in the OHR within the first week of employment.

E. WORK HOURS:

1. Work hours for students 18 years and older may be set by the section head based on need and availability of the student.

2. Work hours for students under the age of 18 must be in accordance with the Fair Labor Standards Act (FLSA) and Title 23, Chapter 3 of Revised Statutes of 1950, as amended, which require that:

   - **Students under the age of 18** shall not work for any five-hour period without one interval of at least 30 minutes within such period for meals. This interval shall not be included as part of the working hours of the day and shall never be reduced to less than 30 minutes. The break must be scheduled at a specific time and entered on the written work schedule.

- **Students 17 years of age** who have not graduated from high school shall not be employed, or permitted, or suffered to work between the hours of 12:00 a.m. and 5:00 a.m. prior to the start of any school day.

- **Students 16 years of age** who have not graduated from high school shall not be employed, or permitted, or suffered to work between the hours of 11:00 p.m. and 5:00 a.m. prior to the start of any school day.

- **Students 14 and 15 years of age** may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions, if no more than:

    - 3 hours on a school day or 18 hours in a school week;
    - 8 hours on a non-school day or 40 hours in a non-school week.

  Also, work may not begin before 7:00 a.m. or end after 7:00 p.m., except from June 1 through Labor Day, when evening hours are extended to 9:00 p.m.

- **Students under the age of 16** who have not graduated from high school shall not be employed, or permitted, or suffered to work between the hours of 7:00 p.m. and 7:00 a.m., except from June 1 through Labor Day, at which time the permissible hours are extended to 9:00 p.m.

- **Students under the age of 16** shall not be permitted or suffered to work more than three hours each day on any day when school is in session, nor more than eighteen hours in any week when school is in session.

- **Students under the age of 14** shall not be employed, permitted, or suffered to work at any time.

- **Students 16 years of age or younger** shall not drive any motor vehicle on a public road as part of their jobs.

- **All other minors** (17 and above) may be employed, permitted, or suffered to work as drivers of a motor vehicle under the following restrictions: The driving constitutes no more than one-third of the minor's work time in any work day and no more than 20% of the minor's work time in any work week. Driving shall be restricted to daylight hours and the minor must hold a state license valid for the type of driving involved in the job performed and has completed a State approved driver education course, and provided further, that the vehicle is equipped with a seat belt or similar restraining device, and the section head has instructed the minor that such devices must be used.

F. EMPLOYMENT CERTIFICATES:

Title 23, Chapter 3 of Revised Statutes of 1950, as amended requires that:

Each section employing minors (under the age of 18) shall keep on file a copy of the employment certificate for each minor. This certificate shall be accessible on the job site, or in the immediate area of the work location, and at all times should be accessible to any officer charged with the enforcement of the law governing the employment of minors. The certificate shall remain on file for a period of fourteen days after the termination of a minor's employment.

G. PROHIBITED EMPLOYMENT:

Title 23, Chapter 3 of Revised Statutes of 1950, prohibits minors to be employed, permitted, or suffered to work in certain occupations. The Louisiana Minor Labor Law Placard outlines the types of employment which are prohibited. This placard is located on the Louisiana Workforce Commission and the OHR websites.

H. PAY RATES:

1. Student employees shall be paid on an hourly basis, only for those hours actually worked (this does not include time provided for lunch breaks).

2. Pay rates shall be based on a combination of educational level achieved and work experience that can be documented by the section. The current rates are detailed on the Student Pay Schedule (attached).

   A PAR must be completed for all student pay requests and submitted to OHR along with the appropriate documentation.

   Upon initial hire, students that are unable to immediately provide all documentation of previous work experience may be hired at a pay rate which can be justified with available documentation, i.e. copies of previous pay stubs, letters from former employers indicating the number of hours worked while employed with them, etc. If and when the student provides additional documentation, his salary may be adjusted appropriately (but not retroactively).

   All other requests for student pay changes must be submitted to the OHR on a PAR form and sections must document in the remarks section of the PAR, the student's major and points earned for educational level and the points earned for work experience (both state and non-state). If the reason for the pay request is for additional work experience outside of the DOA (either private sector or a state agency that is a LA-Gov Non-Paid-agency), documentation must be submitted with the PAR.

3. Student pay rates may be modified, based on the individual's possession of special skills or experience, special job demands, location, or when the student is performing work which is comparable to work performed by professional level staff in an office. Any pay modification must be completely justified in writing and approved by the Appointing Authority.

