

# REGULATION

<b>SPDOC No.:</b> 15-13	<b>Effective Date:</b> October 1, 2015	<b>Index Reference:</b> Noncareer Employment	<b>Regulation Number:</b> <b>3.02</b>
<b>Issued By:</b> Classifications and Selections	<b>Rule Reference:</b> Rule: 2-1 (Terms of Employment)		<b>Replaces:</b> Reg. 3.02 (SPDOC 10-07, June 13, 2010)
<b>Authority:</b> Regulations are issued by the State Personnel Director under authority granted in the Michigan Constitution and the Michigan Civil Service Commission Rules. Regulations are subordinate to the Commission Rules.			
<b>Subject:</b> <b>STUDENT ASSISTANTS AND OTHER NONCAREER EMPLOYEES</b>			

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### 1. PURPOSE

This regulation establishes standards and conditions governing the employment of noncareer employees, including Student Assistants, in the classified service.

### 2. CIVIL SERVICE COMMISSION RULE REFERENCE

Note: This section reprints only selected Commission Rules for quick reference. Additional Rules may apply. The complete, current version of the Rules can be found at [www.mi.gov/mdcs](http://www.mi.gov/mdcs).

#### ***Rule 2-1 Terms of Employment***

\* \* \*

#### ***2-1.2 Noncareer Appointment***

- (a) ***Defined.*** An appointment expected to last less than the equivalent of 90 full-time workdays in a calendar year is a noncareer appointment.
- (b) ***Student and special noncareer classifications authorized.*** The state personnel director may issue regulations to permit noncareer employment exceeding the equivalent of 89 full-time workdays in a calendar year, without fringe benefits, for designated student and special classifications.
- (c) ***Limitations on noncareer appointments.*** An employee in a noncareer appointment is not entitled to any of the following:

- (1) *Sick or annual leave accruals.*
- (2) *Holiday pay.*
- (3) *Enrollment in state-sponsored group insurance plans.*
- (4) *Service credit for any purpose, such as longevity compensation, salary step increase, employment preference, or status.*
- (5) *Employment exceeding the equivalent of 89 full-time workdays in any calendar year.*

### **3. DEFINITIONS**

#### **A. Civil Service Commission Rule Definition**

1. *Noncareer Appointment* means an appointment to a classified position that is expected to last less than the equivalent of 90 full-time workdays in a calendar year.

#### **B. Additional Definitions as used in this Regulation**

1. **Hours of Service** means hours that an employee is paid, or entitled to payment by the employer.
2. **State Employment** means any employment in Michigan's state government, including positions in the classified state civil service, unclassified service, legislative branch, and state-level judicial branch, under a common federal Employment Identification Number.
3. **Student Assistant** means a noncareer employee in the Student Assistant and Information Technology Student Assistant classifications and any other designated student classifications.

### **4. STANDARDS**

#### **A. Limits on hours of service.**

1. Noncareer employees, including Student Assistants, cannot exceed 129 hours of service in any calendar month. This includes prior state employment during the month in another position.
  2. Unless otherwise approved in a collective bargaining agreement or by the State Personnel Director, noncareer employees other than Student Assistants cannot exceed 720 hours of service per appointment.
  3. The State Personnel Director may approve an appointing authority's request to allow a noncareer employee to exceed the above limits on hours of service.
  4. A person with prior state employment can be appointed to a noncareer position only if (1) the person has no hours of service in any state employment in the immediately preceding 13 weeks or (2) the State Personnel Director approves the appointment in writing.
- B.** Student Assistants must be continually enrolled in and attending a high school, vocational school, or post-secondary educational institution. Summer attendance is not required.

- C. Students must provide proof to the appointing authority of enrollment and updated information whenever changes to their status occurs, such as: (a) change in degree program, (b) change in class status (freshman to sophomore), (c) school transfer, (d) granting of a degree, or (e) leaving school.
- D. Students accepted by, but not yet enrolled in, a post-secondary educational institution must provide proof of acceptance to that institution.
- E. Student Assistants should be employed in a work area that is relevant to the student’s academic and career goals.
- F. Student Assistants may be eligible to receive course credit for work performed in conjunction with an internship program.
- G. The appointing authority shall assign a pay rate within the pay range that reflects the student’s level of academic attainment and contribution to the organization within the following guidelines:

Academic Attainment	Pay Concept
<b>High School:</b> Student is enrolled in or has completed high school and been accepted by a post-secondary educational institution.	A
<b>College:</b> Student is enrolled in a post-secondary educational program related to the work assigned.	B
<b>Post-bachelor’s:</b> Student is enrolled in an advanced degree program related to the work assigned and has completed a bachelor’s degree.	C

The pay schedule for these concepts is published annually in the Civil Service Compensation Plan.

