

	LOS ANGELES COMMUNITY COLLEGES HUMAN RESOURCES GUIDE	HR R-340
		Unclassified Paid Intern & Unclassified Tutor
ISSUE DATE: January 1, 2021	Service: Unclassified Employees	
REPLACES: New Guide	CHANGES: None	

I. POLICY

It is the duty of each College and Division to establish internal procedures to ensure that unclassified service assignments meet Education Code and district requirements and timelines .

II. DEFINITIONS

- **Academic Probation** occurs when the student has attempted a minimum semester units of work and has a grade point average of less than a "C"(2.0).
- **Non-Immigrant Student** is a person admitted temporarily into the United States to pursue full- time academic or vocational studies by the United States Citizenship and Immigration Services on either an M-1 or F-1 Visa.
- **Unclassified Paid Intern** receives supervised practical learning, experience, or teaching that enables the individual to gain and apply knowledge related directly to their academic and career goals. They are enrolled as a full-time upper division or graduate student at an accredited college or university and are part-time at-will employees assigned to positions that are exempt from Academic and Classified Services as specified in California Education Code § 88076
- **Unclassified Tutor** leads students individually or in groups in coursework in the classroom as an embedded tutoring or outside of the classroom setting for a specific course and are enrolled as a full-time upper division or graduate student at an accredited college or university. They are part-time at-will employees assigned to positions that are exempt from Academic and Classified Services as specified in California Education Code § 88076
- **Workday or Day** means the period between the time on any particular day when an employee commences work activity and the time when the employee ceases work activity. The workday may be longer than scheduled workhours.
- **Workweek or Week** means any seven consecutive days, starting with the same calendar day each week. "Workweek" is a fixed and regularly recurring period of 168 hours, seven consecutive 24-hour periods. For purposes of computing maximum hours per week, the workweek begins on Monday.

III. REQUIREMENTS

- A. Employees in Unclassified Paid Intern & Unclassified Tutor positions are at-will employees; therefore, either the student employee or LACCD is free to end employment at any time.
- B. Unclassified Paid Intern & Unclassified Tutor with hourly rates effective January 1, 2021 are shown below in Table R-340. It provides a quick reference for identifying LACCD student employee job classifications. The job descriptions which includes the duties, non-duties, and qualifications required for each position are listed in Table R-340B Job Descriptions.

TABLE R-340A CLASSIFICATIONS AND PAY RATES (Effective January 1, 2021)		
	<u>Class Code</u>	<u>Hourly Pay Rate</u>
Unclassified Intern	U8160	\$20.29
Unclassified Tutor	U8165	\$18.80
¹ See Table R-340B, Job Descriptions, for details.		

C. Recruitment and Selection

Hiring locations are responsible for recruiting unclassified paid intern and unclassified tutor according to applicable LACCD policy and procedures and program funding requirements.

D. Enrollment Requirements

- 1. Enrollment requirements apply to the regular academic term at the employee's primary institution of enrollment.
- 2. For intercession employment of continuing unclassified paid intern and unclassified tutor employees, full-time status during the preceding semester qualifies.
- 3. Hiring locations are responsible for verifying and monitoring that unclassified paid intern and unclassified tutor meet the enrollment requirements throughout the assignment period as specified in Table R-340C Job Descriptions, including concurrent enrollment and good standing, for each assignment and assignment extension submitted for processing. To verify unclassified paid intern and unclassified tutor enrollment, the hiring location will validate enrollment status at the employee's primary accredited college or university
 - a. At least once during the term, and after the census date, the hiring location will verify eligibility with a unclassified intern and unclassified tutors to determine if they meet enrollment requirements of employment.
 - b. The campus hiring location will notify the campus Personnel Department if it is found that any unclassified intern and unclassified tutor are ineligible.

E. Work Hours, Holidays, Illness Pay and Overtime

- 1. **Work Hours:** Unclassified paid intern and unclassified tutors may work a maximum of twenty-five (25) hours per week (.625 FTE) and may not exceed a maximum of nine-hundred and ninety-nine (999) hours per fiscal year.
- 2. **Overtime:** Unclassified paid intern and unclassified tutor employees cannot work overtime.

