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ABSTRACT

Washington State's Higher Education Coordinating Board undertook a review of the State Work Study (SWS) program requirements related to the classification and compensation of SWS positions at public colleges and universities. A task force studying wage rate comparability was convened to review statutory directives related to this issue and to recommend modifications or continuation of existing program requirements, as appropriate. This report presents legislative background information and reports the conclusions and recommendations of the task force. The task force concludes that SWS positions which are comparable to positions classified by the Higher Education Personnel Board (HEPB) must be paid the HEPB-established wage rate. Further, the task force recommends that the focus of determination of comparability be redirected from a comparison of specific job duties and, instead, be based on a comparison of the level of work as described within the Basic Functions and Distinguishing Characteristics sections of the HEPB specification. Appendices, comprising most of the report, provide a description of the legislative basis of the College Work Study Program, the history of the comparability issue, and a 1992 review of wage-rate comparability. (GLR)

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**WAGE RATE COMPARABILITY REVIEW
WASHINGTON STATE WORK STUDY PROGRAM**

ED 365 232

In conjunction with the recently-completed Student Financial Aid Policy Study, the Higher Education Coordinating Board undertook a review of State Work Study program requirements related to the classification and compensation of State Work Study positions at public colleges and universities. A Task Force on Wage Rate Comparability was convened to review statutory directives related to this issue and to recommend modifications or continuation of existing program requirements, as appropriate.

This paper presents background information and reports the conclusions and recommendation of the task force. A copy of the enabling legislation, a history of the "comparability" issue, and a more complete report of task force discussions are appended.

BACKGROUND

Enabling Legislation: The State Work Study (SWS) program was created in 1974 (RCW 28B.12.010-070), with a two-fold purpose: to provide financial assistance to needy students and to provide recipients, wherever possible, with employment related to their academic pursuits. (A copy of the enabling legislation is attached as Appendix A.)

Among other provisions, the enabling legislation contains specific requirements related to the employment of SWS recipients by public institutions. The law (RCW 28B.12.060(4)) states that rules adopted by the Higher Education Coordinating Board (HECB) must include provisions to assure that, in the state institutions of higher education, utilization of the State Work Study program:

- ... (a) Shall only supplement and not supplant classified positions under jurisdiction of chapter 28B.16 RCW;
- (b) **That all positions established which are comparable shall be identified to a job classification under the higher education personnel board's classification plan and shall receive equal compensation; (emphasis supplied.)**
- (c) Shall not take place in any manner that would replace classified positions reduced due to lack of funds or work; and
- (d) That work study positions shall only be established at entry level positions of the classified service.

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Regulations and Operational Guidelines: Administrative procedures implementing the law are established through rules and regulations (requiring action of the Higher Education Coordinating Board) and through operational guidelines prepared by HECB staff and distributed to all participating institutions.

Guidelines Regarding Comparability: Interpretation of statutory requirements and procedures related to the determination of comparability evolved over the first several years of program administration. A comprehensive review, leading to the current operational guidelines, was conducted in 1981-82. For all practical purposes, program administrative guidelines addressing the determination of comparability between SWS and Higher Education Personnel Board (HEPB) positions at public institutions have remained the same for the last ten years. (A detailed chronology of the evolution of these issues is attached as Appendix B.)

1992 REVIEW OF WAGE RATE COMPARABILITY

Initiation of Review and Appointment of Task Force: Last fall, some institutional administrators again questioned the appropriateness of paying SWS recipients Higher Education Personnel Board wages, as well as HECB staff's interpretation of how comparability should be determined. Several argued for changes. The most commonly cited reasons for change centered around:

- the disparity in wage rates between federal College Work Study and State Work Study recipients, and between SWS recipients and temporary employees (whose wage rates are not regulated by the HEPB);
- the fact that lower wage rates would allow more students to be served, or for recipients to work more hours;
- the belief that students do not have the same skills or commitment to a job as regular employees; and
- the difficulties faced by institutions in paying the required 20 percent match.