4. OVERTIME:

STUDENTS SHALL NOT BE ALLOWED TO WORK OVERTIME EXCEPT FOR EXTRAORDINARY CIRCUMSTANCES WHICH MUST BE FULLY DOCUMENTED BY THE SECTION HEAD.

IF A STUDENT WORKS FEWER THAN 40 TOTAL HOURS IN A WORK WEEK, then all hours worked are paid at the student's hourly rate. This includes work performed on holidays, weekends and work exceeding 8 hours in a day.

IF A STUDENT WORKS MORE THAN 40 HOURS IN A WORK WEEK, and that student is designated as FLSA Non-Exempt, he/she shall be paid at time and one-half his/her hourly rate of pay for the hours worked in excess of 40 hours. The time and attendance document must appropriately reflect the non-exempt designation.

I. TIME AND ATTENDANCE RECORDS:

Accurate time and attendance records must be maintained for all student employees. However, it is especially critical to show compliance with the law that specific records be maintained for students under the age of 18 who work five or more consecutive hours in any one day. These records must show precisely when the employee began work, when the thirty minute break was taken within this five-hour period, and when the employee ended work. The beginning and ending of work must fall within the provisions of the law. If the employee works as many as five consecutive hours, the break may be no shorter than thirty minutes, the employee must not perform any work during this thirty-minute period, and the thirty-minute period may not be included as part of the working hours of the day. A recommended time sheet format can be found on the OHR website.

J. RECERTIFICATION:

Each student must present a new and current Student Application (SF-10D) or a Current Enrollment Verification Certificate at the beginning of each new semester or quarter. The Student Application (SF-10D) must be certified by the college, university, or school. Failure to present one of these documents within thirty days of the start of the new semester or quarter will result in termination of student employment.

By signature on the Application for Student Employment or the Current Enrollment Verification Certificate, the student agrees to promptly notify the proper agency official of any change in status as a student, including any reduction in courses taken, termination of student status, or scholastic probation. For purposes of this policy, the proper agency official is the supervisor, the section head, or an OHR Representative.

A student who is a Bona Fide Student in the spring semester and plans to be a Bona Fide Student in the fall semester is not required to attend summer school in order to work during the summer.

VI. POSTING REQUIREMENTS:

It is required by law that the employers of minors keep conspicuously posted at the place of employment the Louisiana Minor Labor Law Placard. The Placard must be posted in the building housing each section of the DOA. Sections not housed within the Claiborne Building are required to post the placard in an accessible and conspicuous area within their facility. This Placard is only an abstract of the provisions of the law. Any questions regarding the placard or the law should be directed to the Office of Human Resources. The placard is located on the Louisiana Workforce Commission and the OHR websites.

VII. RESPONSIBILITY:

Deputy/Assistant Commissioners and equivalent are responsible for:

Approving all student appointments and pay decisions for those sections under his supervision.

Ensuring that all aspects of this policy are followed by the sections under his supervision.

Section Heads are responsible for:

Notating any student application when that applicant is a relative of an employee of the Division of Administration, if known. The notation must indicate the name of the employee and the degree of relationship of the applicant to the employee.

Informing applicants that it will be necessary for them to secure written documentation from previous employer(s) certifying the dates worked and the number of hours worked in order to be given salary credit for previous work experience, and maintaining a copy of this documentation in the section.

Certifying by their signature on the PAR that all documentation for educational level and work experience has been verified, and ensuring the point equivalents are detailed within the remarks section of the PAR.

Securing the appropriate approvals prior to appointing students or adjusting the pay of students.

Ensuring that all new student appointees are scheduled for and attend an orientation program in the OHR within the first week of their employment.

Ensuring that each and every student employee presents a completed and current Student Application (SF-10D) or a Current Enrollment Verification Certificate within thirty days of the start of a new school semester or quarter and ensuring that the appropriate documentation is forwarded to the OHR immediately.

Ensuring that all special requirements for minor employees are met, especially those related to driving including instructing all minors who drive motorized vehicles that the seat belts must be used.

Terminating a student employee when it is discovered that the student no longer meets the definition of a Bona Fide Student as defined by Civil Service Rule 1.5.1. (see Section IV. above)

Maintaining accurate time and attendance records for all student employees and specifically for students under the age of 18. These records must show precisely when the employee began work, when a thirty-minute break was taken within any five hour work period and when the employee ended work.

Complying with all aspects of this policy regarding hours worked and breaks as well as maintaining a copy of an employment certificate for each student on the job site.

