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Date: June 27, 2005 **Code: HR 2005-29**
To: CSU Presidents **Supersedes: HR 2005-03**
From: Jackie R. McClain 
Vice Chancellor
Human Resources
Subject: Graduate Assistant Employment Policy and Classification Standard

The Graduate Assistant employment policy has been updated to reflect the negotiated Collective Bargaining Agreement (CBA) between the California State University (CSU) and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO and its Local Union 4123. For ease of reference, information on the Graduate Assistant classification is provided here as well. The policy regarding appointment of graduate assistants is as follows:

- Three Graduate Assistant classifications are available in Unit 11: Academic Year (Class Code 2355), Monthly (Class Code 2325), and On-Campus Work-Study (Class Code 2326). The Academic Year classification is to be used for those on the academic year schedule. The Monthly classification is available to accommodate appointments that begin and end throughout the academic term, depending on the particular assignment and campus need. For funding purposes, the On-Campus Work-Study classification became available effective November 2, 2004.
- Incumbents in a Graduate Assistant classification must be registered in a CSU graduate degree program and enrolled in courses toward the completion of a graduate degree during the graduate assistant appointment period. This includes students enrolled in CSU courses through CSU extension, if the courses are taken for credit toward completion of the CSU graduate degree. The Graduate Assistant classifications also are available for graduate students enrolled in courses during the summer and for graduate students who will be continuing their enrollment in the fall term. Students enrolled in credential programs and students enrolled in graduate programs outside the CSU are not eligible for this classification.
- The CBA states that graduate assistants may be appointed at any timebase. Pursuant to a side agreement between CSU and UAW, effective August 2, 2005, graduate assistants

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who are appointed to positions that work 20 hours per week will be appointed with a half-time timebase (0.5 FTE). CSU continues to exercise its prerogative that graduate assistant appointments be made in any fraction up to and including half time while the student is enrolled in classes. Timebase is proportionate to hours per week (e.g., half-time equals 20 hours per week and quarter-time equals 10 hours per week). Graduate assistants may work more than half time during academic breaks. Overtime may be required for hours in excess of 40 hours in a workweek (see below).

- It is allowable for a graduate assistant to be appointed in another student classification, up to a combined total of approximately 20 hours per week while enrolled in classes.
- Graduate assistants may be exempt from FICA (Social Security and Medicare) while enrolled in classes, provided the student meets the student FICA exemption addressed in Internal Revenue Code 3121(b)(10). When the graduate assistant qualifies for the student FICA exemption, the Retirement Account Code (PIMS Item 505) is set at “N.” Continuing graduate assistants who qualify for a graduate assistant appointment during academic breaks, but who no longer qualify for the student FICA exemption, are enrolled in the Department of Personnel Administration (DPA) PST Retirement Plan in lieu of Social Security. Medicare withholding is required also. For these graduate assistants, the Retirement Account Code (PIMS Item 505) is changed from “N” to “TM.” Please refer to the current Student Employment and the Student FICA Exemption policy memorandum for additional information on the student FICA exemption as it applies to graduate assistants under various circumstances
- Effective November 2, 2004, the Graduate Assistant classifications were changed to “non-exempt.” As a result of the new “white collar” Fair Labor Standards Act (FLSA) regulations, the U.S. Department of Labor confirmed that graduate assistants whose work involves research related to their course of study are to be considered “students” and not “employees.” In this case, an employer-employee relationship does not exist and these “graduate research assistants” are not subject to the FLSA provisions. However, graduate assistants who do not perform research related to their course of study are considered “employees” and are subject to FLSA provisions (e.g., record-keeping requirements, overtime, minimum wage). Campuses are required to make this FLSA status determination for each graduate assistant position.
- Because non-research graduate assistants do not qualify as “exempt” under the FLSA “white collar” exemption tests, they are considered “non-exempt.” Work hours must be tracked in accordance with the FLSA and graduate assistants must be paid for all hours worked. In the unusual event a graduate assistant works over forty (40) hours in a workweek, the graduate assistant must be paid for all hours worked plus overtime. For more information, refer to Human Resources’ FLSA Web site at: <http://www.calstate.edu/HRAdm/Policies/flsa.shtml>.
- For information on benefits and leave programs refer to the CBA and the technical letters on these subjects.