Some financial aid administrators requested that the guidelines for determining comparability be modified to allow greater institutional flexibility.

HECB staff committed to a review of SWS program requirements related to the classification and compensation of SWS positions at public institutions concurrent with the Board's Student Financial Aid Policy Study. A technical task force was appointed to review SWS program requirements for determining comparability between SWS positions and HEPB classifications, and to recommend modification or continuation of the existing guidelines, as appropriate.

Since the focus of the review was on the development of guidelines for the determination of comparability between SWS and HEPB-classified positions, the task force included human resource/administrators from public institutions, the State Board for Community and Technical Colleges, the Higher Education Personnel Board, and the Department of Personnel, as well as financial aid and student employment administrators. The task force also included representatives from other constituencies (i.e., organized labor, students, off-campus employers) who had an interest in the outcome. (A roster of committee members is attached as a part of Appendix C.) To ensure that the concerns which had been expressed would be fully addressed, task force membership included representatives of those who had requested that modifications be made.

Summary of Conclusions and Recommendation: The task force concluded that the law clearly requires that SWS positions which are comparable to positions classified by the Higher Education Personnel Board must be paid the HEPB-established wage rate, and that the issues and concerns which had been cited during the committee's deliberations could not override the requirements of the law. They also concluded that most on-campus SWS positions will be comparable to positions classified by the Higher Education Personnel Board.

Following discussion, the task force recommended that the focus in the determination of comparability be redirected from a comparison of specific job duties and, instead, be based on a comparison of the level of work as described within the Basic Functions and Distinguishing Characteristics sections of the HEPB specification. From an operational perspective, the primary change resulting from the task force recommendation is that the determination of comparability would be made through a comparison of the overall scope and responsibilities of SWS and HEPB positions, rather than on the percentage of time the SWS recipient is engaged in specific duties which may be included in an HEPB classification. The task force concluded that the determination of comparability should be made with the assistance of institutional human resources administrators, who are familiar with HEPB classifications and are best prepared to evaluate positions for comparability.

With the exception of one member, who felt that the existing SWS guidelines best achieve the statutory requirement, the Task Force unanimously agreed on the following proposed amendment to the "Comparability" section of the current SWS guidelines. (Other parts of the guidelines addressing comparability were not modified.)

- ... 3. No one job task or duty should be isolated in determining comparability or non-comparability. The primary test for comparability between State Work Study program positions and HEPB classified positions must be determined from an analysis of the duties and responsibilities described in the appropriate HEPB class specification. To determine comparability, the specification must be considered in its entirety (~~i.e., definition, distinguishing characteristics, typical work, and skills and knowledge required to do the job~~) rather than focusing on individual parts of the class specification as comparable or non-comparable, with a major emphasis being placed on the level of work described within the Basic Functions and Distinguishing Characteristics sections of the HEPB specification.

A job class describes the level of work anticipated for the positions encompassed by the class. Although some job classes encompass several hundred positions, each of which may have a totally different position description, each is appropriately allocated to the class. If the overall scope and responsibilities of a State Work Study position meets the requirements of the Basic Functions and Distinguishing Characteristics of an HEPB specification, the SWS position must be considered comparable. The fact that a SWS position is assigned a single task listed in the typical work section of the specification shall not of itself determine whether comparability exists. Professional judgement will be required to determine whether some SWS positions are comparable to a position classified by the HEPB. The financial aid administrator should seek the assistance of the campus human resources department in making the determination of comparability.

Staff concur with the modification recommended by the Task Force, and will incorporate this change into the 1993-94 operational guidelines for the State Work Study program.

RCW 28B.12.010-070
COLLEGE WORK STUDY PROGRAM

Chapter 28B.12
COLLEGE WORK-STUDY PROGRAM

Sections

28B.12.010	Created.
28B.12.020	Purpose.
28B.12.030	Definitions.
28B.12.040	Board to develop and administer program—Agreements authorized, limitation.
28B.12.050	Disbursal of college work-study funds—Criteria.
28B.12.060	Rules and regulations—Mandatory provisions.
28B.12.070	Annual report of institutions to higher education coordinating board.