Ensuring that the Louisiana Minor Labor Law Placard is posted in their facility if the section does not reside within the Claiborne Building.

Ensuring that students and student applicants are directed to submit to a drug test and a criminal history check when applicable.

The Office of Human Resources is responsible for:

Receiving all completed applications for student employment and providing applications to section heads seeking to hire student employees.

Maintaining student applications on file for the duration of the semester during which they were received.

Monitoring compliance with this policy.

Obtaining the completed Conditional Offer of Employment and assisting student applicants with scheduling the required drug test and criminal history check.

Reviewing all student appointments and pay changes to ensure compliance with laws, rules, regulations and policies.

Supervisors are responsible for:

Accurately reporting hours worked (and breaks taken when appropriate) by students.

Evaluating the pay and performance of students under his supervision.

Students/student applicants are responsible for:

Presenting a current and complete student application or a current enrollment verification certificate to the section head or his designee within thirty days of the beginning of a new school semester or quarter.

Presenting a valid employment certificate to the section head or his/her designee prior to the first day of employment, if under the age of 18.

Providing acceptable documentation which verifies the dates of previous employment and the number of hours worked at that employment to justify a higher hourly salary.

Indicating on his application if he is related to any employee currently employed by the Division of Administration, specifically, indicating the name of the employee and the relationship.

Promptly notifying the supervisor, the section head or an OHR Representative of any change in student status, including any reduction in courses taken, termination of student status, or scholastic probation.

Submitting to a drug test and criminal history check when required.

Registering for the selective service for a male applicant between the ages of 18 through 25. This may be done on the Internet at: http://www.sss.gov/regist.htm

VIII. EXCEPTIONS:

Any exception to this policy, including pay requests outside the parameters of this policy, must have the prior written approval of the Appointing Authority.

IX. QUESTIONS:

Questions regarding this policy should be directed to staff of the Office of Human Resources.

X. VIOLATIONS:

Any violation of this policy shall be brought to the attention of the Appointing Authority and the Office of Human Resources.

Employees found to have violated this policy are subject to disciplinary action up to and including termination.

STUDENT PAY SCHEDULE

EDUCATIONAL LEVEL EQUIVALENTS:

Currently a High School: **

Freshman	= 9 points
Sophomore	= 10 points
Junior	= 11 points
Senior	= 12 points

Currently a College: **

Freshman (0-29 cumulative hours)	= 13 points
Sophomore (30-59 cumulative hours)	= 14 points
Junior (60-89 cumulative hours)	= 15 points
Senior (90+ cumulative hours)	= 16 points

** Classification Documentation Required From Institution.
NOTE: For pay purposes, a higher classification attained by a student at the end of a semester (school year) will not be considered an official classification until the first day of class of the following semester (school year).

WORK EXPERIENCE EQUIVALENTS:

520 hours but less than 1040 hours	= 1 point
1040 hours but less than 1560 hours	= 2 points
1560 hours but less than 2080 hours	= 3 points
2080 hours but less than 2600 hours	= 4 points
2600 hours but less than 3120 hours	= 5 points
3120 hours but less than 3640 hours	= 6 points
3640 hours but less than 4160 hours	= 7 points
4160 hours but less than 4680 hours	= 8 points
4680 hours but less than 5200 hours	= 9 points
5200 hours but less than 5720 hours	= 10 points

Maximum of 1559 hours (2 points) work experience gained outside of state government will be creditable.
Maximum of 10 points creditable for total work experience.

*PAY SCHEDULE:

9-12 points = $7.25	17 points = $8.20	22 points = $8.95
13 points = $7.60	18 points = $8.35	23 points = $9.10
14 points = $7.75	19 points = $8.50	24 points = $9.25
15 points = $7.90	20 points = $8.65	25 points = $9.40
16 points = $8.05	21 points = $8.80	26 points = $9.55

$10.65 per hour for graduate students. Graduate students will be eligible for annual increases of at least $.25 per hour.

SPECIALIZED DEGREES -- Specialized degree is defined by example: A student majoring in accounting performing accounting functions for the Chief Accountant, or majoring in computer science working in the Office of Information Services as a programmer. Students will be eligible for annual increases of at least $.25 per hour.

- $9.65 per hour for **college juniors** and **seniors** working toward a specialized degree and working in their field of study.
- $11.20 per hour for **graduate students** working toward a specialized degree and working in their field of study.

Students may always be paid less than the schedule offers, but not below Federal Minimum Wage.

*** Exceptions to this scale must be provided by the Appointing Authority.**