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STUDENT WORK-STUDY ALLOWANCE PROGRAM

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Chapter 11  
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## 11.01 Introduction

One advantage a Veteran may have by attending training while participating in the Department of Veterans Affairs (VA) Vocational Rehabilitation and Employment (VR&E) program is that he/she may apply for a work-study position. The Student Work-Study Allowance Program is operated by the Education Division within Veterans Benefits Administration (VBA). A Vocational Rehabilitation Counselor (VRC) will work with the Veteran to obtain information on the program, and then monitor the Veteran's grades to ensure the work-study position does not interfere with training. This chapter provides information on how to apply for the program, eligibility requirements, types of work available, wage information, and payment processes.

## 11.02 References and Resources

Laws:	<ul style="list-style-type: none"> <li>Fair Labor Standards Act of 1938</li> <li>5 United States Code (U.S.C.) Chapter 81</li> <li>10 U.S.C. Chapter 1606</li> <li>10 U.S.C. Chapter 1607</li> <li>20 U.S.C. 1161t</li> <li>38 U.S.C. Chapter 30</li> <li>38 U.S.C. Chapter 31</li> <li>38 U.S.C. Chapter 32</li> <li>38 U.S.C. Chapter 33</li> <li>38 U.S.C. Chapter 35</li> <li>38 U.S.C. 101(20)</li> </ul>
Websites:	<ul style="list-style-type: none"> <li><a href="http://www.gsa.gov/portal/forms/download/115390">www.gsa.gov/portal/forms/download/115390</a></li> <li><a href="http://www.benefits.va.gov/WARMS/M22_4.asp">www.benefits.va.gov/WARMS/M22_4.asp</a></li> </ul>
VA Forms (VAF):	<ul style="list-style-type: none"> <li>VAF 22-8690, Time Record (Work-Study Program)</li> <li>VAF 22-8691, Application for Work-Study Allowance</li> <li>VAF 22-8692a, Extended Student Work-Study Agreement</li> <li>VAF 4107-Your Rights to Appeal our Decision</li> </ul>
Non-VA Forms:	<ul style="list-style-type: none"> <li>Form CA 1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation</li> <li>Optional Form 41, Routing and Transmittal Slip</li> </ul>
Reference:	<ul style="list-style-type: none"> <li>Veterans Benefits Administration Manual M22-4, Education Procedures, Part 1, Chapter 9, Work-Study Allowance Program</li> </ul>

### 11.03 Overview of the Student Work-Study Allowance Program

#### a. Who Can Apply

Participants of the following VA programs are eligible to apply for participation in the work-study program if the participant is a full-time or 3/4-time student in a college degree, vocational, or professional program:

- Post-9/11 GI Bill (38 U.S.C. Chapter 33)
- Montgomery GI Bill-Active Duty (38 U.S.C. Chapter 30)
- Reserve Educational Assistance Program (10 U.S.C. Chapter 1607)
- Montgomery GI Bill-Selected Reserve (10 U.S.C. Chapter 1606)
- Post-Vietnam Era Veterans' Educational Assistance Program (38 U.S.C. Chapter 32)
- Dependents' Educational Assistance Program (38 U.S.C. Chapter 35)
- Vocational Rehabilitation and Employment Program (38 U.S.C. Chapter 31)

#### b. How to Apply

To apply for participation in the work-study program, the individual must complete VAF 22-8691, *Application for Work-Study Allowance*, and forward it to his/her VA Regional Processing Office (RPO). See Appendix O, *VA Forms*, for information on how to access this form, as well as all other forms referenced in this chapter.

#### c. Types of Work

The services an individual can perform under a VA work-study program must be related to VA work. Examples of acceptable work include:

- The preparation and processing of necessary papers and other documents at educational institutions.
- Any activity at a VA facility.
- Any activity at Department of Defense, Coast Guard, or National Guard facilities relating to the administration of Chapters 1606 or 1607 of 10 U.S.C.

