

STUDENT EMPLOYEE HANDBOOK

Financial Aid Services
Student Employment Office
243 Whitmore Building
(413) 545-0801
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www.umass.edu/umfa/seo

2020-2021

Job Quick-Start Checklist

- ☒ Complete the FAFSA application if you are interested in obtaining a Federal Work-study position.
- ☒ Check out the Student Employment Office job listings.
- ☒ Find a job that suits your skills, interest, and availability.
- ☒ Complete the appropriate job paperwork with your hiring department.
- ☒ Once your hiring department confirms paperwork is complete and your work schedule, begin work.

For questions about:	Contact:
Work-study Procedures Work-study Eligibility Off-Campus Work-study Employment	Student Employment Office Financial Aid Services 243 Whitmore Building 413.545.0801 finaid@finaid.umass.edu umass.edu/umfa/seo
Paychecks Payroll Procedures	Human Resources Employee Service Center 325 Whitmore Building 413.545.0483 umass.edu/humres

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INTRODUCTION

The **Student Employment Office (SEO 243 Whitmore Building)** is a division of Financial Aid Services and is responsible for managing campus work programs, both on- and off-campus, for the part-time employment of matriculated undergraduate students at the University of Massachusetts Amherst. SEO works closely in conjunction with University Human Resources, staff to assist students and campus departments with the employment of students. The Student Employment Office lists job opportunities for both work-study and non work-study positions. Student Employment is also responsible for managing the Federal Work-study (FWS) program.

A student employee position is defined as:

- Part-time
- Temporary
- Non-classified / non-professional
- Paid on an hourly basis with a weekly time card
- Not eligible for any "fringe benefits" (e.g. health insurance, overtime pay, paid holidays)

This handbook is intended as a reference tool for student employees at the University of Massachusetts Amherst. It addresses the key issues of student employment. If you have further questions or would like clarification of any of the items covered by this guide, please visit our website www.umass.edu/umfa/seo or contact our office for assistance at (413) 545-0801, finaid@finaid.umass.edu. Employers seeking information about employment policies on campus should contact Human Resources.

NOTE: The University of Massachusetts Amherst reserves the right to modify or change these policies as needed based on federal regulations or institutional guidelines. UMass Amherst will attempt to notify students of policy changes. Students are expected to keep up-to-date with all policy changes that might be made with or without notice.

Employers and students should be aware that federal work-study awards are not guaranteed. If a student's financial eligibility changes at ANY time through the academic year, the work-study award can be terminated. The Financial Aid Office reserves the right to terminate a work-study award at our discretion. Work-study awards cancelled for any reason will be charged back to the department at 100% of the total compensation for any hours worked after the cancellation. Additionally, if a student fails to find a job within the first 8 weeks of the fall semester their work-study award will be cancelled.

FEDERAL WORK-STUDY (FWS) ELIGIBILITY

Federal Work-Study (FWS) is awarded by Financial Aid Services as part of your financial aid award package.

To determine if you are eligible for FWS:

- Complete a Free Application for Federal Student Aid (FAFSA) for the current academic year. This can be done online at www.fafsa.ed.gov.
- FWS recipients must have financial need as determined by the financial information provided on the FAFSA.
- Students must be enrolled in a degree seeking program at least half-time (six credits). [This also applies to non work-study employment.]
- If applicable, additional paperwork requested by Financial Aid Services must be completed.
- Your FWS award amount is posted on SPIRE under the "Financial Aid" tab in your Student Services Center.

The money you earn through FWS is paid to you in the form of a bi-weekly paycheck, calculated by multiplying the number of hours you worked during the previous two weeks by your current rate of pay. This money *does not credit* your Bursar's account. The only way to access FWS funds is by working a work-study job and receiving paychecks.

Please note that not all students may receive FWS, regardless of financial need. FWS funds are finite and are awarded based on student eligibility and availability of funds.

Additionally, certain contract student positions with contractual paid time-off entitlements are not allowed under the FWS program.

Unless you are enrolled for only one semester, annual FWS awards are not limited by term, i.e. an annual fall-spring FWS award of \$2,000 can be earned in one semester, but note that once your FWS award has been depleted, you may not continue to work under this funding source. You may still be eligible to work, or to be hired for non-work-study employment, but your employer must pay you using office funds rather than FWS funds.