Unclassified Intern & Unclassified Tutor

3. **Holidays:** Unclassified paid intern and unclassified tutors positions are not eligible for holiday pay. When a holiday occurs on a day a unclassified intern and unclassified tutors would normally work, the employee schedules may be adjusted so that the employees works an alternate schedule. When such an adjustment occurs, the total number of hours worked in any given day may not be over 8 and the total number of hours worked in a given week may not be over 25.

4. **Illness Pay:** According to the Healthy Workplace Healthy Family Act of 2014, a unclassified employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment, is entitled to paid sick leave. Unclassified paid intern and unclassified tutor employees will earn one hour of paid leave for every 30 hours worked. Accrual begins on the first day of employment or July 1, 2015, whichever is later. Furthermore:
 - a. An unclassified paid intern and unclassified tutor may use accrued paid sick days beginning on the 90th day of employment; the days need not be consecutive.

 - b. An unclassified employee may accrue up to 48 hours or 6 days of paid sick in a fiscal year (whichever is greater) but can only use 24 hours or 3 days of accrued paid sick leave in a fiscal year (whichever is greater).

 - c. Time will cease to accrue when the maximum quota of paid sick leave hours or days during the fiscal year have been reached.

 - d. Paid illness days will not be granted or used before the accrued time is earned and available.

 - e. The minimum amount of illness leave that may be taken is 2 hours. After the minimum amount is met time may be added in 15-minute increments

 - f. Illness pay can be used for the following:
 1. diagnosis, care, or treatment of an existing health condition for the student employee or a family member which includes a parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild or grandparent of the employee

 2. preventive care for the student employee or a family member which includes a parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild or grandparent of the employee

 3. obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim (student employee) or his or her child

 4. seek medical attention for injuries caused by domestic violence, sexual assault, or stalking

 5. obtain services from a domestic violence shelter, program or rape crisis center.

 6. obtain psychological counseling related to domestic violence, sexual assault stalking

 7. participate in safety planning and take other actions to increase safety from future domestic violence sexual assault, or stalking including temporary or permanent relocation

 - g. Form TA-1U Unclassified Employees Absence Certification to be filled out as well as notification to supervisor.

5. **Lunch Breaks and Rest Periods:** California Labor Commission Rules and LACCD policy determine lunch and rest periods for employees. The number of hours a employee works on a given day determine lunch break and rest period time as follows:
- a. **A lunch break** is to be taken within five (5) hours of the start of the work day whenever an employee is assigned to work more than six (6) hours in a given day.
 1. The minimum amount of time for the lunch break is 30 minutes. Lunch break time is unpaid and must be accounted for on the timesheet.
 2. Lunch periods for employees working over six (6) hours a day must be observed and may not be “skipped” to shorten the workday.
 - b. **Rest Periods:** A 10-minute paid rest period must be provided for every four hours worked or major fraction thereof. California Labor Commission provisions state that if an employer fails to provide an employee a rest period, the employer shall pay the employee one hour of pay at the employee’s regular rate of pay for each workday that the rest period is not provided.

F. Supervision

1. Unclassified paid intern and unclassified tutor employees shall work under the immediate supervision of an Academic or Classified employee who is on duty during the time the student employee is assigned.
2. Unclassified paid intern and unclassified tutor employees do not exercise supervision over other employees
3. For Interns, refer to table R-340B to determine ratio of number of Interns to Supervisors.

G. **Employment Limitations:** Unclassified paid interns and unclassified tutors may be employed for a cumulative maximum of six (6) years between the two classifications

H. **Employment of Disabled Students:** Part-time handicapped students who are prevented from being full-time students for medical reasons stemming from their handicap may be employed even if they are not participating in a work study or work experience program, i.e., Program 100 or other general purpose funds.

I. **Employment of Students with Criminal Records** is allowed within the parameters specified in [HR Guide P-112 Criminal Background Information](#).

J. **Employment of Non-Immigrant Students.** Unless authorized by the United States Citizenship and Immigration Service (USCIS) Service, nonimmigrant students may not work in the United States.

