



TEXAS SOUTHERN UNIVERSITY
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Human Resources
AREA: Recruitment & Employment

Number 02.01.01

SUBJECT: Employment of Faculty and Staff Employees

I. PURPOSE AND SCOPE

This document sets general guidelines for establishing procedures for the hiring of all faculty and staff employees. The policy is developed in accordance with applicable federal, state, and local laws and regulations, including the Fair Labor Standards Act, the Equal Pay Act of 1963, and the biennial General Appropriations Act. This policy applies to the pay of all benefits-eligible faculty and staff employees.

II. POLICY STATEMENT

It is the policy of the university to hire employees fairly without regard to age, gender, race, color, religion, national origin, disability, genetic history, military status or sexual orientation and to comply with all applicable federal, state and local laws and regulations. Texas Southern University is an “at-will” employer. At-will employment provides that all administrators and staff serve the University without a fixed term and do not have an express contract for a definite term of employment.

III. POLICY AND PROCEDURE GENERAL PROVISIONS & DEFINITIONS

Staff members are employed with titles and pay ranges as established in the Classification of Staff Jobs Policy (*see MAPP 02.02.02*). Employment procedures are consistent with the policies of the Board of Regents and the University’s Equal Employment Opportunity Policy (*see MAPP 02.05.13*). The University maintains the following minimum standards for employment:

- A. Applicants/Candidates must be at least 18 years old in order to be employed in a position.
- B. All positions at the University are considered “security sensitive” and all candidates selected to fill a position will be subject to a criminal background check.
- C. The successful applicant must possess at least the minimum education and experience requirements set forth in the posting/ job description of the vacancy being filled. This shall apply to new hires, promotions, demotions, transfers, appointments and reinstatements.

- D. The education and experience requirements serve as indicators of the possession of skills, knowledge, and abilities which have been shown through the job evaluation to be important to successful job performance, and as a guide to primary sources of recruitment. It is recognized that a specific quantity of formal education or number of years' experience does not always guarantee possession of the necessary skills, knowledge, and abilities for every position. Qualifications necessary to perform successfully may be attained in a variety of combinations. In evaluating qualifications, reasonable substitutions of formal education and job-related experience, one for the other, may be considered, if noted in the job posting. However, all applicants/candidates must meet minimum qualifications and requisites of the position.
- E. Only those persons who complete an application and formally apply for a vacancy through the University's on-line employment system will be considered to be within the pool of applicants to be considered for a position. The University will not accept resumes/vitae or other documents in lieu of an application. The University will not accept "see resume" in place of the job duties required to be completed on the application. The University will only accept applications for those positions which are posted to be filled.
- F. The Department of Human Resources is required to review all applications to determine if the applicants meet the minimum requirements of the job, as identified in the posting. This applies to all posted vacancies.
- G. The University permits a wide range of employment types as necessary to accomplish the varied tasks associated with conducting business and academic affairs. The following describes the types of employment types available for staff positions:
- **Regular, Full-Time** (Benefits Eligible) - A regular, full-time position is defined as a position that requires 100 percent FTE (40 hours per week) for a period of four and one-half months or longer.
 - **Regular, Part-Time** (Benefits Eligible) – A regular, part-time position is defined as a position that requires 50 percent FTE or more (at least 20 hours per week but less than 40 hours per week) for a period of four and one-half months or longer.
 - **Temporary Full-Time** (Not Benefits Eligible*) – A temporary full-time position is of short duration and requires 100 percent FTE for four and one-half months or less.
 - **Temporary Part-Time** (Not Benefits Eligible*) – A temporary part-time position is of short duration and requires 50 percent FTE or more (at least 20

hours per week but less than 40 hours per week) for a period of less than four and one-half months. This does not include individual employees in a position that requires student status as a condition of employment.

- **Student Employee** – A student employee is an individual whose association with the university is of the primary purpose of furthering a formal education at either the undergraduate or graduate level. Students may work 50 percent FTE or less during the regular academic session and up to 100 percent FTE during breaks between academic semesters. These positions are not normally posted vacancies.
- H. The on-line employment system is the process through which all candidates must complete an application and provide required documents. All hiring authorities have access to this system and the candidate information that correlates to the jobs for which they are responsible.
- I. The Department of Human Resources is not authorized to process personnel actions that are not in accordance with the policies, practices and procedures of Texas Southern University. The Department of Human Resources is authorized to discontinue the employment of any unauthorized employment of an individual.
- J. A staff member is hired into an established position and placed on the payroll by means of the Personnel Action form (PA). The PA form is to be accurately and thoroughly completed. Information must reflect the approved funding and posted job title.
- K. Prior to being placed on any payroll and before assuming his/her job duties, every benefits eligible employee, regardless of source of funds, must have been approved by the Department of Human Resources in order to establish his/her eligibility for employment. When the new employee is hired, it is necessary for him/her to come to the Department of Human Resources and New Employee Orientation where he/she will complete requested University documents, fulfill mandatory employee training requirements, and be given necessary information regarding staff benefits and other employment matters.