FINDING A JOB

Students are responsible for conducting their own job search from start to finish. The Student Employment Office is happy to assist students and employers with any questions they may have concerning the employment process, posting jobs, off-campus employment, interview tips, payroll, disputes in the workplace, etc, but we do not place students directly into jobs.

JOB LISTINGS

The Student Employment Office provides a listing service with a wide-variety of student part-time and seasonal jobs. Our [online job listings](#) are updated daily, and can be filtered to search Work-Study, Non-Work-study, on- and off-campus positions, or search by specific job categories. You are responsible for conducting all aspects of the job search and securing your own job.

CONTACTING POTENTIAL EMPLOYERS

Each job posting found on the SEO website contains a contact person and method of contact. It is the student's responsibility to contact potential employers. Please keep in mind that some positions receive far more applicants than there are openings, so you may not always get a timely response. In order to maximize your chances of getting an interview, you should be sure to include the following when you contact a potential employer:

- Your full name
- The title of the job for which you're applying
- The hours/days you can work
- Your work-study status (when applicable for the position)
- Any info relevant to that specific job (e.g. related experience, particular skills, etc.), or include your resume
- How/When you can be contacted regarding the position.

Please note that having a FWS award does not guarantee employment.

Students seeking employment should remember that student jobs are "real jobs" and employers will treat them as such. Contact with potential employers should be polite and respectful, and student conduct during the job search and while employed should demonstrate professionalism. Students who are most successful in finding campus jobs are those who can show employers that they are reliable, qualified for and interested in the work, will treat the work seriously and with care, and will perform their job duties with enthusiasm and dedication.

JOB SCAMS

Student Employment at UMass Amherst acts only as a referral service. We make no recommendations or guarantees about the positions and employers listed through our office. In addition, Student Employment is not responsible for the safety, wages, working conditions, or other aspects of off-campus employment. Due to the volume of jobs received by Student Employment, we are unable to research the integrity of every position listed. Therefore, students are urged to take on this responsibility themselves. We encourage you to use common sense and caution when applying for positions off-campus. You are advised to never accept or give money to or from jobs that seem too good to be true.

BEWARE

- Fake job postings in unsolicited e-mails sent to your student account or through social media
- Mystery shoppers
- Issuing checks/check processing from home
- Model/talent agencies
- Pyramid sales schemes
- OVER-PAYMENT SCAMS
- Often posted as a bookkeeper, personal assistant, administrative assistant, work-from-home, etc.
- The “company” sends a check to the “hired assistant” (student), who is then responsible for depositing a check sent to the student, taking their “salary” out of the check, and wiring the remainder of the money back to the “company.” These checks are fraudulent and can leave you out of thousands of dollars and facing criminal charges.

NEVER

- Never give out personal info like your social security # or bank account # (Fake jobs can be attempts to steal your personal info).
- Never take cashier’s checks or money orders as a form of payment. Fake checks are common and the bank where you cash it will hold you accountable.
- Beware of Jobs that pay in “Gift Cards,” many times there is a \$0.00 balance on the card.
- Never wire funds via Western Union, MoneyGram or any other service.
- Never apply for jobs listed by someone far away or in another country.
- Never agree to a background check unless you have met the employer in person.
- Never apply for a job that is emailed to you out of the blue.

ALWAYS

- Research the employer. Do they have a reputable website or professional references? Call the number listed online (not in an email or job ad).
- Meet face to face with a potential employer.
- Be skeptical. Trust your instincts. If a job sounds too good to be true, or is offering a lot of money for very little work, it is likely a scam.

IF YOU THINK YOU'RE A VICTIM:

If you think you fell victim to a scam, protect yourself by stopping any further communication.

1. Change any password on accounts involved.
2. Contact institutions involved.
3. Make a report to:

UMass Police Department	545-2121
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UMass OIT (if an email scam) <i>(if an email scam)</i>	545-9400
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UMass Career Services	545-2224
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UMass Student Employment Office <i>(if a student job board listing)</i>	545-0801
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BEGINNING EMPLOYMENT

REQUIRED PAPERWORK

Prior to beginning employment, both work-study and non-work-study student employees are required to complete payroll paperwork. This paperwork will be provided by your employer and can also be found on the [Human Resources](#) web page. Required paperwork includes:

- Federal Withholding Statement (W-4)
- Massachusetts Withholding Statement (M-4)
- I-9 Form (complete page 1 of the I-9 Form if you have never worked at the University)
- Statement concerning Social Security (SSA-1945)
- Conditions of Employment
- Direct Deposit Form

This paperwork must be completed before the student employee can be added to the UMass Payroll system. Student employees cannot be paid and are not permitted to work until this paperwork is filed.