28B.12.010 Created. There is hereby created a program of financial aid to students pursuing a post-secondary education which shall be known as the college work-study program. [1974 ex.s. c 177 § 1.]

Severability—1974 ex.s. c 177: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1974 ex.s. c 177 § 10.]

28B.12.020 Purpose. The purpose of the program created in RCW 28B.12.010 is to provide financial assistance to needy students attending eligible post-secondary institutions in the state of Washington by stimulating and promoting their employment, thereby enabling them to pursue courses of study at such institutions. An additional purpose of this program shall be to provide such needy students, wherever possible, with employment related to their academic pursuits. [1974 ex.s. c 177 § 2.]

Severability—1974 ex.s. c 177: See note following RCW 28B.12.010.

28B.12.030 Definitions. As used in this chapter, the following words and terms shall have the following meanings, unless the context shall clearly indicate another or different meaning or intent:

(1) The term "needy student" shall mean a student enrolled or accepted for enrollment at a post-secondary institution who, according to a system of need analysis approved by the commission on higher education, demonstrates a financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.

(2) The term "eligible institution" shall mean any post-secondary institution in this state accredited by the Northwest Association of Secondary and Higher Schools or any public vocational-technical school in the state. [1974 ex.s. c 177 § 3.]

Severability—1974 ex.s. c 177: See note following RCW 28B.12.010.

28B.12.040 Board to develop and administer program—Agreements authorized, limitation. The higher education coordinating board shall develop and administer the college work-study program and shall be authorized to enter into agreements with employers and eligible institutions for the operation of the program. These agreements shall include such provisions as the higher education coordinating board may deem necessary or appropriate to carry out the purposes of this chapter.

The share from funds disbursed under the college work-study program of the compensation of students employed under such program in accordance with such agreements shall not exceed eighty percent of the total such compensation paid such students. [1985 c 370 § 58; 1974 ex.s. c 177 § 4.]

Severability—Effective dates—1985 c 370: See RCW 28B.80.911 and 28B.80.912.

Severability—1974 ex.s. c 177: See note following RCW 28B.12.010.

Purpose—1974 ex.s. c 177: See RCW 28B.12.020.

28B.12.050 Disbursal of college work-study funds—Criteria. The higher education coordinating board shall disburse college work-study funds. In performing its duties under this section, the board shall consult eligible institutions and post-secondary education advisory and governing bodies. The board shall establish criteria designed to achieve such distribution of assistance under this chapter among students attending eligible institutions as will most effectively carry out the purposes of this chapter. [1987 c 330 § 201; 1985 c 370 § 59; 1974 ex.s. c 177 § 5.]

Construction—Application of rules—1987 c 330: "This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections. The rules of the agencies abolished by this act shall continue in force until acted upon by the succeeding agency and shall be enforced by the succeeding agency. If there is no succeeding agency, the rules shall terminate." [1987 c 330 § 1401.] For codification of 1987 c 330, see Codification Tables, Volume 0.

Severability—1987 c 330: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1987 c 330 § 1402.]

Severability—Effective dates—1985 c 370: See RCW 28B.80.911 and 28B.80.912.

Severability—1974 ex.s. c 177: See note following RCW 28B.12.010.

28B.12.060 Rules and regulations—Mandatory provisions. The higher education coordinating board shall adopt rules and regulations as may be necessary or appropriate for effecting the provisions of this chapter, and not in conflict with this chapter, in accordance with the provisions of chapter 34.05 RCW, the state higher education administrative procedure act. Such rules and regulations shall include provisions designed to make employment under such work-study program reasonably available, to the extent of available funds, to all eligible students in eligible post-secondary institutions in need thereof. Such rules and regulations shall include:

(1) Providing work under the college work-study program which will not result in the displacement of employed workers or impair existing contracts for services.