IV. EMPLOYMENT CONTRACTS (APPOINTMENTS) FOR ADMINISTRATORS

An administrator is defined as someone with administrative duties related to the operation of the University, including operation of a department, college, program or other subdivision. Employment in this manner must be approved by the President. Such employment may not:

- Provide for employment for more than three (3) years.
- Allow for severance or other payment on the termination of the contract to exceed an amount equal to the discounted net cash value of the contract on termination.

V. TEMPORARY HIRING

Temporary vacancies are made for the following reasons:

- To replace a Regular Full-Time or Regular Part-Time individual who is absent due to illness vacation or leave of absence.
- To augment regular staff because of increased work loads or other conditions which create staff shortages (on a temporary basis).
- For specific projects of limited duration.

In any case, temporary employment will be for four and one-half (4 ½) months for staff. When sufficiently justified, a longer period of time may be requested; but in no case shall the temporary employment period exceed six (6) consecutive months in a twelve-month period.

VI. GENERAL EMPLOYMENT GUIDELINES

- A. Postings of vacant and new positions must occur before positions are filled. Postings must also occur for any positions whose pay ranges and titles have changed as a result of the University's job classification program. Outside notices are coordinated by the Department of Human Resources for all posted positions. In all cases, recruitment and selection activities are subject to policy guidelines and affirmative action requirements.
- B. Exceptions to the personnel posting policies shall be made only in the following instances:
 - Vacancies which must be used to meet management necessity, for which the University will not openly recruit. Examples include vacancies committed to a budget reduction, vacancies used for disciplinary transfers or demotions, use of an existing vacancy to avoid reduction in force, transfer of an employee to an existing opening to avoid the threat of bodily harm, and the promotion of an employee into an opening under a formal, pre-existing "understudy arrangement."
 - Vacancies which must be filled immediately to prevent work stoppage in constant demand situations, or to protect the public health, safety or security.
- C. The decision to approve a vacancy posting exception resides with the Senior Associate Vice President of Human Resources. or designee.

VII. POSTING AND ANNOUNCEMENT OF VACANICES

Department heads/hiring managers shall follow the hiring procedures as outlined below:

- A. Staff Vacancies
 - **STEP 1** - Once a Hiring Authority determines the need to post a vacancy, a conference with the University's Human Resources Compensation Analyst must be held to identify the proper University title and salary for the vacancy. **The position to be posted must be in the current budget and vacant or a**

date when the vacancy will occur must be provided on an approved “Delete” Electronic Personnel Action Form (E-PAF). Should the title and salary range not be included in the present classification manual, a Job Analysis Questionnaire (JAQ) must be submitted to Human Resources Compensation, whereby the new title must be approved and a grade and salary range assigned.

- **STEP 2** – The Department of Human Resources will provide an on-line link to access the Position Request Form (PR Form) for the Department’s use in completing the Pending Requisition.
- **STEP 3** – The Hiring Authority will complete the necessary information on the Position Request Form and forward the form to the appropriate approval level. The Area Vice President will present the Position Request Form to the President for final approval, then forward the form to the department responsible for the funding (i.e. Budget or Grants).
- **STEP 4** – A representative from the Budget or Grants office will review the information to ensure proper funding is identified. Funds must already be identified and approved for use by upper level management before the Budget or Grant department will process the Position Request Form further. If funds are identified, the Position Request Form will be forwarded to the Department of Human Resources for -posting.
- **STEP 5** – The Compensation unit will email the hiring department a copy of the approved Position Request Form, and the current job description for review and approval to use for posting. The approved job description will be forwarded to the Department of Human Resources Employment unit for posting.
- **STEP 6** – A posting will then be created and posted on the University’s on-line employment system and on other websites. All positions must be posted for a minimum of ten (10) business days prior to making a hiring decision per Texas Government Code. The vacancy will remain posted until the department submits a request to remove the posting. Postings that are open to “Internal Applicants Only” refer to vacancies that can only be filled by existing employees (Regular or Temporary). These vacancies must be posted for a minimum of five (5) business days. Open until filled means that the position will be open until the Hiring Authority is satisfied with the applicant pool. It does not mean that the position is open until an offer is made or a Personnel Action form is completed.