If you need to complete the I-9 Form, you will need to present **one** of the following documents when returning the form (all documents must be unexpired):

- United States Passport
- Permanent Resident Card
- Foreign Passport with temporary I-551 stamp
- Employment Authorization Document with photo (I-766)

If none of the above documents are available, following is a partial list of acceptable documentation. See appendix for full list of acceptable I-9 documentation. Please bring one item from List B and one from List C (all documents must be unexpired):

List B

- U.S. Driver's License
- School ID (UCard)
- U.S. Military card

List C

- Social Security Card
- Original Birth Certificate issued by a US state
- Employment authorization issued by Dept of Homeland Security

OFF-CAMPUS WORK-STUDY

You may earn FWS at an **authorized** off-campus work-site. Students with work-study have the ideal opportunity to combine their work-life with their interest in community service. Financial Aid Services partners with more than 90 community service agencies to provide community service opportunities to work-study students. If you qualify for these programs you will be able to do work that enriches the community while you develop important professional skills.

If you plan to work off-campus, your employer must contact the Student Employment Office to complete an Off-Campus Work-Study Authorization Form. Work **cannot** begin until the Student Employment Office receives all completed hiring paperwork. You will be contacted

by SEO if you are a new employee and have tax and employment paperwork to complete. When dropping off your documents, please be sure that you bring acceptable forms of ID required for your I-9 Form (see Appendix for full list).

Off-campus job listings are available on our website.

America Reads and America Counts

Many UMass Amherst students obtain work-study jobs with *America Reads* and *America Counts*. These are excellent community service programs administered by the Five Colleges. *America Reads* is a nationwide effort to bring together parents, teachers, community groups, college students, and business leaders to insure that all children read independently by the end of third grade. *America Counts* is a similar program that aims to help children master the fundamentals of mathematics.

Work-study students who take these positions work in area schools with professional teachers and educators, tutoring in small groups or one-on-one. *America Reads* tutors work with children in preschool through six grade and *America Counts* tutors focus on kindergarten through ninth grade.

If you do not have Federal Work-Study as part of your financial aid package, you can still be an *America Reads* or *America Counts* Tutor as a volunteer.

America Reads/Counts participants are provided with tutor training, which is required, and will be paid once you have secured a tutoring position using your Federal Work-Study.

Please note that a criminal background check (CORI), and/or additional training, may be required by the *America Reads* or *America Counts* site before you begin work as either a paid or volunteer tutor.

Please visit the [Five College America Reads Web site](#) for more information about these programs.

LIMITATIONS ON HOURS WORKED

As a student employee, the Student Employment Office and [Human Resources](#) recommends you not work more than twenty (20) hours per week when classes are in session. Student employees may not exceed eight (8) hours per day of work, combining all job schedules, both when classes are in or out of session. Students may work up to forty (40) hours per week when classes are not in session (Summer, Wintersession, Spring Break).

You are not permitted to work when you have a scheduled class or exam.

Potential hours to work per week based on FWS Award (15 weeks per semester)

Hourly Wage	Hours/Week FWS Award: \$2,000
\$12.75	5.23
\$13.00	5.13
\$13.25	5.03
\$13.50	4.94
\$13.75	4.85
\$14.00	4.76
\$14.25	4.68
\$14.50	4.60
\$14.75	4.52
\$15.00	4.44

SUMMER WORK-STUDY

Summer work-study funding is available for eligible students. To be considered:

- You must be currently enrolled in the University
- You must be planning to return the following fall semester.

Students do not need to be enrolled in summer courses to receive summer work-study funding. Graduating seniors that plan to return in the fall for graduate studies are **not** eligible. Likewise, incoming students for the subsequent fall semester are not eligible for summer work-study funding.

To determine your eligibility for summer work-study, the following items must be completed:

- UMass Summer Financial Aid Application. This form is available online at www.umass.edu/umfa/forms. Please be sure to complete and return all required documentation.
- Free Application for Federal Student Aid (FAFSA). This form can be completed online at www.fafsa.ed.gov and needs to be completed for the preceding academic year.
- Financial need is required for summer work-study but does not guarantee an award. Summer work-study funds are finite and are awarded based on student eligibility and availability of funds.

