



## STAFF HIRING PROCESS

### INTRODUCTION

This resource should be used by all hiring supervisors and committees involved in filling **staff** vacancies at the university. The hiring process documented in this handbook outlines specific employment policies/procedures that must be followed in order to advertise, interview and hire a new staff member.

Questions regarding the university's **staff** hiring process as outlined in this document should be directed to Human Resources/Employment Services in 109 Rowe Hall (774-2010).

Questions regarding the hiring process for **senior officers** can also be addressed to Human Resources/Employment Services in 109 Rowe Hall (774-2010). Additional information related to the hiring process for senior officers is outlined in the [Senior Officer Search and Selection Procedures](#).

Questions regarding the hiring process for **faculty** should be addressed to Faculty Personnel Services in 308 Warriner Hall (774-3368).

Central Michigan University affirms its continued commitment to affirmative action and equal employment opportunity in all of its hiring practices. Experience has shown that the development and implementation of an affirmative action/equal opportunity hiring process includes an expansive search that increases the quality of candidates for vacancies and hence the excellence of the university's faculty and staff.

The university recognizes that it must develop and implement specific hiring practices and procedures to assure equal employment opportunity and establish an effective affirmative action program. The university's overall affirmative action commitments, programs, and policies are contained in a separate document titled [Affirmative Action Protocol](#).

[CMU, an AA/EO institution](#), strongly and actively strives to increase diversity and provide equal opportunity within its community. CMU does not discriminate against persons based on age, color, disability, ethnicity, familial status, gender, gender expression, gender identity, genetic information, height, marital status, national origin, political persuasion, pregnancy, childbirth or related medical conditions, race, religion, sex, sex-based stereotypes, sexual orientation, transgender status, veteran status, or weight (see <http://www.cmich.edu/ocrie>)."

Central Michigan University provides individuals with disabilities reasonable accommodations to participate in university activities, programs, and services. Questions and comments related to the [work accommodation process](#) for student employees and staff should be referred to the Director of Employee Relations, 774-6447.

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## PHILOSOPHY OF AFFIRMATIVE ACTION IN UNIVERSITY HIRING

CMU is committed to affirmative action in recruiting, hiring, promoting, and retaining minorities, women, veterans and individuals with disabilities. The university's Human Resources department is charged with monitoring a hiring department's search activities for staff to assure that a "good faith" effort is made to identify, recruit and hire minorities, women, veterans and individuals with disabilities (see [Affirmative Action Protocol](#)).

The Michigan Civil Rights initiative, commonly referred to as "Proposal 2," does not ban affirmative action. Although the new language in the Michigan Constitution added by passage of Proposal 2 is commonly referred to as banning "affirmative action," this reference is inaccurate. The language prohibits discrimination and "preferential treatment."

The most frequently asked question regarding affirmative action is how a particular candidate's gender and ethnicity should weigh in the overall evaluation of the "best" candidate for the vacancy. Each candidate should be assessed in their entirety to determine what qualifications they bring to the job, including life experiences that enhance the candidate's qualifications.

The university's position is that all of the candidates who meet the pre-established qualifications for a specific vacancy are qualified. Beyond this, a candidate's qualifications should be evaluated based on the specific needs of the department and overall affirmative action goals of the university.

### AFFIRMATIVE ACTION SEARCH

**An affirmative action search as outlined in this document is required for all regular and provisional staff appointments.** These procedures do not apply to interim appointments or when it is necessary to temporarily reassign duties to current employees. The hiring process outlined in this document is to assist the hiring manager in completing a successful affirmative action search. With the approval of Human Resources, a hiring manager may choose to conduct an "internal-only" search to enhance career opportunities or address succession plans. However, all procedures outlined in this document, except those specifically noted otherwise, still apply to "internal-only" searches.

An affirmative action search is best described as a set of result-oriented procedures which, when done in "good faith," bring about equal employment opportunity. These procedures at CMU include assertive recruitment of individuals from groups identified as "underutilized"; a widespread recruitment process following the guidelines established for the employee group; a screening process that is fair, consistent, nondiscriminatory, and follows the criteria stated in the vacancy announcement; and an interview process that gathers job related information in order to assess the candidate's qualifications for the position.

To assure the university's "good faith" efforts meet its affirmative action obligations, specific monitoring procedures have been established for vacancies. Human Resources monitors the affirmative action process for all staff vacancies (except Senior Officers) and assists hiring authorities in coordinating a search that attracts candidates from groups identified as underutilized.

### AFFIRMATIVE ACTION CONCEPTS

Following are several **key concepts** in affirmative action that hiring managers need to know in order to understand what is required in the staff search process.