- **STEP 7** – All applicants must submit applications and required documents through the University’s on-line employment system. The Department of Human Resources is available to provide assistance with this process.
- **STEP 8** – The Human Resources Employment Specialist will place qualified applicants in the Hiring Authority “view” as they are received in the System. Applications for all positions will be accepted through midnight on the closing date.
- **STEP 9** – The Hiring Authority reviews the applicant pool and schedules interviews for selected applicants. The status of all applicants should be changed to reflect the status of their employment opportunities for the specific posting at each step in the process (e.g. Interviewed, Finalist, Background Check, Not Hired, Offered Job).
- **STEP 10** – After interviews are completed, the department must notify the Employment unit of Human Resources of a selected finalist to hire, the proposed starting date, and salary offer. The Senior Associate Vice President of Human Resources or designee will review the applicant pool to ensure the selected finalist falls within EEO guidelines, and the Hiring Authority will be notified of the results as soon as possible.

NO EMPLOYMENT OFFER SHOULD BE MADE UNTIL COMPLETION OF STEP 11. IF THE POSTING IS FOR A CRITICAL HIRE, A CONTINGENT OFFER IN WRITING MAY BE EXERCISED, WITH PRIOR APPROVAL OF HUMAN RESOURCES.

- **STEP 11** - The Hiring Authority will ask the finalist to sign an Authorization to Conduct a Criminal Background Check form. The Hiring Authority will forward the completed Authorization to Conduct a Criminal Background Check form to the Department of Human Resources for processing. The form will be forwarded to the selected third party vendor. The Department of Human Resources or designee will notify the Hiring Authority of the results of the Background Check and provide clearance to proceed with a start date, if applicable. If the proposed candidate is not cleared for employment because of their background check results, the Hiring Authority will be notified by the Department of Human Resources. The approval to make a job offer may also require University Administration approval. Once all required steps have been successfully completed, the Department of Human Resources will notify the Hiring Authority of their ability to make an employment offer to the finalist. The department should forward non-acceptance letters to applicants who are not selected.

- **STEP 12** - Once the candidate has accepted the employment offer, the Hiring Authority will submit a copy of the signed letter to the Department of Human Resources to be placed in the file of that candidate, if hired.
- **STEP 13** – On or before the first day of employment, the hiring department will instruct the new employee to report to the department of Human Resources to complete the required new employee paperwork. One document included in the new employee paperwork is the I-9 form and supporting documents. Benefits eligible employees are required to attend New Employee Orientation presentation.
- **STEP 14** – The new employee will be placed on the payroll with the completion and approval of an Electronic Personnel Action Form. Accompanying this form must be a signed application, hiring documents completed by the new employee, as well as the documents required by the posting (e.g. resume, transcript, letters of reference). All postings requiring some college or above requires an official transcript to be submitted to the Department of Human Resources.

B. Faculty Vacancies

- **STEP 1** – Once a Hiring Authority determines the need to post a vacancy, a conference/discussion must be held with a representative in the Employment unit of the Department of Human Resources to determine the details of the vacancy.
- **STEP 2** – The department will prepare a Position Request Form to create a posting that includes the position title, justification, the source of funding and the budgeted position and item number. This request is sent to the Office of the Provost for further consideration and approval.
- **STEP 3** - Once the Position Request Form has been approved. Steps 4, 5 and 6 as designated in the Staff Vacancies (above) will be followed to post the vacancy.
- **STEP 4** - Search Committee Guidelines will be followed after the vacancy has been posted.
- **STEP 5** – All Faculty positions are considered “security sensitive” and Criminal History Record Information (CHRI) will be required, and Steps 10, 11 and 12 for Staff Vacancies will be applicable.

All vacancy notices that are open to outside applications will be posted in the University’s on-line employment system and with other external sources for a minimum of ten business (10)

days. All vacancy notices that are open only to internal applications will be posted on the University's on-line employment system for a minimum of five business (5) days.

External Recruiting – Approved vacancies may be publicized in newspapers and academic journals upon the request of the hiring department. All staff advertisements must be approved by the Department of Human Resources prior to placement of the advertisement and must include the appropriate equal employment opportunity statement. Advertising for positions will be at the cost of the requesting department.

Non-Discrimination

All recruitment efforts should be made without regard to age, gender, race, color, religion, national origin, disability, genetic history, military status or sexual orientation, and to comply with all applicable federal, state and local laws and regulations.

C. Applicant Flow

Applicants for any posted vacancy must complete an application and apply through the University's on-line employment system prior to the close of the posting to be considered for the applicant pool for that posting. The Department of Human Resources will assist any applicant in applying for a vacancy, completing an application, and attaching any documents required by the posting.

