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3 New Hires in the Office of Human Resources and Payroll

We are pleased to present three experienced and talented employees in our office to serve the needs of NDSU!

Rachel Knudson, Employment Records Technician, hired 4/27/2015. Rachel provides service to departments who hire non-benefited time slip employees with regard to entering Hire/Change forms and late time slips, as well as entering late benefited leave slips. Rachel has a bachelor’s degree in Business Administration from the University of Mary. She has worked in Human Resources and Payroll for over 15 years in various organizations as a Human Resources and Payroll Manager.

Emilie DeWitte, HR Assistant, hired 08/10/2015. Emilie provides recruitment support, processes tuition waivers and handles employment records management. Emilie has a bachelor’s degree in Business Administration from Minnesota State University Moorhead and her Professional Human Resources Certification (PHR). She has worked as a Human Resource professional for seven years in positions such as HR Assistant, HR Representative, HR Generalist, and HR Manager.

Noah Fischer, Associate Director of Employee Development, hired 09/04/2015. Noah assists employees with FMLA, shared leave, ADA, ACA; he also assists with salary administration/compensation and works with performance management and employee relations. He has a bachelor’s degree in Psychology from NDSU and a Master of Business Administration (concentration in HR) from the University of Mary. He came to NDSU from Mayville State University where he was the Human Resource Officer.

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Break Guidelines

HR/Payroll occasionally gets questions on break periods and when/if breaks are mandatory. NDSU Policy 213 Rest Periods addresses paid and unpaid break periods. Specifically, employees who work more than 4 hours in any one day must be allowed a minimum 30 minute unpaid lunch break.

F-1 and J-1 Student Employment

Here are some important things to remember regarding employing F-1 and J-1 students:

- J-1 students need PRIOR authorization on their DS-2019 before beginning employment. Please ask students to check with their international student advisor about the process to obtain authorization to work on-campus.
- A work week at NDSU is Sunday at 12:00 a.m. to Saturday at 11:59 p.m.
- Work can be no more than 20 hours per week during the academic year, which includes spring and fall semesters. **Dead week and finals week are considered part of the academic year therefore students can work no more than 20 hours these weeks.** It is not ok to work more than 20 hours one week and less the next and hope the hours “even out” to 20 per week for the pay period.
- Working more than 20 hours per week during the academic year will result in:
  - Termination of their F-1 or J-1 student record
  - Student is required to leave the United States
- There are three exceptions to the 20 hour per week rule in which the student can work up to 40 hours per week:
  - **Winter break** – Sunday, December 20th at 12:00 a.m. through Saturday, January 9th at 11:59 p.m. (as long as the student intends to enroll for the next academic semester)
  - **Spring break** – Sunday, March 13th at 12:00 a.m. through Saturday, March 19th at 11:59 p.m.
  - **Summer break** – Sunday, May 15th at 12:00 a.m. through Saturday, August 20th at 11:59 a.m. (as long as the student intends to enroll for the next academic semester)
- Upon completion of a degree, on-campus employment ends regardless of the program end date indicated on the Form I-20 or DS-2019.
- Employment between programs (BS to MS, or MS to PhD): On-campus employment is not permitted after program completion, unless the student has a new I-20 or DS-2019 and plans to enroll the next academic semester.

Affordable Care Act Updates

The next annual Look Back period is upcoming; effective dates of Look Back period will be November 1, 2014 through October 31, 2015. Hours will be analyzed by HR/Payroll and offers of coverage extended in late November to those who qualify for coverage starting January 1, 2016.

Costs for single employee coverage and department responsibility are:
- Employee $1,118.16 annual/$46.59/ppd
- Department $5,431.20 annual/$225.55/ppd

ACA Tips/Lessons Learned:
- Notes/comments on Hire/Change forms save time; HR/Payroll does not need to contact department for clarification on end dates, etc.
- Just because employee will not be expected to exceed 1,560 hours in a year does not mean they do not need to be offered coverage; if the employee will be working 30+ hours/week for 3 months or more with no end date or expectation that hours will drop, the employee will be offered.

Employee vs. Independent Contractor

**NDSU Employee:**
- NDSU trains the worker
- Work is part of regular business of NDSU (Teaching / Research)
- NDSU directs the worker with regard to when/where/how to do the work

**Independent Contractor:**
- Performs similar work for other employers
- NDSU can terminate the IC without incurring liability
- IC has invested in equipment/materials to perform the work

When in doubt, please check with the Accounting office and the HR/Payroll office for guidance on when employment or independent contractor status is appropriate.
Form I-9 Compliance

Section 1: Must be completed by new employee on or before the 1st day of employment.
Section 2: Must be completed by NDSU’s representative on or before the end of the 3rd business day of employment by examining original and unexpired documents.

Penalties:
- Civil penalties in an amount of not less than $110 and not more than $1100 for each violation.
- If engaged in pattern of unlawful hiring, criminal penalties of up to $3000 per employee and/or 6 months imprisonment.

Policy Changes/Reminders

Policy 112 Pre-Employment and Current Employee Criminal Record Disclosure has been expanded to include additional criminal history background checks for volunteers, student employees and non-benefited employees who:
- have access to confidential or proprietary information including Campus Connections and HRMS PS modules;
- have access to the PS Finance module;
- are instructional faculty and staff, including teaching assistants

Policy 133 Educational Policy has changed in regard to courses taken at another NDUS campus, other than NDSU, regardless of delivery type: a system-wide fixed 50% employer paid tuition assistance, with the employee paying the remaining 50% of tuition and 100% of all fees.

Policy 171 Recruitment and Moving Expenses has more flexibility upon approval of the President or designee(s). NDSU may cover the moving expenses of a benefited employee moving from outside the institution by:
- Negotiating an amount paid to the employee through payroll as a lump sum for relocation expenses OR
- Using a combination of reimbursing the employee for actual moving expenses and paying the vendor directly. Shall not exceed one month’s salary or $3,000, whichever is greater. Deviations must be approved by President and only for exceptional circumstances.

State Law Changes/Reminders

HB 1131 Veteran’s Preference
ND Veteran’s Preference Law applies to all University System positions to include administrators and faculty.

HB 1387 and HB 1244 Sick Leave Updates
- Dependent leave may be used to attend to the needs of an eligible family member who is ill or to assist in obtaining other services related to health. Shall not exceed 80 hours per calendar year.
- Dependent leave in case of an eligible family member’s serious health condition may be used up to a total of 480 hours of sick leave in a 12-month period (includes the prior 80 hours).
- Sick leave for birth or placement of a child is limited to 6 weeks during the first 6 months.
- Sick Leave may be used to seek assistance for oneself or an eligible family member due to the consequences of domestic violence, a sex offense, stalking, or terrorizing. Supervisor may limit the use of sick leave for this section to 40 hours per calendar year.

Important Dates to Remember
- Searching for Excellence – Training for Administrative Staff Providing Support for Search Committees (repeat) - October 26, 2:30 p.m.-4:30 p.m., Hidatsa
- Searching for Excellence – Training for Search Committee Members (repeat) – October 27, 3:00 p.m.-5:00 p.m., Arikara
- New Employee Orientation -November 18, beginning at 8:00 a.m., Reimers Room, Alumni Center
- John Maxwell Leadership Training: “Live to Lead”, December 16, 8:30 a.m. to 12:00 noon, Ballroom