#### UTILIZATION ANALYSIS

A utilization analysis identifies comparative data on minorities, women, veterans and individuals with disabilities in the CMU workforce with published availability statistics for the reasonable recruitment area and occupational category in which CMU recruits for specific jobs. This analysis is required by the Office of Federal Contract Compliance Program and is updated annually by the university.

If the composition of the CMU workforce is equal to or greater than the availability of minorities, women, veterans and individuals with disabilities, the job category is utilized. If the availability of minorities, women, veterans and individuals with disabilities exceeds the workforce data, then goals are set in the Affirmative Action Plan. Department timetables for increasing employment of underrepresented employees should be set by the hiring manager for a 3 to 5 year period. Utilization information is shared with the hiring manager as part of the posting process and is discussed when determining targeted or broader recruitment.

#### HIRING GOAL

A hiring goal is an objective designed to encourage inclusion in the workforce of individuals previously excluded or underrepresented. The university is committed to achieving hiring goals through specific actions such as expanding recruitment efforts or extending the length of time a position remains open.

One of the most frequently asked questions is what distinguishes a hiring goal from a hiring quota. Hiring goals are established for a 3 to 5 year period to allow planning and flexibility in meeting goals and timetables. Quotas are only imposed by a court or governmental agency to address a pattern of discriminatory hiring.

#### GOOD FAITH EFFORT

Good faith is used to describe the university's effort to carry out the necessary actions to fulfill an affirmative action hiring goal. This term, when used in relation to compliance with the goals and objectives of an affirmative action program, refers to the efforts exerted to meet a hiring goal.

Efforts to identify and recruit qualified minorities, women, veterans and individuals with disabilities should be demonstrated by the department's recruitment activities and the diversity of the applicant pool. If a hiring manager makes a good faith effort to recruit qualified minorities, women, veterans and individuals with

disabilities, but fails to meet an identified affirmative action goal, the search may be considered to be in compliance with the university's hiring practices as determined by Human Resources. Failure to demonstrate a good faith effort may result in the extension of recruitment and additional advertising at the department's expense.

## SEARCH WAIVER

Exceptions to CMU's standard hiring process described in this document are allowed only in rare circumstances. All collective bargaining unit positions must be posted. For Professional & Administrative and Senior Officer positions, [requests to waive the search process](#) and place someone in a position without a search must be submitted in writing to the Director/Employment and Compensation. The Director will make a recommendation to the Affirmative Action Officer, who authorizes **all** search waivers.

## STAFF HIRING PROCESS

The following procedure is to be used when recruiting for **regular and provisional** staff appointments. Questions concerning this procedure should be directed to Human Resources at 2010.

### POSITION CREATION

Prior to posting a position, it must be determined if a budgeted position already exists or needs to be created. To create a new position, the initiator must submit the request electronically, using the personnel transaction system located on [CentralLink](#).

In order to verify funding, the hiring manager submits the request electronically to Financial Planning and Budgets (FPB) as the first step. After funding is confirmed by FPB, the position creation requires electronic approval of the senior manager (senior officers and directors who report directly to a vice president or the president), vice president and president before it is submitted to Human Resources to classify and assign a level.

Human Resources will work closely with the hiring manager to develop the job description prior to setting the classification. The hiring manager should make sure the essential functions of the job are included as part of the job description. Prior to the posting/recruiting process, Human Resources will share the position control number with the hiring manager once the classification is finalized and shared with FPB.

### PROVISIONAL APPOINTMENT

A **provisional position** is a full-time or part-time benefit-eligible position created for a [specific time frame](#) and filled after conducting a search. Provisional appointments are generally expected to be at least one academic year and can remain provisional for a maximum of five (5) years before the position has to be either eliminated or converted to a regular position, unless the position is grant funded.

## CONDITIONAL APPOINTMENT

A conditional appointment is the temporary placement of an individual, who is not a regular or provisional employee, into a non-union [benefit-eligible](#) position without a search, typically while a search is being conducted to fill the position in accordance with CMU policies. A conditional appointment may be discontinued at any time with a two-week notice to the employee.

Prior to placing an individual into a position on a conditional basis, written justification must be approved by the Senior Manager, Human Resources, and the Office of Civil Rights and Institutional Equity. The length of the appointment shall not exceed 3 years.

Multiple individuals cannot be conditionally placed into the same position consecutively beyond a total of 3 years, nor can a conditional appointment convert to regular status without the department conducting a search in accordance with CMU policies.

