



Hiring Category A&B Employees

SPF EQUAL EMPLOYMENT OPPORTUNITY

UPDATED JUNE 2016

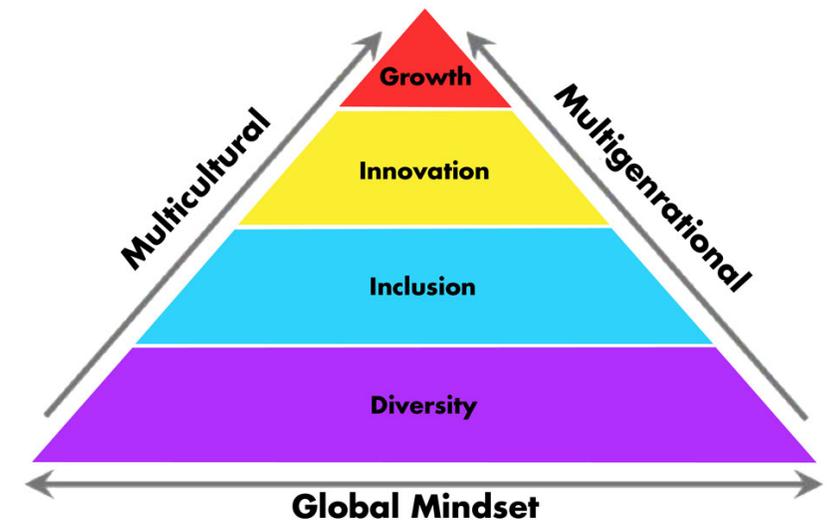
SPF Hiring Then & Now

- ▶ SPF is committed to providing Equal Employment Opportunity in its personnel policies and practices. It is SPF's policy to recruit, hire, train and promote into all job levels, employees and applicants without regard to race, color, religion, age, sex, marital status, sexual preference, religious grooming practice, religious dress practice, gender identity, national origin, physical or mental disability, veteran status or any other protected classification under federal, state, or local law.
- ▶ All such decisions are based on (1) individual merit, qualifications, and competence as they relate to the particular position, and (2) promotion of the principle of equal employment opportunity.



So What Changed?

- ▶ Complying with the regulations set forth in Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, the Vietnam Era Veterans' Readjustment Act of 1974, as amended (38 U.S.C. 4212) and their implementing regulations.
- ▶ Written Affirmative Action Plan
 - ▶ Reporting on applicants vs. hires.
- ▶ Changes to the hiring process for Category A and B employees will help to ensure that diversity is obtained and maintained amongst SPF employees.
- ▶ Expanding your recruitment efforts helps broaden your potential for finding well-qualified individuals to do the job!



Equal Employment Opportunity is **THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

New Stuff

- ▶ Recruitment
- ▶ Disposition
- ▶ Retention

Recruitment

- ▶ Job vacancy announcements must be sent to the CSC as soon as you know you need to hire!
 - ▶ Must be posted in minimum of two places:
 - HSU Human Resources Website
 - Cal Jobs
 - ▶ Announcements must be available in every location for the same amount of time.
 - ▶ Announcements must all have same info (short forms can provide link to HSU posting).
 - ▶ **SPF will assist you!** (1-2 business days to post)
 - ▶ Announcements must include proper lingo and links to applicant EIF.
 - ▶ Sample [Job Vacancy Announcement](#).



Employee Information Form

- ▶ The Self-Identification Form for Job Applicants **must be submitted** by each applicant. It is your responsibility to obtain this form before considering the applicant.
- ▶ What information is being collected?
 - ▶ Ethnicity
 - ▶ Gender
 - ▶ Protected Veteran Status
 - ▶ Disability Status
- ▶ Applicants can decline to identify, but they *must* fill out the form!

Recruitment Q&A

- ▶ Q: How long does my announcement need to be listed?
 - ▶ A: It is up to you! You may leave the announcement up however long, as long as you are consistent. SPF suggests an application review date of 2 weeks out. If you do not find the right person for the job during the first review, you can re-post.
- ▶ Q: What if I want to post the announcement somewhere besides HR/Cal Jobs?
 - ▶ A: That's fine too! As long as all announcements are posted on the same day and taken down on the same day. No unfair advantages to any one population.
- ▶ Q: What if the applicant submits a resume without the Self-Identification Form?
 - ▶ A: You should contact the applicant as soon as you notice it is missing and let him/her know that their application/resume cannot be considered until they submit a Self-Identification Form as well.

Disposition

- ▶ Now that you have recruited qualified applicants, its time to review and make a decision.
- ▶ You must complete and submit one SPF Job Vacancy EEO Disposition Form for each job.
- ▶ You must report ALL applicants that are *considered*.

- ▶ Example:

Principle Investigator Jane Haw has posted a job vacancy announcement for a full-time (Category A) Research Associate. Her application review date has just passed and she has received 5 resumes. She reviews all 5 resumes and decides that 2 individuals are qualified for the job. She conducts phone interviews with both of them and decides that John Snow is the best qualified of the two.