- Any activity of a State Veterans agency related to providing assistance to Veterans in obtaining any benefit under 38 U.S.C. or the laws of the State.
- A position working in a Center for Excellence for Veteran Student Success, as established under 20 U.S.C. 1161t. The purpose of this center is to support and coordinate academic, financial, physical, and social needs of Veteran students.
- A position working in a cooperative program carried out jointly by the VA and an Institution of Higher Learning (IHL).
- Any Veteran-related position in an IHL, such as assisting with dissemination of general information regarding Veteran benefits and/or services, providing assistance to Veteran students with general inquiries about Veteran benefits via phone, email, or in person, and/or maintaining and organizing Veteran-related files.

d. On the Job Injuries

Work-study students performing duties at their assigned work site will be considered a VA employee for the purpose of receiving benefits under the provisions of 5 U.S.C. Chapter 81, Compensation for Work Injuries. As such, they are entitled to compensation benefits due to personal injury sustained while in the performance of duty or compensation for employment-related disease. The work-study student must inform his/her supervisor of the injury as soon as they become aware of it.

A work-study student wishing to file a claim for worker's compensation must complete a Form CA 1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. This form must be completed and returned to the work-study coordinator within 30 days of the incident. If the work-study student is incapacitated, this action may be taken by someone acting on his/her behalf. This form can be accessed at [www.gsa.gov/portal/forms/download/115390](http://www.gsa.gov/portal/forms/download/115390)

e. Additional Information

If an individual requires additional information about the work-study program, he/she can send an email via [www.benefits.va.gov/gibill](http://www.benefits.va.gov/gibill), click on "Submit a Question" and then click on "Ask a Question". The individual may also receive additional information by calling toll-free, 1-888-GIBILL-1 (1-888-442-4551). If the individual requires the use of the Telecommunications Device for the Deaf, the Federal Relay number is 711. To obtain information on other sources of assistance, the individual should contact his/her financial aid office at his/her school.

## 11.04 Work-Study Coordinator

## a. Designation

Each Regional Office (RO) Director designates one employee to serve as the station's work-study coordinator. This position will be either full time or part time, depending upon the volume of work-study activity.

## b. Responsibilities

VBA manual M22-4 outlines Education Procedures. Part 1, Chapter 9, Work-Study Allowance Program, identifies the following responsibilities for the work-study coordinator:

1. Establish direction and maintain record keeping and control of the local work-study program.
2. Provide the RO Director with sufficient information to ensure the efficient management of the local program.
3. Review all applications and approve or disapprove applicants.
4. With a properly executed delegation of authority, authorize all work-study agreements and sign correspondence.
5. Recommend to the RO Director the approval or disapproval of the completion of services under a work-study agreement when there is a later reduction in training time.
6. Ensure the maximum use of work-study students in all outreach efforts initiated by the RO.
7. Provide for the supervision of outreach work-study students assigned to non-VA organizations.
8. Actively cultivate work-study opportunities within VBA, Veterans Health Administration (VHA), National Cemetery Administration (NCA) and appropriate non-VA organizations.
9. Ensure that all work-study positions to be performed at non-VA organizations are in accordance with the law and applicable regulations.
10. Maintain records describing the duties to be performed by work-study students at each work-study position.

11. Actively recruit work-study students to take full advantage of current opportunities.
12. Seek adequate advice on any questions or issues that arise during implementation of the local program.
13. Verify hours of enrollment through Benefits Delivery Network (BDN) or Subsistence Allowance Module (SAM).

c. Participant Selection Process

In addition, the work-study coordinator plays a major role in the selection process for participation. The following factors must be considered when selecting participant:

1. Service-Connected Disability (ies)

Veterans with service-connected disabilities rated at 30 percent or more will be afforded priority in the awarding of work-study contracts. All applicants with service-connected disabilities rated 30 percent or more must be hired before other applicants are hired, whenever feasible.

2. Financial Need

The degree of financial need of the individual applicant must be assessed to efficiently reach the target group of individuals who can benefit most from the additional allowance the work-study allowance program provides. Consideration of financial need should include, but should not be limited to, the following:

- Number of dependents
- Living expenses, including dependents' living expenses
- Unusually high tuition and fees
- Unusual family medical expenses

Consideration of financial need should focus on those needs of the applicant that may be met by the work-study allowance. A fundamental question the work-study coordinator will ask in each case is whether or not the work-study allowance will enable the applicant to enter or continue in a program of education or training.

### 3. Chapter 35 Applicants

The work-study coordinator will assign Chapter 35 students appropriate work-study activities. These students must be pursuing a program of education in a state. A "state" means each of the several states, territories, and possessions of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the Canal Zone (38 U.S.C. 101(20)).

### 4. Availability of Transportation

In determining job site location, the work-study coordinator will determine if the applicant is able to obtain reliable and affordable transportation to a particular worksite. The selected worksite should be within what is considered a normal commuting distance.