## INTERNAL-ONLY SEARCH

The university is committed to affirmative action. Offering career opportunities internally enhances CMU's ability to retain quality employees. With the approval of Human Resources, the department may post positions "internal-only" to the university in lieu of conducting an external search. By promoting from within, the resulting vacancy will likely be posted and filled through an external affirmative action search. All procedures outlined in this document, except those specifically noted otherwise, apply to "internal-only" searches.

The definition of an "internal" candidate for the purposes of recruitment refers to an employee who is currently in a benefit-eligible position and who was hired by the university through a prior external search. Therefore, "internal" candidates exclude temporary staff, some temporary faculty, students, independent contractors, graduate assistants and conditional employees.

## POSTING A POSITION

When an existing position becomes vacant or once a new position is created, the hiring manager must create a posting in the electronic recruitment system (PeopleAdmin) located on [CentralLink](#) to begin the recruitment process. The hiring manager must electronically submit the posting to the senior manager who obtains the electronic approval of the vice president prior to Human Resources approving the final posting.

Once a job posting is started in the system, it electronically alerts Human Resources to begin working with the department on the recruitment process. A [reference guide](#) related to the electronic hiring process can be found on [Human Resource's website](#).

## SEARCH COMMITTEE

A search committee is not required but may be recommended for filling certain positions; however, a minimum of two people must be involved in the interview process. A search committee should include diverse representation whenever possible. A committee member who is trained in the hiring process should be assigned as

the chair. The chair will work with Human Resources to ensure compliance related to the hiring process.

Before assigning any committee member, the chair should clearly establish that each committee member is prepared to devote adequate time throughout the search process. It should also be determined that there is no conflict of interest so applicants can be evaluated fairly and without prejudice.

## CONFIDENTIALITY

Confidentiality is critical throughout and after the search process. Confidentiality of the names of applicants and information obtained about them and their current employer is necessary to avoid putting their current employment in jeopardy, and to protect CMU's integrity. Confidentiality should also be maintained even after a position is filled. Discussions or comments about applicants or the search process with individuals outside of the search committee are not appropriate.

## RECRUITMENT PLAN

Recruitment is not a passive activity. Human Resources encourages the hiring manager to develop a recruitment plan that will result in attracting an applicant pool that meets the university's affirmative action goals. Even where the position may not be identified as having a hiring goal, it is important to recognize that the university is striving to increase the diversity of faculty, staff and students.

The hiring manager is encouraged to discuss a recruitment plan with Human Resources. Hiring managers and search committees have an obligation to actively participate in the recruitment process and assist in identifying a diverse pool of candidates.

Advertising may not always be effective in attracting a mix of qualified applicants. Therefore, aggressive use of other recruitment methods such as making personal contacts and sending vacancy notices to various diverse universities, businesses, organizations, professional associations, alumni groups, listservs and trade journals are also recommended. HR may assist in identifying other potential recruitment resources.

## ADVERTISING

HR will work with the hiring manager to develop and place all staff advertisements. HR will communicate advertisement deadlines to the supervisor at the time of the posting since advertising deadlines may vary.

All staff [job opportunities](#) are automatically posted on [CMU's website](#). For external searches and to demonstrate a good faith effort in reaching minorities, women, veterans and individuals with disabilities, job opportunities will automatically be advertised with several resources including Michigan Talent Connect (previously Michigan Works), Higheredjobs.com, HERC, USjobs.com and the Isabella County Veterans. Departments will be charged a nominal fee of \$150 per posting to cover the cost of this advertising. Postings include the following information:

- Title of the position
- Department
- Employee group and pay level
- General statement of duties
- Required minimum qualifications
- Desired qualifications
- Job Duties/Responsibilities
- Salary range
- At-will status, if applicable
- Application deadline date or Best Consideration date (typically 1-2 weeks depending on the position)
- [AA/EO statement](#)

In order to save costs, a condensed version of the ad may be placed in paid advertising, but will refer all applicants to the job opportunities website, [www.jobs.cmich.edu](http://www.jobs.cmich.edu), which will include all the details of the vacancy. The AA/EO statement must be included in all paid advertising.

Departments are responsible for advertising expenses. JobElephant (advertising agency) or Human Resources will invoice departments for the cost of advertising.

## RECEIPT OF RESUMES

Applicants must apply online at [www.jobs.cmich.edu](http://www.jobs.cmich.edu) for all available staff positions; however, accommodations may be made for individuals with disabilities. The electronic process eliminates the manual logging of resumes and allows hiring managers to begin screening resumes as soon as an applicant applies for a position. The electronic system will automatically provide confirmation with applicants each time they apply for a position.