Jane must complete the Disposition Form, listing all 5 applicants.

Disposition Q&A

- ▶ Q: Do I need a committee to conduct interviews?
 - ▶ A: No. It is not a SPF requirement to use a committee. If you would like to form one, feel free.
- ▶ Q: Can I submit the Disposition Form electronically?
 - ▶ A: YES! It is a fillable form and SPF would prefer to receive it electronically BUT you are free to print it out and send it through the campus mail. Please make sure your hand writing is legible, or else you'll be getting a call from the CSC to clarify.
- ▶ Q: What if I am hiring more than one person for the same job.
 - ▶ A: If they are both being hired from the same applicant pool, you can use the same Disposition Form for both people. Same job title, two "hired" boxes checked.

Disposition Q&A

- ▶ Q: What if I have more than 10 applicants?
 - ▶ A: You can reuse page 1 of the Disposition Form as many times as you need. Be sure that the job title matches on each page.
- ▶ Q: What if I get 100 applicants?!?!
 - ▶ A: *Remember*, you only have to report on the applicants that you consider.

Example:

Principle Investigator Jane Haw has posted a job vacancy announcement again for a part-time (Category B) Administrative Assistant. Her application review date has passed and she has already collected close to 100 resumes! She has organized them in the order they were received. She doesn't want to spend her whole day reporting on every single applicant, so she decides to just take a look at the first ten resumes. Out of the first 10 resumes, she finds 1 qualified applicant and decides to conduct an interview with him but he is unprofessional on the phone and would not be a good fit for the job. Jane takes a look at 5 more resumes. She finds 3 more qualified individuals, interviews them all, and hires one. She now has 15 applicants to report on, not 100.

Make the Offer

- ▶ It is NOT an official SPF requirement, but is strongly suggested that you send an offer letter to the applicant you select for the job. This letter will serve to assist you, the applicant, and the SPF Front Office Staff with smoothly and efficiently hiring on your new category A or B employee.
- ▶ Samples offer letters can be found on our website. There are 2 versions, one for jobs that will require a background check and one for jobs that will not.
 - ▶ [Offer Letter \(Background Check Required\)](#)
 - ▶ [Offer Letter \(No Background Check Needed\)](#)
- ▶ These letters can be copied and pasted in to an e-mail if that format works best for you.

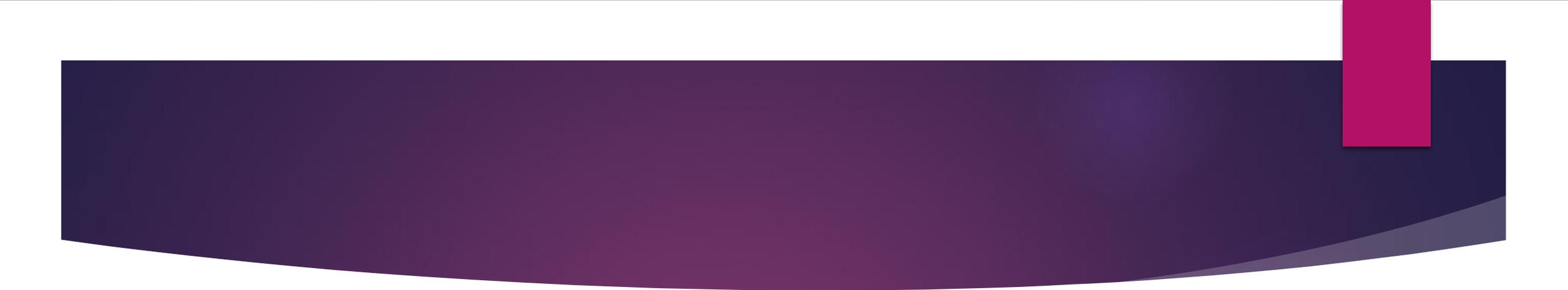
Retention



- ▶ Once you've hired the most qualified candidate, its time to deal with the paperwork.
- ▶ The SPF Compliance Support Coordinator will need:
 - ▶ The Disposition Form.
 - ▶ Copies of all applications/resumes/other materials considered during the hiring process for each reported applicant.
 - ▶ Copies of the Self-Identification Form for each reported applicant.

Retention Q&A

- ▶ Can I send the documents electronically?
 - ▶ A: SPF would prefer to receive all of the previously mentioned documents in an electronic form, but you may send the copies through campus mail as well.
- ▶ Q: What do I do with the originals/non-considered materials?
 - ▶ A: Keep them or shred them! Its your office space, its up to you.
- ▶ Q: What if I forget what all I need to send?
 - ▶ A: There is a handy dandy [Compliance Checklist](#) for PI's hiring Category A&B employees available on our website.



SMALL ACTIONS
× **LOTS OF PEOPLE**
= **BIG CHANGE**