(2) Furnishing work only to a student who:

(a) Is capable, in the opinion of the eligible institution, of maintaining good standing in such course of study while employed under the program covered by the agreement; and

(b) Has been accepted for enrollment as at least a half-time student at the eligible institution or, in the case of a student already enrolled in and attending the eligible institution, is in good standing and in at least half-time attendance there either as an undergraduate, graduate or professional student; and

(c) Is not pursuing a degree in theology.

(3) Placing priority on the securing of work opportunities for students who are residents of the state of Washington as defined in RCW 28B.15.011 through 28B.15.014.

(4) Provisions to assure that in the state institutions of higher education utilization of this student work-study program:

(a) Shall only supplement and not supplant classified positions under jurisdiction of chapter 28B.16 RCW;

(b) That all positions established which are comparable shall be identified to a job classification under the higher education personnel board's classification plan and shall receive equal compensation;

(c) Shall not take place in any manner that would replace classified positions reduced due to lack of funds or work; and

(d) That work study positions shall only be established at entry level positions of the classified service. [1987 c 330 § 202; 1985 c 370 § 60; 1974 ex.s. c 177 § 6.]

Construction—Application of rules—Severability—1987 c 330: See notes following RCW 28B.12.050.

Severability—Effective dates—1985 c 370: See RCW 28B.80.911 and 28B.80.912.

Severability—1974 ex.s. c 177: See note following RCW 28B.12.010.

28B.12.070 Annual report of institutions to higher education coordinating board. Each eligible institution shall submit to the higher education coordinating board an annual report in accordance with such requirements as are promulgated by the commission. [1985 c 370 § 61; 1974 ex.s. c 177 § 7.]

Severability—Effective dates—1985 c 370: See RCW 28B.80.911 and 28B.80.912.

Severability—1974 ex.s. c 177: See note following RCW 28B.12.010.

HISTORY OF THE "COMPARABILITY" ISSUE 1974 Through 1992

1974 to 1980. From the inception of the program in 1974 through 1980, State Work Study (SWS) regulations called for compensation equal to the entry level wages of comparable positions, but neither the rules nor the operational guidelines for the SWS program elaborated on how the determination of comparability should be made. During the first two years of operations (1974-1976), the rules simply reiterated the statutory requirement that recipients be paid wages comparable to those of other employees in the organization who were performing similar work. Program guidelines did not amplify on that requirement.

In 1977, in response to questions about the application of this requirement to SWS recipients employed by public institutions, the operating guidelines were expanded to emphasize the requirement to pay Higher Education Personnel Board (HEPB) wages to students in HEPB-comparable positions:

Students employed by public postsecondary educational institutions who are filling positions which are comparable to Higher Education Personnel Board classified positions must be paid entry level Higher Education Personnel Board wages for the position. State Work/Study students are not to be paid less than the prescribed HEPB amount, regardless of the institution's policy for compensating other student employees....

This added language essentially reaffirmed the statutory requirement, and did not specify the basis upon which comparability should be determined. It was an operational assumption that nearly all positions on-campus would be comparable to positions classified by the Higher Education Personnel Board.

The wage rate requirement and the program's emphasis on educational relatedness were unique features of the State Work Study program. The comparable wage rate requirement, in particular, was problematic to the public institutions, which typically paid other student workers at the minimum or subminimum wage rate, as allowed by federal law for other student workers.

During these years, college costs increased significantly, and appropriations for federally-funded student aid programs remained relatively constant, or diminished. State appropriations for the SWS program, on the other hand, increased by more than 600 percent (from \$506,442 in 1974-75, to \$3,064,000 in 1980-81). Public institutions became increasingly interested in the SWS program as a means of responding to the growing need gap. Pressure mounted to bring the SWS program's wage rate requirement into line with the federally-funded College Work Study program, which permitted minimum or subminimum pay.