## SCREENING APPLICANTS

The hiring manager or search chair is responsible for reviewing and screening **all** resumes. All applicants who submit the appropriate application materials and meet the minimum requirements must be considered. The best way to begin screening is to compare each applicant's resume with the minimum qualifications for the position.

HR will set up supplemental questions that will allow the electronic system to assist in **automatically** screening out applicants who do not meet minimum qualifications.

Prior to obtaining approval of Human Resources to interview, the hiring manager or search chair must change the status of each applicant in the electronic hiring system from "under review" to a status that is related to the applicant as indicated in the drop down list. As the search progresses, the status of the remaining candidates must also be updated.

## FAMILY EMPLOYMENT (NEPOTISM) POLICY

[University policy](#) does not permit employment of an individual in an area where an employee has direct control over an "immediate family member's" supervision, salary or promotion. **No matter how far removed** from the line of supervision (includes students).



## INTERVIEW APPROVAL

**Prior to** interviewing candidates, the hiring manager/search chair must identify the candidates they want to interview, change the status of the candidates to “interview” in the system and submit electronically to HR for approval. A copy of the interview questions must also be attached to “Documents” within the system prior to submitting for approval. HR will approve the interview questions, review the diversity of the applicant pool, determine if a good faith effort was made and ensure that candidates meet minimum qualifications prior to approving interviews.

## INTERNET SEARCH

Hiring managers/search chairs may conduct an internet search prior to inviting candidates for on-campus interviews, provided the search is consistently applied to all applicants under consideration and the applicants are informed an internet search will be conducted. If information is found that will negatively impact the candidacy of an applicant, hiring managers/search chairs must contact Human Resources.

## INTERVIEWING CANDIDATES

The goals of the interview process are to:

- (1) Present a realistic description of the position.
- (2) Gather job related information from candidates to assist in making a hiring decision.
- (3) Promote a positive image of the university -- discuss the mission statement, opportunities for career growth, and benefits offered by the university (especially as the labor market tightens). It is important to realize that candidates are assessing CMU at the same time they are being assessed for the position.

Putting the candidate at ease creates the opportunity for a more accurate assessment of the candidate. The hiring manager/search chair should make sure the candidate does most of the talking by asking open-ended questions, this will allow the hiring authority to collect as much information as possible. Document the applicant’s answers to questions that are asked, make sure to document facts, not opinions.

In order to ensure that non-discriminatory interviews are conducted, ask the same **job-related** questions and require the same standards of all applicants. This does not preclude following up on responses or asking candidates to clarify answers or to elaborate on their application materials.

Interview questions related to areas such as race, gender, religion, age, disability, marital status are non job-related and are **not allowed** when interviewing candidates for positions, see [Unlawful Pre-Employment Inquiries](#).

The hiring manager/search chair should caution everyone who meets with candidates in a business or social context to avoid asking personal questions that are not job-related. All time spent with candidates is considered part of the interview (i.e. meals, airport, car).

For all positions that have supervisory responsibilities, hiring managers are required to ask [specific questions](#) related to the CMU Leadership Standards.

It is recommended that the department interview at least the top three (3) candidates to assist in ensuring equal opportunity. For liability purposes and to ensure confidentiality, **do not** discuss any of the applicants with those outside the search committee.

## VISA SPONSORSHIP

It is permissible to ask candidates if they are legally eligible to work in the U.S. and whether or not they require any type of visa sponsorship. If a candidate has a temporary visa and requires [visa sponsorship](#), it is important to contact HR immediately. Human Resources and the office of Global Engagement will assist the hiring manager with the university’s responsibility.

## RECORDING INTERVIEWS

It is not permissible to record interviews. If search committee members are not available for certain interviews, they will need to rely on the feedback of their colleagues for those candidates.

## INTERVIEWING CANDIDATES WITH DISABILITIES

Accommodation for the interview process must be requested by the individual. Employers cannot ask about a disability during the interview process. If an applicant reveals a disability, it is acceptable to question whether or not the individual could perform the essential functions of the job with or without reasonable accommodation.

It is important that you focus on the essential functions of the position when conducting an interview. Remember to **avoid making assumptions**; a candidate may tell or show you how they can perform the functions that are necessary. Use regular interviewing techniques as much as possible. Finally, remember to be consistent and relax. If you are comfortable, the candidate will be too and you should have a pleasant interview experience.

Specific suggestions for interviewing candidates with disabilities can be found on Human Resources website. The [suggestions](#) should assist in making the interview process a comfortable experience for both the interviewer and interviewee.

## REFERENCE CHECKS

Checking references is essential in making the best selection decision. Reference checks are required on the finalist prior to any job offer, but the hiring manager/search chair may choose to check references throughout the hiring process to assist in identifying the finalist.