### 5. Motivation

Evaluating the motivation of the work-study applicant can be a largely subjective process. Generally, the work-study coordinator will determine the applicant's motivation by his/her statement of interest in the program, as well as from any interview information provided by the referring official or supervisor.

A primary motivation for a student pursuing a course of study should be attainment of a particular educational or training objective. In those instances in which an applicant for work-study employment is either receiving, or has a history of receiving VA tutorial assistance allowance, the work-study coordinator will carefully consider the suitability of such employment. If the work-study coordinator determines that the time that the applicant has available for performing work-study services would have an adverse effect upon the overall pursuit of an educational or training objective, the work-study coordinator will not offer the applicant a work-study agreement.

### 6. Work Assignments and Disabilities

If an individual has a disability, the work-study coordinator will ensure the work-study assignment is compatible with the disability. The work-study coordinator will consult with the Veteran's VRC if there is any doubt about the compatibility of the disability (either service-disabled or not service-connected), and the work assignment.

### 7. Job Modification and Reasonable Accommodation

The work-study coordinator will refer the case to the Veteran's VRC if he/she believes the Veteran requires an evaluation for job modification and/or reasonable accommodation.

#### 8. Delimiting Date

The work-study coordinator will ensure that sufficient time is available within the agreement period to enable the student to complete the hours entailed in the contract before the student's delimiting date.

### 11.05 Payments

Payments for the work-study program are processed by the Education Division within the four Regional Processing Offices (RPO). The following provides information on payments for new contracts, how to request additional hours, and how to report the number of hours worked.

#### a. Payments for New Contracts

##### 1. Advance Payment Cases

A student selected for the work-study program that elects to receive an advance payment will be paid an amount equal to 40 percent of the total amount of the work-study allowance, but not more than an amount equal to 50 times the applicable minimum wage to be paid under the agreement. Students may receive only one advance payment per certified enrollment period (term, quarter, semester, or school year). The student will be paid the work-study allowance at the Federal minimum wage or the State minimum wage (if the state has a minimum wage), whichever is greater. The work-study coordinator will make this advance payment at a rate equal to the hourly minimum wage in effect under section 6(a) of the Fair Labor Standards Act of 1938, or the applicable State minimum wage law. Even though work-study hours have been contracted at a lower rate, any hours of work performed on or after the effective date of a minimum wage increase will be paid at the higher rate.

The work-study coordinator will review the student's work schedule to ensure that the student has worked or is in the process of working the number of hours for which the advance payment was made 30 to 60 days after the issuance of an advance payment. If there is no evidence that the student is working, the work-study coordinator will take action to verify employment and the anticipated completion date of the hours paid in advance. If appropriate, the work-study coordinator will terminate the work-study contract and establish an accounts receivable to recover the overpayment.

After the initial advance payment of the work-study allowance, students will be paid upon completion of each 50 hours worked or once a month, whichever comes first.

## 2. Non-Advance Payment Cases

A student selected for the work-study program that elects not to receive an advance payment will be paid for the hours shown on his/her time card. The work-study coordinator will pay the work-study allowance at the Federal minimum wage or the State minimum wage (if the state has a minimum wage), whichever is greater. Even though work-study hours have been contracted at a lower rate, any hours of work performed on or after the effective date of a minimum wage increase will be paid at the higher rate.

Note: Payment upon completion of each 50 hours worked, or the amount of hours worked each month if less than 50 hours, is a guideline to make it easier to administer the work-study program. If a time card is submitted showing the student worked more than 50 hours, the work-study coordinator may authorize payment for the total number of hours worked rather than limit reimbursement to 50 hours.

### b. Request for Additional Hours

A student may request additional hours if the current contract did not exhaust the maximum hours permitted during the certified enrollment period. The work-study coordinator will consider the student's request on the same basis as other requests for work-study benefits pending at that time. The work-study coordinator will process a request for additional hours as an extension of the current contract rather than a new contract, and the student will complete VAF 22-8692a, Extended Student Work-Study Agreement. The following examples of requests for extensions illustrate this principle:

Example 1: A student enrolled for one semester (15 weeks) originally requested a contract for 100 hours, completes those hours and now requests an additional 100 hours during the same semester.