There was resistance to paying HEPB wages for several reasons: funds were more quickly depleted at the higher rates; there were problems associated with having students in similar jobs paid differential rates, depending on the funding source; and many administrators believed that students, by virtue of their student status, should all be placed at a "trainee" level and paid well below the HEPB rates. At the same time, many institutions did not have resources dedicated to locating off-campus SWS positions. For these and other reasons, participation by many public institutions was limited.

1980. In October, 1980, the Council for Postsecondary Education (predecessor agency to the Higher Education Coordinating Board) issued a report and recommendations to the Legislature on student compensation at the public institutions. In a section speaking specifically to the State Work Study program, the report stated:

One of the central concepts of the State Work Study Program is payment of the prevailing rate in the employing organizations. In on-campus employment the prevailing rate for comparable positions is defined by the HEPB, thus the statutory requirement. In cases where positions are, in fact, not comparable, the prevailing rate should be determined through a well-designed compensation plan. The Council, therefore, recommends:

....Recommendation 5: That if the institutional student compensation plan clearly and substantially delineates those positions which are and are not comparable to HEPB classifications, State Work Study Program rules and regulations should allow use of acceptable compensation plans for non-comparable on-campus positions.

1981. In response to the Council's action, the 1981-82 SWS program rules and regulations (WAC 250-40-050(2)) were revised to incorporate the 1980 recommendation:

Rate of Compensation. All Work Study positions shall receive compensation equal to the entry level salary of comparable positions.

Students employed by public postsecondary institutions who are filling positions which are comparable to Higher Education Personnel Board classified positions must be paid entry level Higher Education Personnel Board wages for the position. An institution wishing to place students in on-campus positions which are not comparable to Higher Education Personnel Board classifications must annually submit to the Financial Assistance Section of the Council for their approval a student compensation plan which clearly and substantially delineates those positions which are and which are not comparable to Higher Education Personnel Board classifications. Once the Council has approved an institution's student compensation plan, the institution may place State Work Study recipients in non-Higher Education Personnel Board comparable positions and pay those students in non-comparable positions the wage rates as approved.

Program guidelines further elaborated:

State Work Study students are not to be paid less than the prescribed HEPB amount regardless of the institution's policy for compensating other student employees where the positions are deemed to be comparable. (It should be noted that comparability relates to the position, not the incumbent of that position.)

In addition, the guidelines provided the following instruction to all institutions (for on- and off-campus placements):

In attempting to determine comparability between one position and another, institutions should consider the following:

- (a) major duties and responsibilities performed;
- (b) level of duties and responsibilities performed;
- (c) distinguishing characteristics;
- (d) typical work;
- (e) judgment required.

Minimum qualifications should not govern comparability; rather, the test of comparability should be the nature of the work performed.

In determining each student's rate of pay, the key factor is that he or she is to be paid the same hourly rate as any other non-student employee filling the same position and having the same duties and responsibilities to perform.

As noted above, the public institutions had become more interested in full use of the SWS program, in response to growing institutional and student needs and diminished federal funds. Many institutional administrators perceived that the change in regulations and guidelines provided the option of developing student classification and compensation plans which designated all SWS positions as non-comparable to HEPB-defined positions.

Based on conversations with financial aid administrators and the earliest student compensation plans submitted for review, it was apparent that staff needed assistance in evaluating student compensation plans in the context of statutory requirements.

An ad hoc committee was convened by staff for the purpose of recommending guidelines for determining comparability between SWS positions and positions classified by the HEPB. The committee was comprised of representatives from institutional, system, and state personnel offices, organized labor, financial aid/student employment offices, student affairs, and CPE staff. (A roster of committee members is attached.)

At the conclusion of the first full committee meeting, a subpanel of five members (noted on the attached roster) was assigned to study the issue and report back to the full committee. The subpanel met twice, after which the full committee adopted the subpanel's recommendations.