Please refer to the summer aid application for relevant filing deadlines.

HOLDING MULTIPLE WORK-STUDY JOBS

You may hold more than one work-study position; provided you do not exceed the daily and weekly limitations (please review *Limitations on Hours Worked*). If you hold more than one job, please inform your employers and the Student Employment Office. Your FWS award will be shared by your employers. **The total combined earnings cannot exceed your FWS award.**

CONFIDENTIALITY

In accordance with the federal FERPA law, all University employees are legally and ethically obligated to protect the confidentiality of student records. If your position requires you to have access to SPIRE, you are required to complete the FERPA Certification process. The FERPA Certification is designed to ensure that you are familiar with the provisions of the law and that you are prepared for the day-to-day challenges of protecting confidential student information.

Visit the Office of Information Technologies website for more about their [FERPA Certification Process](#) and to get FERPA certified.

INTERNATIONAL STUDENTS

International Students on an F-1 or J-1 visa should complete employment paperwork at the Human Resources office, room 325 Whitmore to ensure proper employee work authorization, verify documentation and determine employee tax status prior to the start of employment. The hiring department will need to complete the Student PAF and all forms should be submitted together for processing.

A student on an F1 visa has INS document I-20. An I-20 indicates the period allowed for attendance and study at the University of Massachusetts Amherst. A student's employment must fall within these dates. F1 students may work up to 20 hours per week during the academic year and 40 hours per week during Intersession and Spring Break.

A student on a J1 visa has INS document DS2019. The DS2019 document functions in the same manner as an I-20. It indicates the period allowed for attendance and study at the University. Similarly, a student's employment must fall within the dates indicated on the DS2019. J1 students may work up to 20 hours per week during the academic year and up to 40 hours during Intersession and Spring Break.

International students must go to Human Resources, 325 Whitmore Administration Building to fill out the following forms:

- I9 Form - International students should provide an unexpired foreign passport with an I-551 stamp or attached I-94 and an I-20 (or DS2019)
- Federal and State Tax Forms - International students should go to Human Resources to have a determination made regarding Tax Treaty status and to fill out the University of Massachusetts Tax Information Sheet
- Statement concerning Social Security (SSA-1945)
- Conditions of Employment
- Direct Deposit Form

RECOMMENDED RATES OF PAY

Minimum wage is currently \$12.75/hour. The Massachusetts minimum wage is scheduled for the following increases:

- \$13.50 per hour effective January 1, 2021
- \$14.25 per hour effective January 1, 2022
- \$15.00 per hour effective January 1, 2023

The rates of pay below are only provided as a guide. Hourly rates should be based on the level of skill required for the particular position and are ultimately determined by the hiring department.

Please note, students working work-study and non work-study jobs may not receive different rates of pay for the same work duties performed.

SKILL LEVEL I ***\$12.75 - \$13.75 / hour***

Entry level positions requiring the performance of routine duties according to standard procedures. Duties require only a limited degree of decision-making, based on common sense judgments, and/or instruction and training.

SKILL LEVEL II ***\$13.76 - \$14.75 / hour***

Positions requiring the performance of moderately complex duties based on some degree of experience, skill, training and/or responsibility. Duties require a moderate degree of decision-making and a general knowledge of the functions of the department or section.

SKILL LEVEL III ***\$14.76 / hour and up***

Skilled positions requiring a moderate level of knowledge, skill, experience, training, and/or responsibility. Duties require a high level of dependability and self-sufficiency with little or no immediate supervision.

OTHER

Departments wishing to hire undergraduate students at an hourly rate greater than \$17.00 must submit a complete job description and Personnel Action Form (PAF) with the proposed hourly fee to the Student Employment Office for approval.

All graduate student employment positions must be submitted to the Graduate School for evaluation and approval.

PAYCHECKS

DISTRIBUTION

The University of Massachusetts has a bi-weekly payroll system, meaning that you will be paid every other Friday. An annual schedule of check issue dates is available from [Human Resources](#).