1. It is possible for a nonimmigrant student to be granted permission to accept part-time employment if the student can show that such employment is necessary to maintain him/herself as a student and that the necessity is due to unforeseen circumstances arising after his/her acquisition of student status.
2. Application for part-time employment is made to the USCIS Office having jurisdiction over the area of the school the student is attending.
3. If employment is allowed, the assignment may not exceed 25 hours a week while school is in session.

4. It is also possible for the USCIS, upon the student's application, to permit his/her employment for practical training in his/her field of study, where it is recommended by the school the student is attending and is unavailable in the country of residence.

K. Employment of Minors

1. Work permits may be issued to students who are under age 18, who have not graduated from high school, and who have been admitted to or enrolled in one of the colleges of the District.
2. A work permit is not required for high school graduates.
3. Procedure for Issuance of Work Permits
 - i. The college personnel office completes California State Department of Education Form No. B1-1, "Statement of Intent to Employ Minor and Request for Work Permit" and issues the California State Department of Education Form "B1-4, "Permit to Employ and Work".
 - ii. The authorized work permit should be stapled to LACCD Form HR-23, Unclassified Service Terms of Employment, and forwarded to Human Resources, District Office with the new hire form packet. An additional work permit is required for any assignment extension as long as the student employee is a minor.

L. Multiple Assignments

1. Unclassified paid intern or unclassified tutor assignment within the District providing the additional assignments do not result in their exceeding the total allowable hours worked of 25 hours a week and 999 hours in a fiscal year. Such assignments are to be processed as specified in [HR Guide P-130 Additional Assignment](#).
2. Academic and Classified Employees on a leave of absence status may accept unclassified paid intern or unclassified tutor assignment while on a leave of absence providing the terms and conditions of the leave of absence does not prohibit working while on the leave. Such assignments are to be processed as specified in HR Guide P-130 Additional Assignment. Such assignments are to be processed as specified in HR Guide P-130 Additional Assignment.

M. Assignment Processing

1. Unclassified paid intern or unclassified tutor employees must submit verification of enrollment and complete the new hire or, if applicable, rehire processing procedures before starting work. See HR Guide P-110, New Hire or P-120, Rehire, for details.
2. Unclassified paid intern or unclassified tutor assignments submitted for processing must identify the assignment's beginning and ending date. Assignment ending dates may not be later than the close of the semester in which enrollment is verified.
3. All employees are subject to fingerprint requirements prior to the start of their assignments. See HR Guide P-111, Fingerprints, for details.
4. All unclassified paid intern or unclassified tutor assignments are to be processed for the current term only. Unclassified paid intern or unclassified tutor employee assignments may be extended into the subsequent term, upon confirmation Unclassified intern or unclassified tutor eligibility.

Table R-340B, Job Descriptions

Unclassified Paid Intern Classification (U8160)

<u>Job Title</u>	<u>Pay Rate - \$ 20.29</u>
<input checked="" type="checkbox"/> Unclassified Paid Intern	Job Description
Purpose:	Supervised practical learning, experience, or teaching that enables the unclassified paid intern to gain and apply knowledge related directly to their academic and career goals.
Typical Duties:	Performs a variety of duties directly related to their course of study at the college or university they are attending in support of the academic or classified staff in charge. May have limited access to PeopleSoft, email or any software program that the supervisor deems necessary for the unclassified paid intern to complete their duties.
NON-Duties:	An unclassified paid intern may not take the place of either the academic or classified staff in charge. They may not exercise supervision over an academic, classified, unclassified, or student employee. The paid intern may not engage in any non-work-related activities.
Typical Areas:	<p><u>Typical areas may include but are not be limited to:</u></p> <p><u>COUNSELING</u> - Performs a variety of paraprofessional counseling duties such as answering routine questions at a walk-in counter, administering subjectively scored tests for determining aptitudes, interests, abilities and achievement, and peer counseling in a counseling office or as part of the counseling component of a specially funded program. <i>Not to exceed 3.0 FTE per counselor.</i></p> <p><u>LEGAL</u> - Receives supervised practical experience in the operations of an in-house legal office for a public entity. Typical assignments include information gathering, legal research, and the drafting of legal documents. <i>Not to exceed 1.5 FTE per administrator.</i></p> <p><u>CTE/GRANTS</u> - Assists faculty and classified staff in short term and limited grant-based projects for students and the community. The intern's duties must be specified in the grant. <i>Not to exceed 1.5 FTE per administrator.</i></p> <p><u>STUDENT SUPPORT SERVICES</u> – Assists faculty in helping students with approved directed study projects. The intern's duties must be specified in the scope of the project. Assists classified staff in support of outreach programs based on the formal Outreach and recruitment plan. <i>Not to exceed 1.5 FTE per program director.</i></p>
Qualifications:	An unclassified Paid Intern may not be on academic or progress probation and must maintain a GPA of 2.0 in all upper division or graduate coursework.
Enrollment:	Must be enrolled as a full-time upper division or graduate student at an accredited college or university for the duration of the internship.
Employment Duration Limit:	Six (6) years cumulative, unless evidence is provided which demonstrates the student is pursuing the attainment of an academic degree.
Maximum Hours Per Week:	Not to exceed 25 hours per week and not to exceed cumulative 999 hours per fiscal year.