D. Internal Applicants

1. All persons, working at least twenty (20) hours per week and paid through the payroll system, may be considered as "internal applicants" when identified as such on postings.
2. A current staff member must have at least six months' employment in their current position to qualify to move laterally or promotionally.

E. External Applicants

Persons outside the University will be considered for all vacancies for which they apply. Only those who meet the minimum qualification for the vacancies, as posted, will be considered part of the qualified applicant pool.

VIII. RESPONSIBILITIES OF HIRING AUTHORITIES

- A. Complete Mandatory Online Training – "Hiring Legally".
- B. Evaluating the applicants to determine interest in interviewing.
- C. Making appropriate changes in status in the University's on-line employment system for all applicants.
- D. Interviewing applicants.
- E. Selecting a finalist.
- F. Notifying the Department of Human Resources to verify previous employment on the finalist and obtaining a signed Authorization to Conduct a Criminal Background Check from the finalist.

- G. Consulting with the Department of Human Resources to provide correct information regarding compensation and benefit entitlements when making a job offer.
- H. Making a job offer to the best candidate.
- I. Communicating by letter to those persons that were interviewed and not selected.
- J. Transmitting a completed Personnel Action Form with required signed application, required posting documents and candidate information for processing.
- K. Scheduling the new employee for New Employee Orientation as close to the first day of work as possible.
- L. Coordinating with the Department of Human Resources to affect the transfer of a current employee, who is a finalist, from their old department to the new department.
- M. Informing other applicants that were interviewed within five (5) working days following acceptance of the position by the selected candidate.

IX. SEARCH COMMITTEES

The selection procedure for faculty and administrative positions, such as Vice President, Dean, Director, and etc., should be made pursuant to the procedures provided by the Department of Human Resources.

X. FOREIGN NATIONAL APPLICANTS

Texas Southern University may employ, or make employment offers to foreign nationals when U. S. citizens or permanent residents of equal training, experience and competence for the position are unavailable. Employment of foreign nationals will be authorized only when conditions and visa requirements established by federal law are assured and documented. Under no circumstances will Texas Southern University knowingly employ, or contract employment with an unauthorized foreign national.

Each individual Hiring Authority is responsible for ensuring that employment offers to foreign national applicants or candidates for positions within the University are contingent upon receipt of necessary work authorization documents. Such documents **must** be presented to the Department of Human Resources for review and determination of the eligibility to work prior to any work being done.

Faculty and staff of the University are prohibited from authorizing any private attorney to represent the University in any non-immigrant or immigrant petition or application. A foreign national may choose to retain an attorney to represent his/her interests. The University will not pay for or offer reimbursement for this private representation. A private attorney retained by a foreign national in support of an H1-B status must submit the H1-B petition and labor condition application through the appropriate authority at the University.

A department wishing to make such job offers are encouraged to contact the Department of Human Resources for assistance as soon as possible after a foreign national applicant is identified as a finalist for a vacancy.

XI. REFERENCE CHECKS

Employment reference checks are made on the candidate's previous employment in an effort to reveal the applicant's work experience and work habits. When hiring authorities decide that the candidate is a finalist for a job vacancy, the Department of Human Resources is notified by telephone or in writing and by changes in the status of the applicant in the employment system.

- A. A Written Reference Check - Written reference check is made when the hiring authority submits a Written Employment Verification Form signed by the finalist. When the written reference check is returned, it becomes a part of the applicant file.
- B. The requirement for copies of transcripts will verify the acquisition of college and/or post secondary degrees.
- C. Personal references may be checked and/or letters of recommendation submitted, but these documents should not be the sole source of information relied on in making an employment decision.
- D. If any damaging or derogatory information is discovered during the reference checks, or information or statements are shown to be false or inaccurate, the hiring authority should not discuss the derogatory or conflicting information with the applicant. If a satisfactory answer is received, the decision to make a job offer may be made. If not, the applicant should be dropped from consideration.
- E. After informing the applicant of a contingent job offer, the hiring authority should obtain a signed form to complete two (2) written reference checks, which will be submitted to the Department of Human Resources for processing.

XII. CRIMINAL BACKGROUND CHECKS

All positions at the University are considered "security sensitive. In accordance with the State Auditor's Office and the Texas Southern University Background Check Policy and Procedure, Criminal History Record Information (CHRI) is required on all security sensitive positions.

XIII. REVIEW AND RESPONSIBILITY

Responsible Party: Senior Associate Vice President of Human Resources

Review: Every three years, on or before September 1

XIV. APPROVAL

Kenneth Huewitt

Vice President for Administration and Finance

[Signature]

President

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