



**NORTHERN MICHIGAN
UNIVERSITY**

Student Employment Best Practices

LEGAL OVERVIEW & EMPLOYER PANEL
MAY 15, 2024

Student employees are EMPLOYEES

Employment and other Relevant Laws Apply



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What do you do if a student employee asks you if they can adjust their work schedule to accommodate a medical condition?

Contact the Human Resources office – Renee Sheen (x2331)
manages student employee accommodations

Americans with Disabilities Act (ADA)

- HR will engage with student (interactive process) to secure appropriate medical documentation and help establish workplace accommodations
- If it is determined that one or more accommodations would enable the person to perform the essential functions of the job, the employer then decides if the possible accommodations are reasonable and whether they would cause undue hardship for the organization.
- The employer then ascertains which accommodations the employee prefers, ***but the employer is not required to provide the employee's preference if another reasonable accommodation would suffice.***
- The employer should closely monitor the situation to see if the accommodation is working and should create and maintain proper documentation of the process.

You have two student applicants apply for a position in your department. One student mentions they can't work on Saturdays because of their religious/cultural practices. You don't normally schedule students on Saturdays, but you decide to hire the other student to be on the safe side. Is this a problem?

Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964 is a federal law that **prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion.** It generally applies to employers with 15 or more employees, including federal, state, and local governments. Title VII also applies to private and public colleges and universities, employment agencies, and labor organizations.

- Contact Janet Koski (x2420), EO Officer, to discuss religious accommodations

One of your student employees tells you that their partner, another student, struck them in the face after they both had been drinking a few months ago. Your student employee is not old enough to drink, and tells you not to tell anyone so they won't get into trouble. How do you handle?

Campus Reporter

All employees, except employees of NMU Counseling and Consultation Services and the NMU Health Center **are designated as Campus Reporters**, and must report, by policy, incidents of Prohibited Conduct observed as well as incidents reported to them.

Campus Reporters must report to an Official with Authority (OWA).

At NMU, the OWA are the Assistant Director of Equal Opportunity and Title IX Coordinator, **Harger Boal** and Executive Director Equal Opportunity and Title IX, **Janet Koski**, who are assigned to implement corrective measures for Prohibited Conduct.



Relationship Violence, Sexual Misconduct and Stalking

The Relationship Violence, Sexual Misconduct and Stalking Policy **prohibits relationship violence (dating violence/domestic violence), sexual misconduct (sexual assault, sexual exploitation, and sexual or gender-based harassment), and stalking**, collectively referred to as “Prohibited Conduct.” This policy addresses Prohibited Conduct pursuant to its obligations under state and federal law.

This policy applies to Prohibited Conduct by NMU Community Members, (students, faculty, and staff), and/or third parties against NMU Community Members.

Northern Michigan University is committed to **taking prompt corrective measures** when incidents of relationship violence, sexual misconduct and stalking are reported.

It is a violation of University policy to intimidate, discipline, discharge, or harass any individual who has in good faith reported misconduct or fraud, filed a complaint, instituted proceedings, assisted in an investigation or compliance review, or formally or informally objected to sexual misconduct and/or discriminatory practices.

Can someone date their student employee?

NO!

Consensual Relationship Policy

Interactions between faculty, staff and students at Northern Michigan University are guided by professional ethics, trust, and mutual respect. Some professional relationships have a power differential that may carry risks of conflict of interest, breach of trust and professional ethics, and abuse of power.

Employees who are in a position of power or authority in such matters as supervising, evaluating, teaching a course and/or advising shall not engage in a consensual relationship with a student or subordinate. **Employees are prohibited from entering a new relationship with a student or an individual whom the employee supervises, is in a position of influence, or has an evaluative relationship.**

If a pre-existing consensual relationship exists, the employee in the position of authority must report the relationship to the Equal Opportunity Office. The Equal Opportunity Office will work with the employee and the appropriate administrator/supervisor to remedy any potential conflicts of interest.

Student Employment Handbook

- Resource for policies and procedures related to student employment
- Student employee wages will be updated again for the Fall
- <https://nmu.edu/careerservices/employmenthandbook>