

Date: October 11, 2013 Code: Technical Letter
HR/Appointments 2013-03
To: CSU Presidents
Supersedes: HR/Appointments 2013-02
From: Gail E. Brooks
Vice Chancellor
Human Resources 
Subject: Recruitment and Hiring Guidelines for MPP and Staff (Non-represented and Represented) Positions

Overview

Audience: Human Resources Directors, Human Resources Officers and/or campus designees responsible for administering California State University (CSU) policy and procedures governing recruitment and hiring for MPP and staff (non-represented and represented) positions.

Action Item: Review and evaluate current recruitment policies.

Affected Employee All CSU MPP and staff employees, search committee members, and job applicants

Group(s)/Units:

Summary

This technical letter is being redistributed with updated information regarding search/selection committees for the recruitment and hiring of MPP and staff (non-represented and represented) positions. Additional information has been added in **bold**. Campus designees responsible for administering the CSU recruitment policy for these positions should read the rest of this HR letter.

As a result of a Bureau of State Audit on CSU hiring practices, several recommendations on providing systemwide guidance to ensure campuses employ consistent search processes and develop appropriate policies in hiring for staff and management personnel positions was recommended. This technical letter addresses these recommendations by providing guidelines to assist campuses in their effort to recruit the best qualified candidates to positions in the CSU, while ensuring that the search process produces broad and diverse candidate pools and that all aspects of the process are non-discriminatory.

This technical letter is organized in the following manner:

- Introduction and Purpose
- The Search Process
 1. Pre-Recruitment
 2. Recruitment
 3. Screening
 4. Interviews
 5. Selection and Offer of Employment
- Search is Completed

Distribution:

Human Resources Directors
Associate Vice Chancellor, Human Resources

Introduction and Purpose

The CSU seeks to recruit, retain, and engage highly talented and diverse employees who will advance the CSU mission.

The recommendations that follow are intended as guidelines and are not intended to be prescriptive. It is expected that each campus will adapt these guidelines to their own needs and develop internal policies and practices for staff and MPP searches. Campuses have a responsibility to provide training to individuals who will be involved with staff or MPP searches, and should identify an individual or individuals with the responsibility of monitoring the process. It is especially important that members of search committees comply with established campus policies and obtain permission before deviating from published processes.

The Search Process

The typical search process has five phases: pre-recruitment, recruitment, screening, interviews, and selection/offer of employment. The recommendations that follow address each of these phases.

1. Pre-Recruitment

To start recruitment, the recruitment must be approved through a campus approval process. During the pre-recruitment phase, a recruiter is typically assigned to oversee the recruitment and advise the hiring manager on process/policy, including formation of a selection committee, where appropriate, and the designated chair (applicable if hiring manager is not a member). The recruiter will work closely with the hiring manager/selection committee chair to ensure the selection committee members comply with established campus policies and HR processes; and also will assist in the recruitment, and development of the position announcement which must be consistent with the position description. The recruiter should discuss with the hiring manager/selection committee chair the following: campus recruitment procedures, posting requirements, guidelines for legally permissible employment inquiries (including background checks and references), the salary hiring range (within the classification salary range and taking into consideration internal/external equity), and the hiring manager's expectations regarding assistance by HR during the process.

Creation of the position announcement:

The position announcement is posted as required by campus policy and any applicable collective bargaining agreement. It forms the basis for advertisements of the position as well as for screening criteria. It is both a key recruitment tool and a mechanism for defining the pool of people who might apply. Considerable care and attention should therefore be given to developing the position announcement. The position announcement should be consistent with the position description which includes the duties and requirements of the position. The position announcement is typically created by the recruiter/human resources staff and reviewed by the hiring manager/selection committee chair before the position is posted. The position announcement includes the classification title, skill level, description of duties, desirable experience, minimum qualifications (when applicable), salary range for the classification or sub-range applicable to the skill (where applicable), and specialized skills if any.

Recommendations:

- The content of the position announcement must be honored; in particular, a search will be liable to challenge if the individual ultimately selected does not meet the requirements established in the announcement. If the position announcement specifies that a particular educational degree is *required* for appointment, the campus should verify possession of this credential before appointment to the position. Note: It may be preferable for the announcement to permit consideration of "equivalent experience" in lieu of a degree.