DIRECT DEPOSIT

The University strongly recommends student employees enroll in direct deposit for proper delivery of payroll earnings. A direct deposit arrangement will allow a student's net pay to be deposited into one or more bank accounts of their choice. Funds are available on Friday of the pay week. A pay advice (available electronically) detailing gross pay and deductions will be generated. Students can enroll in direct deposit through [HR Direct self-service](#) or by completing the direct deposit request form at [Human Resources](#), room 325 Whitmore.

Direct deposit (or paycard) information should be submitted each academic year (when you begin employment during the semester).

PAYROLL ADVANCES

Payroll advances against future weeks' salary are not allowed under any circumstance. Advances are only available in the event that an administrative error has led to an employee not getting paid AND all forms/documentation required for University payroll have been completed by the student employee. Employing departments, rather than individual employees, make arrangements for an advance by contacting [Human Resources](#),

PAYROLL ERRORS

- **For On-Campus Work-Study or Non Work-Study**

If you believe that there is an error with your pay or hours reported, first check with your employer. If the problem cannot be resolved there, contact the [Human Resources](#), 325 Whitmore.

- **For Off-Campus Work-Study**

If you believe that an error was made with your pay or hours reported, first check with the employer, then contact the Student Employment Office, 413-545-0801.

WORK BREAK POLICY

Student Employees are entitled to time off from job duties for rest and/or meal breaks according to a schedule based on the length of your daily work shift as follows:

TOTAL # HOURS WORKED (Per shift)	REST BREAK IN MINUTES (On payroll)	MEAL BREAK IN MINUTES (Off payroll)
Under 4	0	0
4 - 5	15	0
5 - 6	15	0
6 - 7	15	30
7 - 8	2 @ 15 (One break every 3-4 hrs)	30

- All breaks are to be taken only at the direction of and/or with the approval of your immediate job supervisor or designee.
- Meal breaks are not paid and are therefore taken "off payroll."
- Rest breaks are paid times taken on payroll and may not be used to shorten the work period or to make up lost time. Breaks may not be taken at the beginning or end of your shift.

STUDENT EMPLOYEE RIGHTS AND RESPONSIBILITIES

Student employees and employers should strive for clear communication at all times to prevent misunderstandings and conflicts in the workplace. Open communication and clearly-stated expectations in the workplace are key to maintaining healthy working relationships.

Student employees are "at will" employees, meaning that their employment may be terminated at any time without warning. We provide the following guidelines to student employees and employers to encourage a baseline level of communication and prevent basic misunderstandings in the workplace.

- The student employee must provide their employer with a work schedule including hours and days to be worked.
- The student employee is solely responsible for maintaining his/her work schedule and for informing the employer in a timely and appropriate manner of his/her inability to maintain such schedule for any reason.
- Employers should communicate to student employees their expectations regarding attendance and how they prefer to be contacted in the event a student employee will be late/absent.
- The student employee shall not be absent during working hours without first seeking permission from his/her immediate supervisor or other appropriate person to be excused.
- The student employee is responsible for accurate reporting of time worked to employer. Intentional misreporting of time or falsifying University records is grounds for termination.
- If the student employee is absent from his/her job for two (2) consecutive work shifts without notifying the supervisor or other appropriate person in the department, the student is subject to termination.
- If the student employee is withdrawn from the University for any reason, their employment is terminated.
- All employees have the right to a harassment-free workplace. If you feel that you have been the subject of any form of harassment, please contact the Student Employment Office.
- There is no formal grievance procedure for student employees. Usually good management practices will avoid complaints on the part of the employee and the employer. If complaints do arise, depending upon the seriousness of the situation, the student's employer or student employee may contact the Student Employment Office for information or referral.
- University employing departments, and/or Off-Campus Community Service agencies employing students may have additional policies, procedures and expectations that shall be communicated to student employees as necessary.

EXPIRATION / TERMINATION OF STUDENT EMPLOYMENT

If you wish to leave a job, you must give your employer a two (2) week written notice. Some on-campus departments, including the Library, Food Services, and Campus Security, have their own contracts that you must sign.

FIRING

The student employee, like any other employee, must earn his/her pay, whether work-study or non work-study. You may be terminated for unsatisfactory work performance.

