Student to Non-Student Hiring

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“Can I keep my student employees working after they graduate?
Definition of a Student Employee

“Employees of schools, colleges or universities who are enrolled and regularly attending classes...whose educational relationship with the school predominates over the person’s employee relationship"

-Internal Revenue Service
Limitations as a Graduating Student Employee

- Non-international student employees can typically work up to two weeks after graduation.
- In unusual circumstances, a request for a short extension may be submitted.
- International students typically cannot continue to work after graduation.
- For more information, contact Student Employment: 2-3562 or student_hire@byu.edu
“What are the options and processes for moving a student employee to a non-student classification?”
Options for Extending Employment

- ½-time hourly staff
- ¾-time hourly staff
Hiring Student to Non-student Classifications

½ Time Hourly Staff

- Part-time non-student employee
- 17.5 hours per week average
- May work up to 910 hours – includes student hours worked
- ACA 28-hour rule applies – includes student hours worked
- Not eligible for benefits
- Paid on an hourly basis
- Can be used when student employees are not practicable or available
- Benefit rate 7.6%

If an employee is near 910 hours or has met 1000 hours, the employee cannot be hired in this classification.
Hiring Student to Non-student Classifications

¾ Time Hourly Staff

- Part-time non-student employee
- ACA 28-hour average applies – includes student hours worked
- Eligible for savings plans
- May also be eligible for retirement benefits
- Not eligible for medical plans
- Paid on an hourly basis
- Benefit rate 32.2%

If an employee meets or is close to meeting 1000 hours, this part-time classification is used, even if the work schedule is typically half-time hours or less.
Hiring Student to Non-student Approvals

- **½-time**
  - Dean/Director approval or
  - VP approval

- **¾-time**
  - Dean/Director approval or
  - VP approval

- **Non-members**
  - VP approval to interview
  - VP approval to hire

*To confirm appropriate approval, contact the HR consultant over your area or Staff Employment.*
International Student to Non-Student Employment

Those with only F1 visas cannot be hired in non-student positions

A combination of F1 with CPT or OPT may be possible – check with the Staff Employment Office, 2-4588
Hiring Student to Non-student Clearances

- Background Check
  - Basic
  - Standard
- Ecclesiastical Check
  - Temple recommend holder
  - Temple worthy
- Honor Code Interview (non-members)
  - Conducted by dean or director
Two key items to remember:
28-hour Average

- Part-time employee hours cannot exceed an average of 28-hours per work week in the established measurement period(s)

- Student and intended non-student work hours plus time left in the ACA measurement period(s) dictate whether the employee can continue part-time employment
1000-Hour Rule

Having EVER met the 1000-hour threshold or being close to meeting it determines which part-time job classification can be used

Not met nor near: 1/2-time
Met or near: 3/4–time
Are these alternatives?

- Pay as an Independent Contractor - No
- Bring in as a volunteer – No
- Pay with a credit card – No
- Pay through Venmo – No
- Pay with gift cards - No
- Pay on Fasttrack – No
- Pay with cash – No
**Start Here**

Combined student and non-student hours at or below ACA 28-hour average in applicable measurement periods? (First 12-months employed and Oct. to Oct.)

- **No**
  - Cannot continue to work

- **Yes**
  - Qualified for retirement benefits? (1000-hour rule)
    - **Yes**
      - Combined student and non-student hours below 910 hours in applicable periods? (First 12-months employed and calendar year)
        - **Yes**
          - May be eligible for ½-time***

    - **No**
      - ¾-time
        - VP or Dean/Dir. Approval**
          - **Yes**
            - Send individual’s name and BYU-ID to the Staff and Admin Employment Office
          - **No**

- **Yes**
  - ¾-time
    - Send individual’s name and BYU-ID to the Staff and Admin Employment Office

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*International Students with F1 only cannot continue working
** Varies by Vice President
***Contact Staff & Admin Employment Office to verify

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