1982 to 1992. The committee's conclusions and recommendations were incorporated into the SWS operational guidelines, to become effective with the 1982-83 academic year. They have remained essentially unchanged since that time. The guidelines, as amended, read as follows:

HIGHER EDUCATION PERSONNEL BOARD CLASSIFICATIONS. Specific provision regarding comparability at public institutions of postsecondary education:

The enabling legislation for the State Work Study program requires that, in public institutions, "All positions established which are comparable shall be identified to a job classification under the Higher Education Personnel Board's classification plan and shall receive equal compensation." (See RCW 28B.12.060(4)(b).)

Comparability is presumed between most State Work Study program positions and positions encompassed within the Higher Education Personnel Board's (HEPB) classification schema. The schema is sufficiently comprehensive to encompass

nearly all positions with the exception of established exemptions such as teaching assistants, research assistants, etc.

Exempt Academic and Tutorial Placements. NOTE: To qualify as an exempt academic or tutorial placement, more than 50 percent of the work must involve imparting knowledge to students or conducting research or data analysis under the direction of an instructing supervisor who is a regular employee of the institution. The work will normally be performed in an instructional department or program.

Tutorial or research positions not supervised by regular employees of the institution or not in instructional departments or programs may still qualify as an exempt academic or tutorial placement. In qualifying such a position, the institution should rigorously examine the quality of supervision and the job description. Both should be at least equal to that regularly expected of placements in academic departments.

There is no exception to the minimum 50 percent rule.

Documenting Non-Comparability. The public institution must clearly identify each position which is not comparable to a HEPB classification and document its determination of non-comparability. The institution should devote special attention to documenting its examination of circumstances and its reasons for granting the exemption. Documentation should be kept in the student's file.

The issue of comparability must be considered independent of concerns over funding constraints or institutional needs to save money.

In assessing comparability between State Work Study program positions and work that is classified under the HEPB, the following expectations should be observed:

1. "Student status" may not be construed as proof of non-comparability nor be considered as a part of a comparability test (i.e., the fact that an individual is enrolled as a student does not, of itself, substantiate evidence of non-comparability, and, hence, justify a non-comparable wage).
2. State Work Study program students who fill positions which are comparable to work that is classified by the HEPB must be paid the HEPB-prescribed hourly wage rate for that class¹, regardless of the institution's policy for paying other student or part-time employees.

¹ "Class:" One or more positions sufficiently similar with respect to duties and responsibility that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the same class under the same or substantially the same employment conditions.

3. No one job element should be isolated in determining comparability or non-comparability. The primary test for comparability between State Work Study program positions and HEPB classified positions must be determined from an analysis of the duties and responsibility described in the appropriate HEPB class specification.² To determine comparability, the specification must be considered in its entirety (i.e., definition, distinguishing characteristics, typical work, and skills and knowledge required to do the job) rather than focusing on individual parts of the class specification as comparable or non-comparable.
4. Even though the HEPB statute (RCW 28B.16) allows governing boards of institutions to exempt certain categories of HEPB jurisdiction, the State Work Study program statute specifically states that "All positions established which are comparable shall be identified to a job classification under the HEPB's classification plan and shall receive equal compensation." Therefore, regardless of a governing board's action to exempt various categories of employees, if a HEPB classification exists for the position to be filled by a State Work Study program student, the student must be classified accordingly and paid the appropriate HEPB wage rate.
5. The institution has the responsibility to determine appropriate pay rates for State Work Study program placements in accordance with program rules and regulations and guidelines. Placements which are appropriately considered to be non-comparable are not subject to HEPB wage rates. All other placements will be deemed to be comparable; they must be allocated in accordance with HEPB's schema, and must be paid at the rate established for the classified work by the HEPB.

In summary, determination of comparability is an institutional responsibility, but must be exercised in accordance with statutory requirements, rules and regulations, and program guidelines. Neither student status nor part-time status may be factors in determining comparability.

Non-comparability must be rigorously documented.

The classification of State Work Study program positions, the institution's determination of comparability to HEPB classes, and the rate of pay assigned each position are subject to audit.

As noted above, these guidelines implemented the recommendations of the 1982 ad hoc committee, and they remained essentially unchanged through 1992.