Table R-340B Job Descriptions (continued)

Unclassified Paid Tutor Job Classification (U8165)	
Job Title	Pay Rate - \$ 18.80
Unclassified Tutor	Job Description
Typical Duties:	Tutoring students individually or in groups in coursework in the classroom as an embedded tutoring or outside of the classroom setting for a specific course. Tutoring may be done in the Learning Resource Center with exception below. Tutor may develop workshops with the guidance of the director or other qualified academic or classified staff. Tutor may use district computers and have email access.
NON-Duties:	The tutor may not take the place of either the academic or classified staff in the classroom or in the Learning Resource Center; may not supervise an academic, classified, or student employee. May not engage in duties of an Instructional Aide or Instructional Assistant, whether or not those positions exist on the campus. No tutor will operate or supervise a lab. May not engage in the following; proctoring exams; teaching the course; using SAP; DEC, PeopleSoft or any other software program that would give the employee access to confidential information. Unclassified Tutor may not engage in any non-work related activities.
Qualifications:	Student may not be on academic or progress probation and must maintain a GPA of 2.0 in all upper division or graduate coursework in a related discipline.
Enrollment:	Must be enrolled as a full-time upper division or graduate student at an accredited college or university.
Employment Duration Limit:	Six (6) years cumulative, unless evidence is provided which demonstrates the student is pursuing the attainment of an academic degree.
Maximum Hours Per Week:	Not to exceed 25 hours per week and not to exceed cumulative 999 hours per fiscal year.

IV. ADDITIONAL SOURCES

[INTERNAL REVENUE BULLETIN: 2005-2](#)

[Revenue Procedure 2005-11](#)

[CALIFORNIA LABOR CODE](#)

[510 Workday; Workweek](#)

[512 Meal Period](#)

[Healthy Workplace Healthy Family Act of 2014](#)

CALIFORNIA EDUCATIONAL CODE

[88076 Establishment of Classified Service; Definitions; Positions Excluded](#)

LACCD BOARD RULES

Chapter VIII, Admissions, Guidance, and Records

Article II Academic Probation and Disqualification

[8200 Standards For Probation](#)

LACCD HUMAN RESOURCE GUIDE

[HR R-300 Unclassified Employees](#)

[HR P-100 Assign Employee](#)

[HR P-110 New Hire](#)

[HR P-111 Fingerprints](#)

[HR P-112 Criminal Background Information](#)

[HR P-120 Rehire](#)

[HR P-130 Additional Assignment](#)

PERSONNEL COMMISSION RULES

[516 Classification Plan](#)

[522 Class Titles and Descriptions](#)

[544 Classification Policy](#)

CALIFORNIA DEPARTMENT OF EDUCATION

[Frequently Asked Questions: Work Permits](#)

Form: [Statement of Intent to Employ Minor and Request for Work Permit \(B1-1\)](#)

Form: [Permit to Employ and Work – Work Experience \(B1-4\)](#)