

Temporary Employment Program

OVERVIEW

The University employs temporary employees to meet short-term and intermittent workload needs.

The University hires temporary employees for the following purposes:

- Extra work required for a work load peak, and
- To complete a special project, or a cyclic work load.

Temporary employees, as referred to in this section, are also known as hourly, nonpermanent, or time slip employees.

Limits

The University may only employ temporary workers for a maximum of a specified number of hours in a given period of consecutive months. These limits are provided below for student and nonstudent employees.

Consecutive Months Defined

A period of consecutive months begins with the effective date of appointment. The period ends on the day preceding that date any number of months later.

Replacing Civil Service or Collective Bargaining Unit Employees

Temporary and student employees may not be hired to replace civil service or collective bargaining unit employees who are laid off due to lack of funds, lack of work, organizational changes, or termination of project employment.

STUDENT EMPLOYEES

Definition of a Student

For purposes of temporary employment, a student is one who is enrolled at WSU for six or more credit hours during the entirety of a fall or spring semester and/or for three or more credit hours for the entirety of at least one of the summer sessions.

Students enrolled for less than six credit hours during fall or spring semester or for less than three credit hours for a summer session who receive financial aid are also considered students.

For purposes of *hourly retirement only*, a student is enrolled at WSU for ten credits or more during the fall or spring semester. Students enrolled in nine or less credits are monitored for retirement eligibility.

Summer Session Student Employee Status for Benefit Purposes

For purposes of insurance monitoring and eligibility only (see [Benefits](#)), an employee who meets one or more of the following criteria is considered being a student employee over the

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Summer Session (cont.) summer session, regardless of whether or not they are enrolled in summer session classes:

- Enrolled at WSU for six or more credit hours during the entirety of the preceding fall and spring semesters (and did not graduate at the end of spring semester).
- Enrolled at WSU for six or more credit hours during the entirety of the preceding spring and following fall semesters.

Summer Session Graduate Student Employee Status for Benefit Purposes

A graduate student participating in the Continuous Doctoral Status program may also be considered a student employee over the summer session for purposes of benefit monitoring and eligibility only (see [Benefits](#)).

Refer to the Continuous Enrollment for Degree-seeking Students section in Chapter 5 of the *Graduate School Policies and Procedures Manual*:

gradschool.wsu.edu/chapter-five-a2/

Maximum Hours

The law limits student employment to a maximum of 516 hours worked in any six consecutive months, excluding hours worked during the summer and other academic year holiday breaks. (*WAC 357-04-040*)

WSU academic holidays are periods when school is not in session. Academic holidays include time in November, December, January, and March and from semester-end in May to the start of the fall semester in August.

F-1 Status

Foreign students who hold F-1 nonimmigrant status are limited to 20 hours of work per week while school is in session. Contact International Programs—Global Services for more information.

Exceptions

The following types of students are exempt from the hours limitations, in accordance with *WAC 357-04-040*:

- Student body officers or student organization jobs such as student officers or student news staff members.
- Students employed in jobs that are directly related to their major fields of study and which provide training opportunities.
- Students in documented and approved internship programs that consist of academic components and work experience.

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Notice of Conditions

Employers must give all temporary hourly employees written notice of the conditions of their employment prior to the commencement of each appointment and/or upon any subsequent change to the conditions of their employment. See *BPPM 60.27* for information regarding Conditions of Employment documentation.

Affordable Care Act (ACA)

Employers must give all temporary employees a copy of the ACA Employer Notification, which provides notification to employees and their households of the benefits offered through the University as well as notification of the ACA Health Insurance Marketplace. Employers are to provide this notice within 14 days of employment (see *BPPM 60.27*). The notice is available from the Human Resource Services (HRS) website at:

hrs.wsu.edu/aca/

Work Study

The work-study program pays 60 percent of an employee's gross salary. The employing department pays the remaining 40 percent.

If a work-study student's employment exceeds eligibility in terms of gross earnings or dates of eligibility, the employer is required to pay 100 percent of the non-eligible wages.

Hiring departments may consult the Office of Financial Aid and Scholarships for information about work-study allocations for student employees.