- H. The appointing authority shall retain and make available for audit all documents related to the selection and evaluation process, in accordance with regulation 3.04 [Selection of Employees for Position Vacancies].
- I. The appointing authority shall provide the student with orientation, supervision, and an evaluation of the student’s performance.
- J. Student Assistant work time is credited toward meeting the requirements for related future employment.
- K. A Student Assistant is a state employee for examination and employment consideration purposes.
- L. A Student Assistant who receives a degree before completing an assignment or project in an appointment may continue employment until the assignment or project is completed. Only experience gained after attaining a bachelor’s degree is considered qualifying for professional positions.

- M.** Reclassifying a Student Assistant to an appropriate career classification requires Civil Service review and approval.
1. A Student Assistant may be eligible for reclassification if all the following conditions are met:
    - a. The appointing authority selected the Student Assistant after conducting a full evaluation and selection process.
    - b. The Student Assistant satisfactorily completed a performance review period of 1,040 hours.
    - c. The Student Assistant meets the minimum qualifications for the new classification.
    - d. The duties and responsibilities for the new classification are similar to those assigned to the employee's Student Assistant position.
    - e. Any applicable collective bargaining agreement provisions are met.
    - f. No agency recall names exist for the new classification.
    - g. No statewide recall names exist for the new classification, unless a hiring freeze (as described in regulation 3.10 [Promotion or Lateral Job Change Within an Agency of Current Employees Under Hiring Restriction Conditions]) is in effect on the effective date of reclassification, in which case reclassification may be approved for only limited-term employment.
    - h. The appointing authority requests and certifies that the Student Assistant meets the minimum qualifications of the new classification, is satisfactorily performing the duties and responsibilities of the requested classification, has satisfactorily completed a performance review period of 1,040 hours, and has a current satisfactory performance rating.
  2. The effective date of the reclassification is the beginning of the pay period in which a fully documented position action request is approved by Civil Service staff in accordance with regulation 4.04 [Effective Dates for Classification Actions]. Retroactivity is not permitted under any circumstances.
  3. Upon reclassification, the employee must satisfactorily complete a probationary period to gain status in the classified service.
    - a. Full-time employees must be reviewed upon completing 3, 6, and 12 months of service.
    - b. Less than full-time employees must be reviewed upon completing 3, 9, and 18 months of service.
- N.** This regulation does not apply to students hired as unclassified Special Personal Services (SPS) employees.
- O.** The State Personnel Director may approve, with or without modification, an agency's request to establish a special noncareer classification under rule 2-1.2.

**5. PROCEDURE**

<b>Responsibility</b>	<b>Action</b>
Appointing Authority	<ol style="list-style-type: none"> <li>1. Establishes a student position based on work functions.</li> <li>2. Solicits applications through a web posting, advertisement, contacts with educational institutions, or other means.</li> <li>3. Selects a student in accordance with Civil Service rules and regulations.</li> <li>4. Verifies that the applicant is a student in good standing with an accredited educational institution.</li> <li>5. Assigns pay rate in accordance with the Student Assistant compensation schedule and the student's amount and type of job-related education.</li> <li>6. For position reclassification, submits a Position Action Request (CS-129) and Position Description (CS-214) to Civil Service. Certifies on the CS-129 that the employee meets the minimum qualifications, is satisfactorily performing the duties and responsibilities of the requested classification, has satisfactorily completed a performance review period of 1,040 hours, and has a current satisfactory performance rating.</li> </ol>
Civil Service	<ol style="list-style-type: none"> <li>7. Reviews the request.</li> <li>8. If approved, enters the necessary position information in the Human Resources Management Network (HRMN).</li> <li>9. Releases the CS-129 to the appointing authority.</li> </ol>
Appointing Authority	<ol style="list-style-type: none"> <li>10. Receives the completed CS-129 and enters applicable employee information in HRMN.</li> </ol>
Civil Service	<ol style="list-style-type: none"> <li>11. May audit for compliance with Civil Service rules and regulations.</li> </ol>

**CONTACT**

Questions regarding this regulation should be directed to Classifications and Selections, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone, at 517-373-3030 or 1-800-788-1766; or by e-mail to [MCSC-BHRS@michigan.gov](mailto:MCSC-BHRS@michigan.gov).