



Associated Students of Western Washington University
Board of Directors

A Resolution Regarding Student Labor at WWU
May 2016

WHEREAS, multiple student employment opportunities including Academic student advisers, orientation student advisers, career services peer advisers, international peer advisers, and Research Writing Center tutors require training(s) in the form of an academic course(s) (SAA 340); and,

WHEREAS, the University does not provide monetary payment to students for their time spent in training courses and academic credits are not legal tender that can be exchanged for goods and services; and,

WHEREAS, pursuant to L&I Administrative Policy ES.C. 2, in order for employee training to *not* be compensated, four conditions must be met including “attendance is voluntary” and “the meeting or lecture is not directly related to the employee’s current work”¹; and,

WHEREAS, the memorandum developed by WWU’s Assistant Attorney General concludes that students’ course participation is excluded from the definition of employment services under the Fair Labor Standards Act because the content of the academic course enhances job performance in campus leadership roles”²; and,

WHEREAS, there is reason, based on communication with the Washington Department of Labor and Industries as well as the outcomes of recent legal settlements over similar practices, to believe that a court decision or agency ruling may alternatively classify these students as employees during their participation in SAA 340, entitling them to compensation; and,

WHEREAS, it is in the interest of the University and students (who are primary funders of the University) to avoid unnecessary costs of litigation and legal settlements; and,

WHEREAS, students may have to pay for these required training courses as part of their quarterly tuition payments if their credit load exceeds 18 credits with the addition of SAA 340; and,

WHEREAS, monetary compensation for multiple periods of employment may not even be greater than the cost of the required training course(s); and,

WHEREAS, due to the alarmingly high total cost of higher education, 80% of students nation-wide must find at least one source of employment during the school year³; and,

¹ Wash. Admin. Code § 296-126. ES.C. 2. Retrieved at <http://lni.wa.gov/workplacerrights/files/policies/esc2.pdf>.

² Assistant Attorney General Robert Leishman to Associate Director of Student Aid Jim DeWilde, October 6, 2015, Attorney General of Washington, Regional Services Division, Application of FLSA to Paraprofessional Advisement courses.

³ Fottrell, Quentin. "80% of Students Work at Least Part-time." MarketWatch. August 8, 2013. <http://www.marketwatch.com/story/nearly-4-out-of-5-students-work-2013-08-07>.

WHEREAS, the total student debt in the U.S. is over \$1.4 trillion⁴ and the average student debt of the WWU graduating class of 2014 is \$21,520⁵; and,

WHEREAS, student employees do not have union representation; and,

WHEREAS, WWU and universities in general depend on labor provided by students to function effectively in multiple areas; and,

WHEREAS, WWU strives to be a model of institutional innovation, and WWU has the opportunity to set a precedent in higher education by ensuring its labor practices are both legal and ethical; therefore,

BE IT RESOLVED, the Associated Students of Western Washington University strongly urge the WWU administration to critically assess the current practice of requiring unpaid training courses for students employment opportunities.

BE IT ALSO RESOLVED, the ASWWU urges the University to alter these training practices to be consistent with state and federal labor regulations as well as the values of the University if an assessment suggests that this is not already the case.

BE IT ALSO RESOLVED, the Associated Students of Western Washington University will commit to critically assessing our own practice of requiring unpaid internships prior to employment and its consistency with state and federal labor regulations as well as the values and mission of the Associated Students and Western Washington University.

BE IT ALSO RESOLVED, the Associated Students of Western Washington University strongly urge the University to refrain from interfering with student worker's rights to organize and/or file complaints with the Department of Labor.

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⁴ Collegedebt.com

⁵ The Project on Student Debt, The Institute for College Access and Success. Retrieved at: http://ticas.org/posd/map-state-data-2015#overlay=posd/state_data/2015/wa

