

# New Job Codes for Unconventional Research Assistants

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# Motivation-Visiting Students

- Does this sound like your area?
  - Professor X is taking on an exchange student, and she wants to pay them a modest \$1,000/mo.
  - You are bound by UH policy to pay them biweekly.
  - Professor X says that biweekly pay makes no sense, because they are learning from her.
  - They are “working” 40 hours/week, but they actually are working/studying under that faculty member.

# Motivation-Undergrad Students

- Does this sound like your area?
  - Chairman Y hears that you are requiring his new faculty member's student researchers to clock in/out, simply because they are undergrad students.
  - You are bound by policy to pay them biweekly, but Chairman Y asks you to find a way to not require them to clock in/out.
  - You attempt to pay them via stipend on a voucher, but the new procedures do not allow it.

# FLSA Basis

- FLSA allows an exemption from FLSA minimum monthly payment when:
  - Students, in the course of their academic training, are employed in part-time or temporary research positions, where the student's academic training is based in part on the research performed or where the research duties being performed will assist the student in fulfilling his or her degree requirements.
  - All duties and services of the student researcher are to be carried out under the supervision and direction of faculty or administration.

How to use the exemption and stay within UH policy?

# Three New Job Codes

Undergrad Research Assistant #3084

Undergrad Visiting Research Assistant #3082

Graduate Visiting Research Assistant #3083

# Undergrad Research Assistant

- “Undergraduate Research Assistants” are Undergraduate students who, in the course of their academic training, are employed in part-time or temporary research positions, where the student's academic training is based in part on the research performed or where the research duties being performed will assist the student in fulfilling his or her degree requirements. All duties and services of the undergraduate research assistants are to be carried out under the supervision and direction of faculty or administration.
- **Please note that students employed in this category are considered part-time staff employees under the university personnel system and are thus not eligible for the same benefits as students employed in the TA/TF, and IA categories.**

# Undergrad Visiting Research Asst

- “Undergraduate Visiting Research Assistants” are Undergraduate students who, in the course of their academic training at another institution of higher education, are employed in part-time or temporary research positions at University of Houston, where the student's academic training is based in part on the research performed or where the research duties being performed will assist the student in fulfilling his or her degree requirements. All duties and services of the undergraduate visiting research assistants are to be carried out under the supervision and direction of faculty or administration at University of Houston, via an exchange student program with the student’s enrolling institution, where their official faculty mentor resides. *Please note that students employed in this category are considered part-time staff employees under the university personnel system and are thus not eligible for the same benefits as students employed in the TA/TF, and IA categories.*
- **These positions can be appointed only for the time period for which documentation has been received from the institution of higher education at which the student is studying confirming their enrollment.**

# Graduate Visiting Research Asst

- “Graduate Visiting Research Assistants” are Graduate students who, in the course of their academic training at another institution of higher education, are employed in part-time or temporary research positions at University of Houston, where the student's academic training is based in part on the research performed or where the research duties being performed will assist the student in fulfilling his or her degree requirements. All duties and services of the graduate visiting research assistants are to be carried out under the supervision and direction of faculty or administration at University of Houston, via an exchange student program with the student’s enrolling institution, where their official faculty mentor resides. *Please note that students employed in this category are considered part-time staff employees under the university personnel system and are thus not eligible for the same benefits as students employed in the TA/TF, and IA categories.*
- **These positions can be appointed only for the time period for which documentation has been received from the institution of higher education at which the student is studying confirming their enrollment.**

# Documentation-Undergrad UH RA's

- Enrolled at UH, Working at UH
  - No additional documentation will be required.
  - HR will verify their student enrollment status.

# Documentation-Visiting RA's

- Enrolled at another institution, working at UH
- A form has been created for enrollment verification, to be signed by the enrolling institution and the UH faculty mentor.
- A memo including the same information and approval as the form can be provided instead.
- Visiting RA's can only be employed during the period covered by the enrollment verification.

# Forms and Cheat Sheet

- The form/memo format will be available online on the HR website.
- A cheat sheet for foreign national visiting RA's will be created, featuring both J-1 and F-1 visa types requirements.
- Pending the breadth of use of the job codes, additional materials may become available.

# Special Thanks

- Many thanks to employees in these areas, who collaborated on this effort to bring about these new job codes for campus use:
  - Division of Research-Business Operations
  - DOR-Office of Contracts and Grants
  - Internal Auditing
  - Human Resources-Compensation
  - CACDS and TIMES Administration

While we are at it...let's discuss stipends

# Key Points on Stipend Payments

- The Fair Labor Standards Act (FLSA) definition of an employee determines whether a student's work and/or research qualifies them for classification as an employee or as an intern or independent researcher. If the student's work is that of an employee, the University must pay in accordance with federal and state wage and hour requirements.

# Key Points on Stipend Payments

- If a student's research or work opportunity qualifies as an internship or is independent in nature, the University does not need to pay them as an employee, but may offer a limited stipend to offset expenses incurred.

# Key Points on Stipend Payments

Employee	Intern/Independent Researcher
UH has the right to control the details of the work.	Worker controls the details of the work (Independent Researcher).
Worker fills an employment need.	Worker is not a substitute for regular employees.
Work is part of UH's regular business.	Work is incidental to regular business (Independent Researcher) or may at times interfere with regular operations (Intern).
Work consists primarily of daily operational tasks.	If engaged in day-to-day tasks, it is for the purpose of learning. Worker moves to new tasks when mastery is achieved.
Written or implied commitment to continued relationship.	No guarantee of a job at the end of the internship/research period.
<b>Primary benefit is to UH.</b>	<b>Primary benefit is to worker.</b>

# Key Points on Stipend Payments

- Use the “Payments to Non-Employees and Non-Contractors Review and Approval Form” to evaluate your worker for appropriate form of payment.
- If you determine that it meets the FLSA criteria for a stipend payment, send the signed form to Tax Accounting. This will speed the processing of your voucher.

Any Questions?