Example 2: A student enrolled for an entire school year (two semesters of 15 weeks each) originally requested a contract for 300 hours, completes those hours during the first semester and requests an additional 300 hours during the second semester.

c. Reporting Hours Worked

1. Time Card

Hours worked are noted on VAF 22-8690, Time Record (Work-Study Program). The work-study coordinator will complete items 1 through 6a on the form before sending it to the work-study student's designated supervisor if the student is working outside the RO. The person responsible for supervising the work-study student will generally maintain the time card.

2. Reporting of Hours

The work-study student's supervisor must submit a time card to the work-study coordinator to report the hours worked after the student completes each 50 hours of service or once a month, whichever comes first.

The student's current mailing address must be shown on the time card when it is submitted for payment. The work-study coordinator may accept a fax or a copy of any time card and authorize payment based on the fax or copy. However, the work-study student's supervisor must also submit the original time card to the coordinator when the student completes the entire contract or ceases to perform services before the completion of the contract. The work-study coordinator has the authority to withhold the authorization of payment until the original time card is received if the fax or the copy appears to have been altered or appears questionable.

11.06 Unscheduled Terminations and Reductions in Training Time

a. Written Notice of Termination

If an agreement is terminated by either the student or VA, the work-study coordinator will take the appropriate action to terminate the record and give written notice of this termination to the student and his/her supervisor. If the student ceases to perform the agreed-upon service and does not notify VA, the work-study coordinator will send the student a letter providing him/her with a notice of termination stating why the agreement is terminated and the effective date of termination. The work-study coordinator will include VAF 4107, Your Rights to Appeal Our Decision, with the letter. In the event an unscheduled termination cannot be avoided, the work-study coordinator will use the date that the student last performed service as the date for computing the allowable cumulative hours on the time card.

b. Reduction Awards

1. Advance Payment Cases

If a student reduces his/her training time to less than 3/4 time after receiving an advance payment and continues training at the reduced rate after he/she signs a work-study agreement, the work-study coordinator will normally allow the student to complete the number of hours for which an advance payment was issued. The work-study coordinator will fully document the situation in a memorandum requesting the concurrence of the Director, or his/her designee, before taking the following action:

- The work-study coordinator will disallow further payment if he/she believes that it is in the best interest of VA and the student not to allow the student to complete the number of hours for which an advance payment was issued; or
- VA will allow further payment if the work-study coordinator believes that it is in the best interest of VA and the student to complete the full number of hours of service specified in the agreement.

The work-study coordinator will keep a copy of the approved memorandum for a period of 12 months.

If the student is not allowed to complete the number of hours for which an advance payment was issued, the work-study coordinator will terminate the contract and send the student a letter notifying him/her of the specific reason(s) for the action taken. The work-study coordinator will include VAF 4107 with the letter, and send a copy of the letter to the student's supervisor and to the Veteran's VRC.

If the student is allowed to complete the full number of hours specified in the agreement, the work-study coordinator will send the student a letter stating that he/she can complete those hours either during the same term, quarter or semester in which he/she ceased to train 3/4 time or the next term, quarter or semester immediately following. In no event may the student perform services beyond his/her delimiting date. The work-study coordinator will send a copy of the letter to the student's supervisor and to the Veteran's VRC.

2. Non-Advance Payment Cases

If a student reduces the rate of his/her training to less than 3/4 time, has not received an advance payment and continues training at the reduced rate of training after he/she signs a work-study agreement, the work-

study coordinator will normally allow the student to complete the number of hours in the contract.

Alternatively, the work-study coordinator will fully document the situation in a memorandum requesting the concurrence of the Director, or his/her designee, if the work-study coordinator believes that it is in the best interest of VA and the student not to allow the student to complete the number of hours in the contract. The work-study coordinator will keep a copy of the approved memorandum for a period of 12 months.

If the student is not allowed to complete the number of hours in the contract, the work-study coordinator will terminate the contract and send the student a letter notifying him/her of the specific reason(s) for the action taken. The work-study coordinator will include a VAF 4107 with the letter and send a copy of the letter to the student's supervisor, and forward a copy to the Veteran's VRC.

If the student is allowed to complete the full number of hours specified in the agreement, the work-study coordinator will send the student a letter stating that he/she can complete those hours either during the same term, quarter or semester in which he/she ceased to train 3/4 time or the next term, quarter or semester immediately following. In no event may the student perform services beyond his/her delimiting date. The work-study coordinator will send a copy of the letter to the student's supervisor, and forward a copy to the Veteran's VRC.