If there is a conflict between the provisions of this technical letter and the CBA, then the terms of the CBA will prevail.

The Graduate Assistant Classification and Qualification Standard is available on the web at <http://www.calstate.edu/HRAdm/Classification/index.shtml> under the category of Academic Student Employees (Unit 11) and is provided for reference in Attachment A.

This memorandum is also available on the Human Resources Administration's Web site at: <http://www.calstate.edu/HRAdm/memos.shtml>. Questions may be directed to Academic Human Resources at (562) 951-4503.

CR/CO

Classification and Qualification



STANDARDS

The California State University System

Graduate Assistant

AY Class Code: 2355

Monthly Class Code: 2325

On-Campus Work-Study Class Code: 2326

Date Established: 07-01-1963

Date Revised: 11-02-2004

OVERVIEW:

Under immediate supervision, the Graduate Assistant assists a regular faculty member or the teaching staff with various professional and technical duties associated generally with the subjects or programs in which the assistant is doing graduate work. This work should not take precedence over the successful completion of the graduate degree program by the student in a timely manner.

DISTINGUISHING CHARACTERISTICS:

The Graduate Assistant is distinguished from those classifications used for undergraduate student help in the instructional program who perform clerical or other routine tasks such as grading examinations, recording grades, etc., by the following:

- ◆ Graduate Assistants are provided part-time employment and practical experience in fields related to their advanced study.
- ◆ Graduate Assistants provide professional non-teaching assistance to faculty members.

Graduate Assistant work may involve supervising students in a classroom, workshop, or laboratory (where final responsibility for the class and its entire instruction, including the performance of the Graduate Assistant, is vested in a member of the faculty); training students in the use of equipment or other resources; assisting faculty with research and preparation of course materials; participating in the evaluation of students' work; tutoring students; and other related work.

Graduate Assistants are not responsible for the instructional content of a course, selecting student assignments, planning of examinations, determining the term grade for students, instructing the entire enrollment of a course, or providing the entire instruction of a group of students enrolled in a course. Graduate Assistants may not be employed to assist in a course in which he/she is enrolled, nor should they be consulted regarding the grading of their peers.

Classification code 2326 (On-Campus Work-Study) is for Work-Study graduate students funded by the Federal Work-Study Program. Appointments to this classification code must meet provisions of the Federal Work-Study Program.

TYPICAL ACTIVITIES:

Typical activities of Graduate Assistants may include: (1) assisting in the instruction of students by conducting small discussion groups related to large lecture or television courses and the like, supervising laboratory periods, workshops, production courses or other course activities, assisting by handling equipment, performing demonstrations, maintaining office hours to provide direct individual contact between student and graduate assistant, clarifying course material or course content for students; (2) providing assistance to faculty conducting authorized

research by collecting and arranging data, developing source materials, summarizing reports, searching the literature and compiling bibliographies, developing and operating research equipment, preparing and caring for research materials, assisting in the conduct of experiments, etc.; and/or (3) generally assisting faculty in evaluating student work and examinations; preparing course materials and aids, or performing other functions requiring knowledge and background beyond that generally possessed by undergraduate assistants.

MINIMUM QUALIFICATIONS:

Knowledge and Abilities:

Knowledge of the subject matter of the discipline in which assigned. Ability to relate well to others within the academic environment; ability to supervise, assist, and train students; and ability to assist faculty in the conduct of special projects/research within the discipline.

Experience:

For the initial appointment, evidence of satisfactory achievement in previous academic work. For subsequent appointment, evidence of satisfactory progress toward completion of the degree.

Education:

Equivalent to completion of the requirements for a bachelor's degree and registration in a CSU graduate degree program. Students enrolled in credential programs are not eligible for this position.