- Be mindful of approaches that may broaden the pool of applicants. For example, avoid narrow specialization requirements by advertising "open until filled" rather than using a cutoff date for applicants. Suggested language that may be used: "Resumes will be accepted until Month/Day/Year or until a job posting is removed."
- Ensure that the *required* and *preferred* qualifications in the position announcement establish the criteria used in screening; therefore, consider how one might be able to determine whether the proposed criteria have been met.
- An overly restrictive list of *required* qualifications may unnecessarily limit the potential pool of applicants, and may remove some strong candidates from further consideration.
- The position announcement is an opportunity to highlight the mission of the CSU and the unique features of the campus and the hiring unit. Consider including points of pride in the overview to market the benefits of state service and student success. The announcement may also include a statement stating that the campus is a smoke and/or tobacco free environment.
- For positions subject to the E-Verify program and/or Conflict of Interest (COI) filing requirements, full disclosure of these position requirements should be provided on job postings. Suggested language that may be used for E-Verify disclosure: "This position is funded by a qualifying federal contract, requiring new hire employment verification to be processed through the E-Verify program administered by the Department of Homeland Security, U.S. Citizenship and Immigration Services (DHSUSCIS), in partnership with the Social Security Administration (SSA)."
- Suggested language that may be used for COI disclosure: "This position is a "designated position" in the California State University's Conflict of Interest Code. The successful candidate accepting this position is required to file Conflict of Interest forms subject to the regulations of the Fair Political Practices Commission." In reference to the full disclosure letter, please refer to *HR 2010-08*.
- Background checks are required for positions identified as "mandated reporters" under the California Child Abuse and Neglect Reporting Act (CANRA). Suggested language that may be used in the position announcement: "The person holding this position is considered a "mandated reporter" under the California Child Abuse and Neglect Reporting Act and is required to comply with the requirements set forth in CSU Executive Order 1083 as a condition of employment." For more information on mandated reporters, please see EO 1083.
- For all positions subject to a background check, suggested language that may be used: "Due to the nature of this position, the successful candidate is required to complete a background check prior to assuming this position."

Formation of the search committee:

The hiring manager will identify who will participate on the selection committee unless campus policy specifies otherwise. The hiring manager/selection committee chair and the selection committee members, working alongside the recruiter, are responsible for the initial recruitment, candidate screening, and identification of a group of finalists for the recruitment. It is recommended that primarily MPP employees participate as selection committee members except when campus policies/practices require otherwise.

Recommendations:

- **Human Resource and department managers should make every effort to ensure that women and minorities have equal opportunity to serve on search committees. Departments that lack diversity in their own staff should consider appointing individuals outside the department, provided such service does not contravene established policies.**
- Members of selection committees should be made aware of policies governing the search before beginning the recruitment, and should participate in training as appropriate.
- The members of the selection committee should be trained to understand campus policies on recruitment, particularly as they relate to equity and affirmative action.

- Members of search committees should be aware of potential sources of conflict of interest (for example, serving as a reference for a candidate as well as a member of the committee). In some cases, recusal may be the most appropriate action.
- Policies and procedures should include the removal of a committee member who acts inappropriately or fails to follow the guidelines or other CSU policy on recruitment.

2. Recruitment

Ideally, a successful recruitment will result in a broad and diverse pool of applicants. If a search fails because of an inadequate pool of candidates and a new search must be initiated, the recruitment strategy should be examined to see how it could be improved.

Applications

All applicants should be sent an Applicant Questionnaire to be returned to the Equal Employment Opportunity (EEO) Office or HR. If the campus uses an online application process, distribution of the questionnaire should be included.

In addition, 41 CFR 60-1.12 has been revised to specify which applications employers must retain and from which individuals employers must attempt to collect demographic information when employers accept applications over the Internet or a related electronic data technology. The amendment, known as "the Internet Applicant Rule," is available at <http://webapps.dol.gov/FederalRegister/PdfDisplay.aspx?DocId=11151>. A Frequently Asked Questions document, issued by the Office of Federal Contract Compliance Programs (OFCCP), is available at <http://www.dol.gov/ofccp/regs/compliance/faqs/iappfaqs.htm#Q1A1>. In reference to the Internet Applicant Rule letter, please refer to *HR Letter 2007-11*, which can be found at <http://www.calstate.edu/HrAdm/memos.shtml>.

Recommendations:

- Each search should have a recruitment plan, approved by HR.
- Allow adequate time for advertising. Sufficient time should elapse between the announcement of the vacancy and the beginning of screening.
- Advertise as broadly as possible, including appropriate publications, job search engines, and/or job related Web sites to include advertising sources but not limited to: Monster, CareerBuilder, HigherEdJobs, the Chronicle for Higher Education, etc. All CSU positions should be posted to the CSU Careers web site. In addition to traditional advertisements, announcements made through profession groups assist in building a broad applicant pool may be used. Examples include making the available of positions known at professional conferences and through professional organizations.
- Position announcements may also be faxed/e-mailed to CSU campus HR departments, and to Employment Development Department (EDD) and/or Disabled Veteran's office (per EDD guidelines).
- To comply with the campus EEO compliance plan and other legal and collective bargaining obligations, position announcements should be posted a minimum of two weeks in order to allow time to obtain a broad pool of candidates before a position is filled.
- The Equal Employment Opportunity Commission (EEOC) considers the following to be barriers to equal employment opportunity in recruitment and hiring: failing to advertise widely, recruitment practices that overlook or fail to seek all qualified individuals, and reliance on informal networks of recruitment or word-of-mouth.
- Campuses should establish processes, if they do not already exist, for monitoring the search process and the applicant pool during recruitment. Typically this is a responsibility of the campus EEO or HR office. The process should include a "pool approval" step, in which the appropriate administrator may either authorize screening to begin, extend the recruitment period for the purpose of attracting additional applications, or