² "Class Specification:" The HEPB-approved description of a class consisting of a definition, distinguishing characteristics, examples of typical work, and minimum qualifications needed to meet the requirements of the class.

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1981-82

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1992 REVIEW OF WAGE RATE COMPARABILITY

Last fall, some institutional administrators again questioned the appropriateness of paying SWS recipients Higher Education Personnel Board (HEPB) wages, as well as the HECB staff's interpretation of how comparability should be determined. Many of the arguments for change were the same as had been expressed prior to the last comprehensive review of this issue in 1982, including: difficulties faced by institutions in paying the required 20 percent match; the disparity in wage rates between federal College Work Study and State Work Study recipients, and between SWS recipients and temporary employees (whose wage rates are not regulated by the HEPB); the fact that lower wage rates would allow more students to be served, or for recipients to work more hours; and the belief that students do not have the same job skills or commitment to a job as regular employees. Some financial aid administrators requested that the guidelines for determining comparability be modified to allow greater institutional flexibility.

HECB staff committed to a review of SWS program requirements related to the classification and compensation of SWS positions at public institutions concurrent with the Board's Student Financial Aid Policy Study. A technical task force was appointed to review SWS program requirements for determining comparability between SWS positions and HEPB classifications, and to recommend modifications or continuation of the existing guidelines, as appropriate.

Since the focus of the review was on the standards to be used in the determination of comparability between SWS and HEPB-classified positions, the task force included human resource administrators from public institutions, the State Board for Community and Technical Colleges, the Higher Education Personnel Board, and the Department of Personnel, as well as financial aid and student employment administrators. The task force also included representatives from other constituencies (i.e., organized labor, students, off-campus employers) who had an interest in the outcome. A roster of task force members is attached. To ensure that the concerns which had been expressed would be fully addressed, task force membership included representatives of those who had requested that modifications be made.

First Meeting: Following a staff overview of the program and a review of the history of the comparability issue, the meeting focused on task force discussion of concerns and rationale

expressed by task force members who advocated changes in State Work Study program requirements. Issues discussed by the task force included the following:

- At some institutions, student wage rates are set by the Board of Trustees or by the institution's administrative officers, who may not agree with the SWS requirements (essentially taking pay rate decisions out of the hands of financial aid administrators);
- Student workers are not required to meet HEPB minimum qualification standards, yet they are paid the same as HEPB employees;
- Some institutions do not have the resources to pay the required 20 percent match;
- Student skills and work habits are not the same as those required by entry level persons;
- SWS and federal CWS workers doing the same work are paid different wages;
- Classified workers resent students receiving comparable wages when they believe students do not do a comparable day's work;
- SWS students are more like temporary workers than regular employees;
- More needy students could be served by the program if wage rates were reduced; and,
- The participation of several public institutions and the number and types of SWS positions available on those campuses is limited, due to the reasons cited above.

There was also considerable discussion regarding the factors that should be used in determining whether a State Work Study position is comparable to a position classified by the HEPB, with emphasis on the following questions:

- To be comparable, must a SWS position perform the full spectrum of duties described in an HEPB classification?
- Is a position which requires performance of one duty for more than 50 percent of the time comparable? Is "comparability" related to performance of critical job elements (tasks) or typical work contained in a job classification?

It was noted that the purpose of the SWS program is to provide financial aid to needy students through positions, wherever possible, that are educationally related -- that it is not the intent of the SWS program to serve as an institutional funding source.

After lengthy discussion, members acknowledged that they could not reach consensus that day regarding the determination of comparability. Since resolution of most of the issues required knowledge of personnel classification procedures, task force members Teri Thompson (Manager of Classification and Compensation for the Higher Education Personnel Board) and Dorothy Gerard (Assistant Director in the Compensation and Classification Division for the Department of Personnel) were asked to review the current SWS program guidelines and prepare a recommendation for consideration by the task force.