Firing a student employee should be, however, a last resort following every effort to correct the behavior. Although each department is permitted to set their own standards of conduct for employment, the UMass Student Employment Office recommends the "three strike" system, wherein before firing a student employee the supervisor should:

- Issue a verbal warning. Speak to the student at the time of the incident or the next time the employee reports to work. The supervisor should clearly identify the negative behavior, explain the problem, and offer a solution / clarify the employer's expectation.
- Issue a written warning at the first recurrence of the undesired behavior. Warnings should state that the student employee has been verbally warned about the behavior and will be terminated should the undesired event reoccur and should be kept in the student employee's file.
- Terminate the student employee. Terminating a student employee should be done in a calm, confidential manner, and the reason(s) for termination should be clearly explained to the student employee verbally or in writing.

GERALD F. SCANLON STUDENT EMPLOYEE OF THE YEAR AWARD

As part of the University's continuing effort to encourage and reward exemplary employees, the *Gerald F. Scanlon Student Employee of the Year Award* was instituted in the 1987-88 academic year. The intent of the award is to recognize and honor students who have demonstrated outstanding performance by contributing their time and/or skill to help the University achieve its goals and objectives.

A departmental supervisor may nominate any matriculated student who has been employed by the University for at least six months and is a junior or senior in good academic standing.

NOMINATION CRITERIA: The student nominee should have demonstrated performance that is considered “**above and beyond**” in most, if not all of the following performance qualities:

- Regular attendance, high dependability
- Successful completion of all assigned tasks
- High quality of assigned tasks
- Ability to work well with other employees
- Original contributions to the workplace
- Demonstrated initiative/professionalism
- Ability to work without constant supervision

A reception and award ceremony is held at the end of each academic year to honor the winners. A certificate and monetary award are presented to the ten students chosen.

For more information on Gerald F. Scanlon Award, please visit the [Financial Aid Services Website](#), or call (413) 545-0801. *[Nomination forms available at the start of the spring semester annually.]*

About Gerald F. Scanlon: “Gerry” Scanlon, as everyone knew him, grew up in Holyoke, Massachusetts and served at the Westover Air Force base during WWII. Jerry married Frances Doherty, who was a secretary at Stockbridge College, and they raised 5 children (4 of which went on to get degrees at UMass Amherst). After finishing his Master’s degree at UMass in Educational Administration, Gerry served as Assistant Dean of Students during the 1960’s and finished his career as Associate Director of Financial Aid. Gerry was very kind-hearted and often went to great lengths to help students find a job. The winners of this award are recognized because they demonstrated similar virtues in the work they performed at the University.



APPENDIX

I-9 List of Acceptable Documents
All documents must be UNEXPIRED

**Employees may present one selection from List A
or a combination of one selection from List B and one selection from List C.**

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card 2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551) 3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa 4. Employment Authorization Document that contains a photograph (Form I-766) 5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form. 6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address 3. School ID card with a photograph 4. Voter's registration card 5. U.S. Military card or draft record 6. Military dependent's ID card 7. U.S. Coast Guard Merchant Mariner Card 8. Native American tribal document 9. Driver's license issued by a Canadian government authority - For persons under age 18 who are unable to present a document listed above: 10. School record or report card 11. Clinic, doctor, or hospital record 12. Day-care or nursery school record		1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION 2. Certification of Birth Abroad issued by the Department of State (Form FS-545) 3. Certification of Report of Birth issued by the Department of State (Form DS-1350) 4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal 5. Native American tribal document 6. U.S. Citizen ID Card (Form I-197) 7. Identification Card for Use of Resident Citizen in the United States (Form I-179) 8. Employment authorization document issued by the Department of Homeland Security

Dear Campus Community,

As I communicated to you last month, the university has been working diligently to meet the requirements of new federal regulations regarding how colleges and universities must respond to reports of sexual harassment under Title IX, a federal statute that prohibits discrimination on the basis of sex in federally funded education programs or activities. The new regulations, issued by the U.S. Department of Education on May 16, 2020, required campuses to come into compliance no later than August 14, 2020.

The campus carefully reviewed these requirements, and updated its policies and procedures to ensure that UMass Amherst remains well-positioned to address reports and concerns related to discrimination, harassment, and sexual violence. Three updated documents are now available on the UMass Amherst Title IX website. They include:

- A revised [University of Massachusetts Amherst Policy against Discrimination, Harassment, and Related Interpersonal Violence](#), which provides the policy foundation for the campus's stance against discrimination, harassment, sexual misconduct, sexual assault, and related acts.
- An updated [Policy Statement on Affirmative Action, Non-Discrimination, and Title IX Non-Discrimination](#), which incorporates new policy requirements found in the Title IX regulations.
- A new [Title IX Policy and Grievance Procedures](#) that specifically addresses only those behaviors that are now within the definition of Title IX.