As a professional courtesy, the hiring manager/search chair should inform candidates **prior to** checking **any** references in order to avoid jeopardizing the candidate's current employment.

Although applicants may submit written references, **a minimum of three contacts is strongly recommended.** One of the references should be a current or past supervisor, since that person is in the best position to judge work habits and performance.

In addition to checking with a current or previous supervisor, when a candidate who previously worked at CMU is being considered for rehire, hiring managers must also check a reference with a previous CMU supervisor or request, through HR, to review the applicant's personnel file.

It is also recommended that reference checks be conducted on **internal candidates** or the employee's personnel file is reviewed with HR; however, it may not be necessary if the hiring manager has first-hand experience with the employee's job performance.

As part of the hiring justification, the hiring manager/search chair will be required to document who was contacted for reference and their relationship to the candidate.

Hiring managers/search chairs are also encouraged to check "off-the-list" references. Candidates should be informed of this practice at the same time they are informed that references will be checked.

The hiring manager/search committee should honor all requests from candidates to refrain from checking references until a candidate becomes the finalist. If the finalist refuses to allow contact with a potential reference that is deemed important, such as the immediate supervisor, the finalist should be informed that this refusal limits the ability to fully evaluate their past performance and they may not be given full consideration.

The person contacted for a reference should have first-hand knowledge of the candidate related to work performance. Be sure to give a brief description of the position responsibilities to the person giving the reference. In order to ensure consistency, ask the same job-related [reference check questions](#) of each reference.

The person giving a reference may require a signed release prior to releasing any information. The last page of the electronic application includes a release along with the applicant's electronic signature and may be provided to the person giving a reference.

Notes of the conversations should be made and only shared with committee members and Human Resources. Any information provided or obtained that is not job related should be disregarded and not shared with the committee. The hiring manager is responsible for maintaining all backup related to reference checks for a minimum of three years.

Due to concerns with workplace violence, supervisors should ask references if there were any instances of inappropriate behavior or violence. The consequences of failure to discover information about an employee can be significant.

## **CRIMINAL HISTORY CHECKS**

The university conducts [criminal history checks](#) on all new staff employees, including P&A employees who transfer to new positions and temporary employees. The process may vary for employees covered by a collective bargaining agreement.

Most job offers are contingent upon a criminal history check. All criminal history checks for staff are to be handled through Human Resources. The cost for criminal history checks is typically covered by the \$150 advertising.

## **SELECTION APPROVAL (Prior to job offer)**

Once a finalist has been identified, the hiring manager must attach the [Hiring Justification](#) to "Documents" within the electronic system. The justification must include the names and titles of individuals who were part of the selection process, the names of the candidates interviewed, the justification for each candidate who was interviewed and not hired, and the justification for choosing the finalist. The reason for selection must be specific and job related.

The names of at least three individuals who were contacted as a reference along with their relationship to the candidate must also be included as part of the justification.

**No employment or salary offer is to be discussed with the selected candidate until the senior manager and Human Resources approve the candidate for hire.** Human Resources will notify the hiring manager when a [contingent](#) job offer can be made.

## **SALARY CALCULATION (Prior to job offer)**

Human Resources will conduct a salary calculation on the recommended candidate and authorize a salary range for the new hire prior to the job offer. Factors that determine salaries include the applicant's credentials, prevailing salaries for persons in the field, comparison of current staff salaries with similar duties and responsibilities and other factors such as applicable collective bargaining agreements, laws, and university policies.

HR and Senior Management share the responsibility of assuring that the University adheres to equitable pay practices. If a proposed starting salary causes inequities, the hiring manager needs to address how the inequities will be resolved prior to the approval of the new salary. If there is a disagreement between the department and HR, the parties will work with the appropriate Vice President. If the matter is not resolved at that level, the Vice President for Finance and Administrative Services will have the authority to resolve the matter.

## BENEFITS

A summary of benefits can be found on [Human Resource's website](#). Benefits are standard and no one has the authority to offer benefits outside those outlined in the various handbooks/contracts.

## EMPLOYMENT OFFER

After Human Resources approves the selection and a salary is agreed upon with the hiring manager, the hiring manager may make a **contingent** job offer to the finalist. Employment is contingent upon successful completion of a criminal history check and for some positions, an employment physical exam; see section on General Employment Policies/Practices.

It is recommended that the hiring manager communicate expectations with the selected candidate along with sharing the work schedule of the employee. Other information such as benefits, probationary period, and any cost that may be incurred (parking permits) should also be discussed with the final candidate.