Second Meeting: A second task force meeting was held two weeks later. Dorothy Gerard and Teri Thompson presented a proposed amendment to SWS guidelines which redirected the focus in the determination of comparability from specific job duties or minimum qualifications and, instead, placed emphasis on the basic functions and distinguishing characteristics of the position, compared to HEPB classifications.

Issues related to differential student wage rates, institutional willingness to pay students HEPB wages, concern over student job skills, the decline in funding for the federal work study program, friction with classified employees over students receiving the same wage rates as full-time workers, etc., were discussed again.

As a possible compromise, the task force discussed whether a single wage rate scale for all on-campus student employees, including SWS recipients, might resolve some of the issues which had been raised. Following discussion, the task force agreed that, because the law is specific with regard to the wages to be paid to SWS recipients filling HEPB-comparable positions, those wage rates cannot be negotiated.

The task force also concluded that wage rates for non-comparable positions should be set by each institution, in keeping with SWS regulations that students filling non-comparable positions be paid the same wage as others in the employing organization who are performing similar work.

The task force discussed at some length whether a single-task job would be considered comparable to a Higher Education Personnel Board position. Following discussion, the task

force concurred that the determination of comparability should be tied to the scope and level of responsibility described in the basic functions and distinguishing characteristics for the HEPB class, rather than on a comparison of duties alone. In that context, some single-task positions will be comparable; others will not be.

The task force concluded that most on-campus SWS positions will be comparable to positions classified by the Higher Education Personnel Board, and that the determination of comparability should be made by institutional human resources administrators who are familiar with the HEPB classifications and are best prepared to evaluate positions for comparability.

The task force concluded that the issues and concerns which had been cited during the committee's deliberations could not override the clear requirement contained in the statute that SWS recipients placed in positions that are comparable to positions classified by the HEPB must be paid the HEPB-specified wages for that position. However, the task force and HECB staff acknowledged that many of the concerns which had been raised should be addressed in other forums.

With the exception of one member, who felt that the existing SWS guidelines best achieved the statutory requirement, the task force unanimously agreed on the following proposed amendment to the "Comparability" section of the current guidelines. (Other sections of the guidelines addressing comparability were not modified.)

- ... 3. No one ~~job task or duty~~ should be isolated in determining comparability or non-comparability. The primary test for comparability between State Work Study program positions and HEPB classified positions must be determined from an analysis of the duties and responsibilities described in the appropriate HEPB class specification. To determine comparability, the specification must be considered in its entirety (~~i.e., definition, distinguishing characteristics, typical work, and skills and knowledge required to do the job~~) rather than focusing on individual parts of the class ~~specification as comparable or non-comparable, with a major emphasis being placed on the level of work described within the Basic Functions and Distinguishing Characteristics sections of the HEPB specification.~~

A job class describes the level of work anticipated for the positions encompassed by the class. Although some job classes encompass several

hundred positions, each of which may have a totally different position description, each is appropriately allocated to the class. If the overall scope and responsibilities of a State Work Study position meets the requirements of the Basic Functions and Distinguishing Characteristics of an HEPB specification, the SWS position must be considered comparable. The fact that a SWS position is assigned a single task listed in the typical work section of the specification shall not of itself determine whether comparability exists. Professional judgement will be required to determine whether some SWS positions are comparable to a position classified by the HEPB. The financial aid administrator should seek the assistance of the campus human resources department in making the determination of comparability.

The primary operational change resulting from task force deliberations is that the determination of comparability should be made through a comparison of the overall scope and responsibilities of the SWS position, as described in the basic functions and distinguishing characteristics of the HEPB specification -- rather than on the percentage of time the SWS recipient is engaged in specific job duties which may be included in an HEPB classification.

The task force recommended that this amendment to the guidelines be forwarded to the Higher Education Coordinating Board as a part of the staff report on this issue and that this language be incorporated into the 1993-94 program guidelines.

STATE WORK STUDY WAGE RATE COMPARABILITY TASK FORCE
1992-93

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