See the Office of Financial Aid and Scholarships website at:

financialaid.wsu.edu/

Work-study employees cannot be employed on a piece-rate basis. For additional work study compensation information, contact the Office of Financial Aid and Scholarships; telephone 509-335-9711; or see the Temporary Employment Classification Compensation Plan on the HRS website at:

hrs.wsu.edu/employees/employee-policies/temporaryhourly/

NONSTUDENT EMPLOYEES

Maximum Hours

Nonstudent temporary employment is limited to 1,050 hours of employment in any 12-consecutive-month period. (*WAC 357-04-045*, *WAC 357-19-435*) (See [Consecutive Months Defined.](#))

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Monitoring Begin Date	Start counting hours on the Monitoring Begin Date. The Monitoring Begin Date is always the first day of the pay period in which an appointment begins, i.e., the first or the sixteenth.
More Than One Position	Hours worked in all temporary positions that an employee holds at WSU count toward the total hours worked. If an employee has one temporary employment position and accepts another, the hours from both WSU temporary positions count toward the total hours the employee may work during one year.
Overtime	Overtime hours and hours worked as a student are not included in the 1,050 hours.
Remedial Action	<p>Violations of temporary employment hours limitations can result in remedial action. Remedial action is the awarding of a permanent civil service or collective bargaining unit position, which may include retroactive salary, benefits, and seniority. (<i>WAC 357-19-450</i>)</p> <p>Remedial action may occur when the temporary employee's appointment does not comply with state temporary employment regulations, i.e.:</p> <ul style="list-style-type: none">• The employee works in one or more temporary employment positions for more than 1,050 hours in any 12 consecutive months since the employee's Monitoring Begin Date. (NOTE: Overtime and hours worked as a student are not included in the 1,050 hour limit.)• The position is subject to state civil service regulations.• The employee is not part of a willful failure to comply with state regulations. <p>In order to pursue remedial action, the employee must file a written request for remedial action with the Office of the State Human Resources Director within 30 calendar days of the effective date of the alleged violation. (<i>WAC 357-19-448</i>)</p>
Notice of Conditions	Employers are required to give all temporary employees notice of the conditions of their employment prior to the commencement of each appointment and/or upon any subsequent change to the conditions of their employment. (<i>WAC 357-19-444</i>)
Affordable Care Act (ACA)	Employers must give all nonstudent employees a copy of the ACA Employer Notification, which provides notification to employees and their households of the benefits offered through the University

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ACA (cont.) as well as notification of the ACA Health Insurance Marketplace. Employers are to provide this notice within 14 days of employment (see *BPPM* 60.27). The notice is available from the HRS website at:

hrs.wsu.edu/aca/

COMPENSATION

Pay The rate of pay for temporary employees is based on the Temporary Employment Classification and Compensation Plan. Copies of the plan are available on the HRS website at:

hrs.wsu.edu/managers/classification-compensation/

Overtime Employment of temporary employees is subject to the Fair Labor Standards Act, which requires that employees be paid at a rate of one and one-half times their normal rate for work in excess of 40 hours in a single workweek.

Workweek Defined A normal workweek is the period from 12:01 a.m. Sunday to midnight Saturday.

Benefits Refer questions regarding benefit eligibility to HRS.

Retirement Nonstudent temporary employees, defined as a student who are enrolled in nine credits or less, who work 70 hours or more per month for any five months in a 12-month period are eligible for retirement plan participation and are required to participate. (See [Definition of a Student.](#))

Temporary employees may also participate in the Voluntary Investment Program. If interested, contact HRS.

Insurance HRS monitors insurance benefit eligibility in accordance with the Health Care Authority rules. Nonstudent temporary hourly employees can become eligible for employee insurance benefits in the following ways.

Averaging Work Hours Over Consecutive Six Month Period A nonstudent temporary employee who works for more than six months and averages at least eighty hours per month and works for at least eight hours in each month is eligible for insurance benefits at the beginning of month seven. NOTE: The employee must report a minimum of eight hours worked in month seven in order to receive the insurance benefits.