Because of the holidays and the extended December break, departments are encouraged to use discretion when determining whether or not it is critical to fill a position between November 15<sup>th</sup> and January 1st.

If the selected candidate accepts the contingent offer, the hiring manager must notify Human Resources and complete the "Hiring Proposal" in the electronic system. **The start date cannot be retroactive and cannot be sooner than 3 business days after the background check clears.**

If the selected applicant declines the position, several options exist.

- 1) The hiring manager may offer the position to the second choice candidate; however, Human Resources must be contacted for approval before an employment offer can be made to another interviewed applicant. If approved, a new salary calculation will be completed.
- 2) The committee may decide to interview applicants from the recruitment pool who were not initially interviewed.
- 3) The search may be cancelled and a new search initiated.

Human Resources must be notified once it is determined how the hiring manager would like to proceed.

At this stage, the hiring process is typically complete; although, the hiring manager/search committee may have additional responsibilities as outlined in the following sections of this handbook.

## APPOINTMENT LETTER

Human Resources will automatically send an official appointment letter to the new employee. **The appointment letter must be approved and signed by the Director/Employment & Compensation who has contracting authority to authorize personnel transactions.**

The appointment letter will outline certain information such as start date, title, pay level, pay rate, probationary period and other related information. In rare circumstances, hiring managers may work with Human Resources to modify the appointment letter and include additional information as necessary.

## NOTIFICATION TO UNSUCCESSFUL CANDIDATES

Hiring Managers should make sure that the electronic application system is updated and reflects that the candidate has accepted the position. **After a contingent offer is accepted and the criminal history check is cleared, the hiring manager or search chair should call all individuals who were interviewed but not selected and inform them that the position has been filled.** Failure to do so reflects poorly on CMU and the department. For all other applicants, an electronic notification will be sent notifying them that the position has been filled and thanking them for their interest in employment with CMU. The status of the position will be updated on the job opportunities website to reflect that the position has been filled.

## RECORD RETENTION

Application materials for all applicants, a copy of the interview questions, and the hiring justification on all staff positions are stored electronically for three (3) years in the applicant tracking system.

Hiring managers are required to keep reference check documentation for a period of at least three (3) years. Hiring committee notes and related documents must be shredded. If the hiring manager has to defend the selection process, documentation stored in the applicant tracking system can be referenced at a later date.

## FIRST DAY OF EMPLOYMENT

On the new hire's **first day of work** every new staff member **must** report to Human Resources in Rowe 109 to complete the [Employment Eligibility Form](#) (I-9) in order to comply with federal law.

Where the I-9 may need to be completed for off-campus employees, Human Resources will work with the hiring manager to identify an authorizing agent that can complete the I-9 for the university.

The employee will also be expected to complete other new hire paperwork such as tax forms, university oath, etc.



## HIRING A TEMPORARY EMPLOYEE

In order to comply with the Office of Federal Contract Compliance Programs (OFCCP) job posting requirements, all temporary employees must apply to the appropriate temporary posting; unless the assignment duration is 3 days or less. All postings are available on the CMU applicant portal (<https://www.jobs.cmich.edu/>) under Temporary Staff. If your job opening does not fall within any of the posted positions Human Resources is happy to tailor a posting to your needs. Most postings will remain open year-round so applicants can apply at any time.

Temporary employees may be hired for 6 months up to 3 years depending on the collective bargaining agreement/handbook. Temporary employees have no guarantee of continued employment or reappointment. Both the employee and the University are free to terminate the relationship with or without notice, with or without prior warning or discipline, with or without cause.

In recognizing the immediate need that departments typically have when hiring a temporary employee and taking into consideration that temporary appointments are filled for a limited time, Human Resources does not require a temporary employee to meet the required qualifications of the position related to their temporary assignment. Therefore, temporary employees have no guarantee of qualifying for the position when it is posted for recruitment.

Temporary employees do not qualify for benefits or paid time off; however, temporary employees may be eligible for a retirement contribution if they previously worked at CMU or another state university in the MPSERS retirement plan.

In order to hire a temporary employee, **the department should verify the individual has applied online**, if necessary, and then **must** complete an electronic personnel transaction **before** the employee begins work to ensure that CMU is in compliance with all legal requirements. Ideally, this should be submitted 5 business days prior to the employee's start date to give Human Resources sufficient processing time. Human Resources will conduct a criminal history check on all temporary employees. Authorization to conduct a criminal history check is typically obtained through the application process. If it is not, the temporary employee will be asked to complete an Employment Verification form. Any costs associated with the criminal history check will be charged to the hiring department.