cancel the search if, in the judgment of the administrator, the pool is insufficient in size and quality to produce a successful outcome.

3. Screening

The screening process typically begins with a review of the application materials submitted by each candidate, which may include a letter of interest/cover letter from the candidate, the curriculum vitae/resume, either letters of recommendation or a list of references, and other materials that may have been identified. After identification of candidates who meet the minimum qualifications listed in the position announcement, the committee should establish criteria based upon the position announcement to narrow the remaining applicants to a group of finalists, if applicant pool remains large. In many cases, the committee members separately rank the applications using established criteria, then reconvene as a committee to identify either a semifinalist group or a finalist group. Note: For certain positions, the committee must honor applicable collective bargaining agreement requirements pertaining to preferences to be afforded to qualified applicants currently employed at the campus.

Recommendations

- The screening and selection process should be developed and articulated in advance, and approved by the appropriate administrator and/or HR before screening begins.
- Screening criteria must be based on the stated qualifications on the position announcement.
- It is especially important that every applicant active at a given stage of the process receive the same treatment. Therefore, all communications with candidates should be handled by one person – typically the recruiter assigned to the position. Scheduling of interviews or travel arrangements may be communicated by the hiring manager, selection committee chair, selection committee, and/or the human resources administrative recruitment staff.
- Applications should be treated as confidential until a selection is made unless campus policies/practices permit otherwise and the applicants were notified.

4. Interviews

In the interview process, the most qualified applicants meeting the minimum and preferred qualifications will be interviewed subject to requirements in applicable collective bargaining agreements including preferences afforded to qualified applicants currently employed at the campus.

It is recommended that departments interview at least three applicants for a position, unless the pool lacks a sufficient number of qualified applicants. The recruiter may assist the hiring manager/selection committee chair with scheduling of the candidates and compiling of interview materials (hardcopy or electronic) to include the interview schedule, applicant resume, job application, interview questions, and other documentation such as a rating sheet or candidate assessment form, etc. The hiring manager/selection committee chair/selection committee should read and become familiar with the Department of Fair Employment and Housing (DFEH) Guidelines on nondiscriminatory interview questions. Proposed interview questions should be submitted to and approved in advance by the recruiter/human resources.

Recommendations:

- The selection committee should develop a set of questions specific to each stage of the process (e.g. telephone interviews, on-campus interviews) that will be asked of each candidate interviewed at that stage. Note: Appropriate follow-up questions are permitted based on responses by individual applicants.
- For consistency purposes, all members of the selection committee should participate in all interviews of all candidates (although it is acceptable for a subcommittee or HR to screen the applications for minimum qualifications). Campuses should have a process in place to address consequences should this process be compromised.

- Even if a candidate is already known to committee members (for example, because the candidate has been working in the department), steps should not be skipped in the process.
- Communication with candidates on the progress of a search assists in reducing calls and duplicate applications. Candidates should receive communication at the conclusion of the search process.
- A campus visit by candidates can assist in the recruitment process. It provides an opportunity to highlight the benefits of working for the CSU, such as the defined benefit pension system, as well as pride points about the campus, including its diversity, special programs and initiatives, distinctions, and so forth. The visit could include a tour of the campus as well as the work area, a meeting with a benefits representative, and/or other activities that serve to represent the campus as a desirable place to work. It is important to represent the campus as it is and to highlight its mission. In most cases, meal times can be used as opportunities for informal interactions between the candidate and selection committee members or others from the department; at some point in the visit, the candidate should be provided an opportunity to ask questions and provide candid answers about working in the department and on the campus, living in the area, and other items of interest specific to the candidate.
- Campus visits normally include other members of the department in addition to the selection committee, as well as meetings with appropriate administrators. Comments expressed by colleagues or other staff members who are not committee members should have no bearing or impact on the recommendation of the committee, except as part of formal input solicited according to campus policy. The hiring manager and selection committee are responsible to evaluate and recommend or not recommend candidates for a position. All members of the committee should be present at formal interview events (interview with committee, formal presentations). To ensure a fair assessment of all candidates, if a selection committee member misses a candidate's visit or cannot attend all scheduled interviews, it may be necessary for the selection committee member to recuse him/herself from participating in the selection process and the committee's recommendation.