The changes in the federal regulations are significant. For example, the new regulations narrow the definition of Title IX sexual harassment and sexual violence and significantly overhaul the Title IX formal complaint processes. UMass Amherst has updated its policies and procedures in a way that meets the new federal mandates while ensuring that **all discrimination, harassment, sexual misconduct, and sexual violence currently prohibited on campus remain prohibited.**

UMass Amherst is committed to supporting community members who report concerns of prohibited conduct.

The new regulations have received significant resistance and it is expected that they will face additional legal challenges in the coming months. Therefore, all changes to university policy and procedures are being implemented on an interim basis to provide time for any clarifications that may be forthcoming and for more on-campus consultation with community members.

More information about [Title IX at UMass Amherst](#) is available online, including [what to do next if you experience gender discrimination, sexual harassment, or other sexual misconduct](#). Campus support offices continue to work tirelessly on behalf of the UMass Amherst community, and we encourage you to reach out to them for information or support.

Title IX Policy Statement and Notice of Reporting to the Title IX Coordinator's Contact Information

The University of Massachusetts, Amherst does not discriminate on the basis of sex in the operation and provision of its educational program or activities as required by Title IX of the Educational Amendments Act of 1972, 20 U.S.C. §1681 and by 34 C.F.R. §106. The university's requirement to not discriminate on the basis of sex extends to employment, application for employment, and admission to its education programs or activities. Inquiries regarding the application of Title IX and 34 C.F.R. §106 may be made to the university's designated Title IX Coordinator.

Any person may report sex discrimination, sexual violence, dating violence, domestic violence, stalking, and other sexual misconduct including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, to the university's Title IX Coordinator via the contact information below. A report to the Title IX Coordinator may be made at any time (including during non-business hours) by using the Title IX Coordinator's email, telephone number or mail.

William D. Brady
Interim Title IX Coordinator
Vice Chancellor and Chief Human Resources Officer
330 Whitmore Building
181 Presidents Drive
Amherst, Massachusetts 01003
413-545-6124
TitleIXCoordinator@umass.edu

Confidential Resources

The Center for Women and Community

24 Hour Sexual Assault Crisis and Information Hotline: (413) 545-0800
TTY: 413-577-0940
Main phone number: (413) 545-0883
cwc@umass.edu
www.umass.edu/cwc

UMass Amherst Police Department

Emergency Phone: 911
Non-emergency phone: (413) 545-2121
585 East Pleasant Street
www.umass.edu/umpd

University Health Services (UHS)

150 Infirmary Way
413-577-5000
www.umass.edu/uhs

Center for Counseling and Psychological Health (CCPH)

413-545-2337
www.umass.edu/counseling

Student Legal Services Office

413-545-1995

www.umass.edu/rso/slso

Non-Confidential Resources

The Equal Opportunity Office (EO)

413-545-3464

equalopportunity@admin.umass.edu

www.umass.edu/equalopportunity

The Dean of Students Office

413-545-2684

doso@stuaf.umass.edu

www.umass.edu/dean_students

Office of Human Resources (HR)

askhr@umass.edu

www.umass.edu/humres

To: Deans, Directors, Department Heads

From: Al Beaubien, Interim Assistant Vice Chancellor for Human Resources

Date: July 13, 2015

Subject: Earned Paid Sick Time for Non-Benefitted Employees

This memo provides updated information regarding Chapter 505 of the Acts of 2014, An Act Relative to Earned Sick Time law. Please note that the law does not supplant the University's obligations under any union contract or policy, but may expand existing benefits where the law is more generous than those benefits. Where a University contract or policy provides as much paid time off, usable for the same purposes and under the same conditions as the law, no additional paid sick time is provided. **Therefore, University employees that are already receiving accrued sick time that is in compliance with the conditions of the state law, and is more generous than the state law requires, are not impacted by this new law.**

On June 19, 2015, the Attorney General's Office finalized the regulations, which can be found at <http://www.mass.gov/ago/earnedsicktime>. Below are some important highlights and updates:

The benefit

- The final regulations require that all covered Employees accrue and be allowed to use up to 40 hours of sick time each calendar year, where one hour of sick time is earned for every 30 hours a person works, including overtime hours. Employees can carry up to 40 hours of unused sick time from one calendar year into the next, but cannot use more than 40 hours in a calendar year.