Human Resources can assist the department in determining an hourly rate for temporary employees. In addition to the cost associated with wages and possible retirement contributions, the department will also be responsible for covering the costs associated with FICA (7.65%).

On or before the temporary employee's first day of work, they **must** report to Human Resources in Rowe 109 to complete the Employment Eligibility Form (I-9) as required by law and other appropriate temporary paperwork (tax forms, university oath, etc.). The new hire will be asked to show acceptable documents to prove employment eligibility (most common are driver's license & social security card or birth certificate or passport).

When an I-9 needs to be completed for off-campus temporary employees, Human Resources will work with the hiring manager to identify an authorized agent that can complete the I-9 for the university. The completed [forms](#) must be returned to Human Resources (**fax a copy and then mail the originals**) by the **first day of work** along with a copy of the employee's documents used for employment eligibility.

Effective August 25, 2019, temporary appointments are restricted to 48 hours per pay-period during the academic year and/or 80 hours per pay-period during the summer.

If a department has a need for temporary employees to work more than 48 hours per pay-period, they may hire the individual through Manpower. Please contact Human Resources for more details.

## GENERAL EMPLOYMENT POLICIES/PRACTICES

### AT-WILL POSITIONS

All Senior Officer positions are at-will and serve at the pleasure of the president. There are a few certain P&A employees in regular appointments that are designated "at-will" status meaning they serve at the discretion of their supervisor and may be terminated at any time, with or without cause. The at-will employment status, if applicable, was noted in the job posting and in the individual's appointment letter. As P&A positions become vacant, they will no longer be posted/filled as at-will.

### DUAL EMPLOYMENT

Employees may hold simultaneous part-time positions in the **same** employee groups as long as the total FTE is not more than 1.0. However, simultaneous employment in **different** employee groups is not permitted. This does not include exempt staff who may be approved to teach or temporary appointments.

### EMPLOYMENT PHYSICALS

Physicals are conducted for all service maintenance positions (including relief workers) and all police. The physicals are conducted after a contingent job offer is made and before the employee begins work. The department should work directly with the CHIP/Worker's Compensation office (774-7177) to schedule the physicals and confirm eligibility for employment. The cost of physicals is charged to the department.

## FLEXIBLE WORKSITE AGREEMENT

In rare situations, it may be necessary for employees to work out of their home on a regular basis. In these cases, the department must work with Human Resources prior to the work being performed in order to establish a Telecommuting Agreement. The Telecommuting Agreement covers the terms of the arrangement and the liability of the employee and the university.

## INDEPENDENT CONTRACTORS

The hiring process outlined in this handbook does not apply to independent contractors. All requests to hire an independent contractor **must** be reviewed by Human Resources prior to issuing any contract and before any work is performed.

Human Resources has the responsibility to ensure that the individual meets IRS guidelines to be classified as an independent contractor and not an employee. See [independent contractor policy](#) for procedures related to hiring an independent contractor.

## MOVING EXPENSES

All new employees hired into benefit-eligible positions may be eligible for a taxable reimbursement of [moving expenses](#). The amount of reimbursement for actual moving expenses must be agreed upon, in advance, between the hiring manager and the prospective employee, during employment negotiations and prior to the expense being incurred. The hiring manager is responsible for making sure the Senior Manager is in agreement with offering moving expenses. The dollar amount for the cost of moving expenses will be stated in the appointment letter issued by Human Resources. Moving expenses are subject to a maximum amount which varies based on the level of the position.

## ORIENTATION

**It is important that the hiring manager orient the new employee to the department and the specifics of the job.** Training a new employee should be one of the hiring manager's top priorities. Every new employee will be given a new hire packet by Human Resource that includes information pertaining to the campus and community. Benefits & Wellness will contact each new hire with instructions for benefit enrollment.

## REPOSTING A POSITION

If a P&A employee terminates employment within a year of the position being posted, a department may have the option to go back to the original pool of applicants and not have to repost the vacancy. All other vacancies must be reposted unless otherwise agreed upon with the respective union. The department must work with Human Resources to determine if using the original pool of applicants is a viable option.

## SEARCH FIRM

Search firms are sometimes utilized in order to broaden the scope of the search and assist in identifying a stronger pool of diverse candidates. The university does not require that a search firm be used for any particular vacancy, although search firms are more commonly used for Senior Officer positions and unique or difficult to fill positions. The decision on whether or not to use a search firm must be approved by the President, Provost or a Vice President. A list of pre-approved firms is available in the [search firm policy](#). A request for proposal (RFP) must be conducted in order to use a search firm not on the pre- approved list.