5. Selection and Offer of Employment

The hiring manager/selection committee chair notifies the recruiter of the most qualified candidate and/or best fit for the position, subject to any applicable collective bargaining agreement requirements as discussed above. The hiring manager/selection committee chair should provide the desired starting salary and start date as well as documentation/justification of the selection of the candidates. Examples of documentation could include a numerical rating system (sample provided in Attachment A) which assigns points for valid job-related criteria or a written statement of the reasons for selecting the successful candidate and the reasons for the nonselection of all other interviewed candidates for each interviewed candidate.

Before an offer of employment is extended to the candidate, appropriate checking of professional references (oral and/or written) must be conducted for each position. While obtaining authorization for reference checks, campuses may also conduct online searches of final candidates. If a campus utilizes online search engines as a part of the recruitment process, such searches must have consistent practices and adhere to state and federal laws. Campuses should be reminded that online searches are another tool used in the review of candidates' qualifications; information acquired during the course of the search should be considered only based on the candidates' job-specific qualifications. If the references are deemed successful based on the discretion of the recruiter and/or hiring manager, the recruiter/human resources may proceed to extend the offer. A "contingent" offer is made by the recruiter/human resources to the candidate, and confirmed by a written appointment letter. The written appointment letter is prepared by human resources for signature by the appropriate campus executive, and is (e-)/mailed or delivered by human resources to the candidate.

The recruiter along with the hiring manager/selection committee chair should establish the parameters of the terms of conditions of appointment once the top candidate has been selected; under no circumstances should anyone who is not authorized to negotiate these terms make any formal offers or promises to a candidate. The recruiter/human resources or hiring manager may negotiate and present the formal offer to the selected

candidate. Matters that might be negotiated would include compensation, relocation/moving expenses and other terms of the appointment such as start date.

Recommendations:

- For each search, it is recommended that a designated individual (e.g. recruiter, department chair or selection committee member) be assigned the responsibility of checking references of finalists; if this is not possible, an alternate strategy to guard against bias by a committee member is to assign references to committee members such that no one committee member calls more than one reference for a particular candidate.
- The campus should verify degrees and employment history prior to making an offer to a candidate.

In order to make prudent hiring decisions based upon comprehensive job-related information, the campus may conduct background checks on applicants before an offer is extended to the selected candidate (except when campus policies/practices require otherwise). The campus president or designee determines the appropriate entity to conduct background checks. Background checks may be conducted by an outside vendor or by a campus department. If a present or past employee at one campus transfers or otherwise is seeking employment at another CSU campus, an appropriate administrator at the gaining campus should contact the former campus with respect to the performance of the candidate concerned while at that institution. In addition, background checks may be conducted when an applicant gives a written or verbal affirmative response to the question on the employment application concerning previous convictions of crimes as an adult. In reference to background check policy guidelines, please refer to *HR Letter 2005-10* and *HR Letter 2008-25*.

Search is Completed

After a search is completed, the selection process and offer has been accepted, at this point the campus human resources department should inform candidates who have not been selected for the position. This process may be done via email/electronically, verbally, or by mailing a hardcopy letter to the applicant.

Retaining Recruitment Records:

Major federal antidiscrimination laws addressing the retention of hiring records include Title VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act, and the Americans with Disability Act. These laws require the CSU to:

- Retain hiring records for each position for at least three years from the date of the hiring decision (i.e., the date the position was filled). Hiring records include, but aren't limited to, job advertisements and postings, all applications and resumes considered for the position, selection tests (employment tests, drug tests), and investigations (reference checks, background or credit checks).
- Retain all relevant hiring records until final disposition of the case, if there is a pending charge or lawsuit claim of discrimination against the CSU.
- Retain all relevant hiring records for two years after the adverse impact is eliminated, if there was an adverse impact found in the selection process.
- Hiring records should be transitioned to the personnel file of the applicant who was hired, and should be retained 3-5 years after separation, depending on separation type. In reference to employees' records retention and disposition schedule, please refer to http://www.calstate.edu/recordsretention/documents/personnel_payroll.pdf.

In addition, after the search is completed, the campus has an opportunity to look back and evaluate the success of the recruitment plan and the search/selection process. Campuses are strongly encouraged to use such assessments to continuously improve their search/selection strategies.

Questions regarding this technical letter should be directed to Systemwide Human Resources at (562) 951-4411. This document is available on the Human Resources Management's Website at <http://www.calstate.edu/HrAdm/memos.shtml>.

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Attachment