#### c. Termination Actions

##### 1. Advance Payment Cases

If a student terminates his/her training after signing a work-study agreement, the student will not be allowed to complete any additional hours beyond the hours represented by the advance payment. If the hours represented by the advance payment have not been completed and the work-study coordinator believes that it is in the best interest of VA and the student to complete those hours, he/she will fully document the situation in a memorandum requesting the concurrence of the Director, or his/her designee, before taking such action. The work-study coordinator will keep a copy of the memorandum for a period of 12 months.

The work-study coordinator will take action to terminate the contract on the appropriate date and send the student a letter notifying him/her of the specific reason(s) for the action taken. The work-study coordinator will include VAF 4107 in with the letter, send a copy of the letter to the

student's supervisor, and forward a copy of the letter to the Veteran's VRC.

## 2. Non-Advance Payment Cases

If a student terminates his/her training after signing a work-study agreement and has not received an advance payment, the student will not be allowed to complete any additional hours beyond the hours during the month in which he/she terminates training.

If a student has other education benefits suspended because of unsatisfactory progress, the student may only complete those hours of uncompleted service during the month in which VA suspended his/her benefits.

The work-study coordinator will take action to terminate the contract on the appropriate date and send the student a letter notifying him/her of the specific reason(s) for the action taken. The work-study coordinator will include VA Form 4107 in with the letter, send a copy of the letter to the student's supervisor, and forward a copy of the letter to the Veteran's VRC.

## d. Actions on Debts

### 1. Advance Payment Cases

The work-study coordinator will consider any hours of unperformed service for which the student received an advance payment as a debt subject to recovery. The amount of the debt will be an amount equal to the number of hours of unperformed services multiplied by the hourly rate of the advance payment. Collection of these overpayments will be actively pursued by the work-study coordinator. In the event of a work-study overpayment, the work-study coordinator will note all appropriate information on an Optional Form 41, Routing and Transmittal Slip, and forward this to the Finance activity or to the employee responsible for the introduction of the overpayment to the education Master Record in BDN.

### 2. Non-Advance Payment Cases

The work-study coordinator will consider any hours of unperformed service for which the student received payment as a debt subject to recovery. The amount of the debt will be an amount equal to the number of hours of unperformed services multiplied by the hourly rate of the payment. Collection of these overpayments will be actively pursued by the work-study coordinator.

In the event of a work-study overpayment, the work-study coordinator will note all appropriate information on an Optional Form 41 and forward it to the Finance activity or to the employee responsible for the introduction of the overpayment to the education Master Record in BDN.

#### 11.07 VR&E Specific Information

The following provides information on work-study program processes that are specific to VR&E.

##### a. Program Orientation

After a VRC determines a Veteran is a good candidate for the work-study program, and that a part time job will have no negative effect on the Veteran's progress and grades, the counselor may provide the Veteran with a brief introduction to the Student Work-Study Allowance Program. The counselor needs to ensure that the Veteran understands that maintaining a good grade point average (GPA) is paramount in succeeding in his/her training program. The VRC should already have a good rapport with the RO Education Student Work-Study Allowance Program Coordinator in order to:

- Be knowledgeable as to what types of work-study positions are available.
- Know where potential work-study positions are located.
- Ensure the Veteran's experience with a work-study position is positive.
- Ensure the Veteran does not accept a position that aggravates his/her disability (ies).

##### b. Temporary Sensitive Level 6 Access

VRCs, particularly those working at out-based sites, may experience difficulty managing cases, such as work-study students, Veteran employees, and Veteran Service Officer employees, if the VRC does not have the needed sensitive access level. Therefore, for the VRC to effectively manage a case with one of the aforementioned employees, a deviation to the sensitive level access policy would be required.

For example, if a VA work-study student is participating in the VR&E program, the VRC assigned to the case will need to be granted temporary sensitive level 6 access to sufficiently manage the case in both Corporate WINRS (CWINRS) and BDN. This temporary access would be revoked upon the Veteran's program completion or termination. The RO, Assistant RO Director,

or his/her designee must approve this request for temporary access to a sensitive level higher than the employees' current sensitive level. See M28R.II.A.5 for information on how to complete this request.

c. Participant Access to Information

Work-study participants who are assigned to perform duties within a VR&E program office (with the exception of any Veteran approved by VR&E for a special program, e.g. Coming Home to Work) must be limited to read-only access in BDN and CWINRS.