## SUPPLEMENTAL ASSIGNMENTS

A staff member may be appointed or assigned additional duties outside their primary job. [Supplemental assignment pay](#) is used to compensate employees for work in addition to their primary job. The supplemental assignment should not negatively impact the performance of the employee in their primary assignment. No person shall be assigned or appointed to duties for which they are not qualified.

## TERMINATION OF EMPLOYMENT

When an employee terminates employment, **the department must complete an electronic personnel transaction notifying Human Resources of the separation of employment.** This should be completed as soon as the supervisor is notified of the termination.

A [Staff Separation Checklist](#) also should be filled out and returned to Human Resources. The checklist assists supervisors by outlining topics that should be discussed, reminds both the employee and supervisor of property to be returned, and guides the supervisor as to what information must be forwarded to Human Resources.

## LAWS ASSOCIATED WITH THE HIRING PROCESS

### STATE AND FEDERAL LAWS AND REGULATIONS

Central Michigan University must comply with federal and state laws and regulations that prohibit discrimination in employment and ensure equal employment opportunity. As a recipient of federal grants and contracts, the university has an affirmative action program directed at achieving equal employment opportunity and the appropriate representation of minorities and women in its workforce.

These laws and regulations, along with the [CMU Board of Trustees' Policy on Non-Discrimination](#) serve as the basis for the university's affirmative action and equal opportunity hiring policies and practices. Some of these federal and state laws, as they relate to employment, are highlighted below.

## **AFFIRMATIVE ACTION**

### **EXECUTIVE ORDER 11246**

Executive Order 11246 requires that all covered institutions take affirmative action to recruit, hire, and promote minorities and women. The executive order also prohibits institutions from discriminating in employment on the basis of race, gender, religion, color, or national origin.

### **VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974**

This Act prohibits discrimination in employing Vietnam Era veterans and veterans with disabilities. It requires that an institution make affirmative efforts to recruit, employ and advance Vietnam-era veterans and veterans with disabilities.

### **REHABILITATION ACT OF 1973**

The Rehabilitation Act requires institutions that receive federal funds to take affirmative action to employ and advance in employment qualified individuals with disabilities.

## **EQUAL OPPORTUNITY**

### **TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

Title VII, as amended and expanded by the **Equal Employment Opportunity Act of 1972** and the **Civil Rights Act of 1991**, prohibits employers, unions and employment agencies from discriminating in employment on the basis of race, color, religion, national origin and gender. Title VII also prohibits discrimination because of pregnancy, childbirth or related conditions. Employers are prohibited from illegal discrimination in hiring, firing, compensation or any terms, conditions or privileges of employment; nor can employers limit, segregate or classify employees or applicants by race, color, religion, gender, pregnancy or national origin in any way that would adversely impact employment status. Apprenticeship and training programs are also covered by this Act.

### **ELLIOTT-LARSEN CIVIL RIGHTS ACT**

This Act prohibits discrimination with respect to employment, compensation and the terms, conditions or privileges of employment, including hiring, recruiting or discharge, because of

religion, race, color, national origin, age, sex, height, weight or marital status.

### **AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967**

The ADEA prohibits discrimination on the basis of age for people 40 years of age or older. It is unlawful to ask applicants to provide information about age; however, an applicant may be asked whether they are at least 18 years of age, if age is a bonafide (genuine) occupational qualification or for the purpose of determining whether they are old enough to be lawfully hired for a particular job. See [Unlawful Pre-Employment Inquiries](#).

### **THE IMMIGRATION REFORM AND CONTROL ACT OF 1986**

The IRCA as amended by the **Immigration Act of 1990** Prohibits discrimination in employment on the basis of national origin and citizenship status. Under IRCA's record-keeping requirements, all employers must examine documentation from all new employees to verify their citizenship status or right to work in the United States. Employers **must** use an [I-9 Form](#) to verify an employee's identity and employment eligibility. New employees **must** complete the I-9 on or before their first day of employment.

## **DISABILITY**

### **THE AMERICANS WITH DISABILITIES ACT OF 1990**

The ADA prohibits discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Discrimination in employment against "qualified individuals with disabilities", qualified individuals who are perceived to have a disability, and/or qualified individuals on the basis of their association with an individual who has a disability of prohibited. Employers are required to provide reasonable accommodations to qualified applicants or employees with disabilities, unless the accommodation cause an undue hardship.

### **THE MICHIGAN PERSONS WITH DISABILITIES CIVIL RIGHTS ACT**

This Act prohibits discriminatory practices, policies, and customs in the exercise of those rights in employment for individuals with disabilities. An employer cannot fail or refuse to hire, recruit or promote a person because of a disability that is unrelated to the individual's ability to perform the essential duties of a particular job.