Implementation

- The University is implementing a new leave plan (5M) and benefit plan ("MASICK") for all eligible non-benefitted employees effective June 28, 2015. Employees in the new leave plan accrue .0333 hours of sick time (2 minutes) per hour worked, which equates to 1 hour of sick time earned for every 30 hours worked.
- Under the law, Employees begin accruing sick time hours on the date of hire or on July 1, 2015, whichever is later.

Eligible Employees under the final regulations include full time, part-time, seasonal, and temporary employees.

- 1) Adjunct faculty compensated on a fee-for-service or "per-course" basis shall be deemed to work 3 hours for each "classroom hour" worked for purposes of this new benefit.

Exclusion for Student Employees

1) Student employees who meet the criteria below are excluded from the definition of Employee under the regulations, thus do **not** accrue (nor are they allowed to use) Earned Sick Time when they meet any of these criteria. A student attending a public or private institution of higher education located in the Commonwealth who is:

- a. participating in a federal work-study program or a substantially similar financial aid or scholarship program;
- b. providing support services to residents of a residence hall, dormitory, apartment building, or other similar residence operated by the institution at which they are matriculated in exchange for a waiver or reduction of room, board, tuition or other education-related expenses; or
- c. exempt from Federal Insurance Contributions Act (FICA) tax pursuant to 26 U.S.C. § 3121(b)(10).

As such, the University's MASICK plan excludes student employees who fall into the categories described in items (a) and (b) above. In terms of item (c), student employees (who are not covered by a collective bargaining agreement that provides a comparable benefit) will accrue MASICK only when they are subject to FICA (e.g., during the summer months) during which they may also use MASICK (as long as they do not also fall into categories (a) and (b) above).

When students becomes FICA-exempt (typically during the academic year), they will not accrue, or be eligible to use, MASICK time.

Being FICA-exempt constitutes a "break in service" under the regulations. Following the regulations on breaks in service, if a student had a balance of 10 or more hours of MASICK, this time is available for the student's use during the next period they are subject to FICA (e.g. the next summer). If a student has a balance of fewer than 10 hours of MASICK, they would lose it.

Use of MASICK

- UMass will allow all UMSICK-covered employees to begin using hours as they accrue.
The law states that Employees may begin to use earned sick time 90 days after starting work, however the University's HR/payroll system as delivered does not provide the functionality needed to automate a 90 day waiting period at the employee level.
- An employer shall not require an employee to make up time off from work as a condition of using earned sick time. An employee and employer may, however, by mutual agreement arrange for the employee to work additional hours during the same or next pay period to avoid the use of, and payment for earned sick time. We are currently in the process of drafting a form that can be used in these situations.
The final regulations indicate that *"The smallest amount of sick time an employee can use is one hour. For uses beyond one hour, employees may use earned sick time in hourly increments or in the smallest increment the employer's payroll system uses to account for absences or use of other time."* Utilizing the delivered functionality of the University's HR/payroll system, standard increments of time will be used (15 minutes) for the new non-benefited sick leave accrual plan (including during the first hour of time used). This approach is consistent with the University's existing leave plans for benefited employees.
- The regulations also include a *"Safe Harbor for Employers with Existing Policies Providing Paid Time Off"*, which in general allows Employers with "...policy[ies] in existence on May 1, 2015 that provides paid time off or paid sick leave, shall be deemed in compliance with the Earned Sick Time law until January 1, 2016..." as long as the covered employees have the *"...right to earn and use at least 30 hours of paid time off/paid sick leave between January 1, 2015 and December 31, 2015..."* The University will use the time allotted under the Safe Harbor to review (and adjust, if needed) the applicable benefits provided in collective

bargaining agreements, and to all our benefited employees, to ensure compliance with this new law.

For more information about the law, the Attorney General's Office final regulations in support of Chapter 505 can be found at <http://www.mass.gov/ago/earned sicktime>.

Time reporting guidelines will be sent under a different cover.

Thank you for your attention to this matter and please do not hesitate to contact Timothy Cendrowski (Cendrowski@admin.umass.edu) or 545-6106 with any questions or concerns you may have.