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<i>Averaging Work Hours (cont.)</i>	A nonstudent temporary employee who establishes eligibility for benefits must work a minimum of eight hours each month or the employee loses benefit eligibility. An employee who loses benefit eligibility must reestablish eligibility.
<i>Anticipating Work Hours Over Consecutive Six Month Period</i>	<p>An employee is eligible for insurance benefits from the date of initial employment if the employing department anticipates that the employee will work for more than six months and average at least eighty hours per month and work for at least eight hours in each month. If not initially eligible, and if the anticipated work hours are revised and the employee meets the eligibility criteria noted above, the employee becomes eligible for insurance benefits the first of the month following the effective date of the revision. Notify HRS regarding revisions to anticipated work hours.</p> <p>A nonstudent temporary employee who establishes eligibility for benefits must work a minimum of eight hours each month or the employee loses benefit eligibility. An employee who loses benefit eligibility must reestablish eligibility.</p>
<i>Recurring Seasonal Employment</i>	<p>A nonstudent temporary hourly employee who performs similar type work on a recurring seasonal basis and averages at least eighty hours per month with at least eight hours in each month of the season may become eligible for seasonal benefits. A season is identified as a period as short as three consecutive months that recurs on an annual basis.</p> <p>After establishing eligibility, the nonstudent temporary hourly employee is eligible for benefits during the recurring seasonal period provided they work each season performing similar work. In the event that there is a season in which the employee does not work or the work performed is substantially different, the employee loses benefit eligibility and must reestablish eligibility.</p>
Workers' Compensation Unemployment Compensation	All temporary employees are covered by workers' compensation. Nonstudent temporary employees are covered by unemployment compensation.
Department Costs	Departments must pay the cost of Public Employee Benefit Board (PEBB) medical, dental, life, and long-term disability insurance and PERS II or PERS III retirement coverage for qualifying nonstudent temporary employees.
Benefits Not Received	Temporary employees do not earn annual leave or a personal holiday. They are not paid for holidays.

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Benefits (cont.) Student temporary employees are not covered by unemployment compensation or the employee insurance benefits.

CHILD LABOR Before employing a minor (anyone under 18 years old), contact HRS for review and authorization to employ the minor.

See also [Supervision of Children or Vulnerable Adults](#).

Parental Consent The employing department is responsible for securing parental consent before hiring a minor. The department obtains a Parents/School Authorization for Employment of a Minor and Special Variance form from the State of Washington Department of Labor and Industries website at:

lni.wa.gov/workers-rights/youth-employment/how-to-hire-minors

The department completes the top portion of the form and routes it to the minor's parent for authorization. After the parent returns the signed form, the department retains the authorization in the employee's departmental personnel file.

Age Limit WSU units are not authorized to employ anyone under 16 years of age. In extreme circumstances permission to hire 14- and 15-year-old individuals may be granted by HRS on an exception basis. The department must submit a detailed written exception request approved by the applicable dean or vice president to HRS prior to any employment. HRS reviews the request and makes a determination whether employment is authorized.

SUPERVISION OF CHILDREN OR VULNERABLE ADULTS Background checks are required for positions with duties involving the supervision, care, and/or treatment of children, vulnerable adults, or individuals with mental illness or developmental disabilities. (*RCW* 43.43.832) See also *BPPM* 60.16.

WSU EMPLOYEES IN TEMPORARY EMPLOYMENT POSITIONS

Faculty and Administrative Professional Staff If a WSU faculty or administrative professional employee accepts a temporary employment position, the restrictions governing extra compensation apply. For faculty employees, see *BPPM* 60.44 for specific restrictions governing extra compensation.

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Faculty and AP (cont.)	Administrative professional employees are to coordinate temporary employment with HRS since such employment may affect civil service and/or Fair Labor Standards Act exemptions.
Civil Service Employees	<p>If a civil service employee accepts temporary employment, hours worked on the temporary employment assignment are added to hours worked on the civil service assignment for overtime purposes.</p> <p>Overtime-eligible employees earn overtime pay at a rate of time and one-half for hours worked in excess of 40 hours in one week.</p>
Collective Bargaining Unit Employees	An employee covered by a collective bargaining unit agreement must refer to the applicable agreement for restrictions governing temporary employment and for reporting procedures.
NOT TEMPORARY EMPLOYMENT	The following are other employment terms that may be confused with temporary employment appointments as described in <i>BPPM</i> 60.26 and 60.27.
Faculty and Administrative Professional Staff	Regular appointments to faculty and administrative professional positions may have an appointment end date but these appointments are not considered temporary employment appointments.
Civil Service and Collective Bargaining Unit Employees	
Probationary/Trial Service Appointments	Probationary and trial service appointments are not temporary employment appointments. These employees are completing the training and evaluation period within a permanent civil service or collective bargaining unit position.
Grant and Contract Temporary Appointments	Employees appointed to duties included in a civil service or collective bargaining unit position job description for 20 or more hours per week for more than six months are civil service or collective bargaining unit employees regardless of the source of funds or a specific termination date.