Sam Houston State University
A Member of The Texas State University System

Finance & Operations Human Resources Policy HR–20
Talent Acquisition

SUBJECT: Policy Statement and Procedures for Staffing Non-Faculty Positions.

PURPOSE: To establish a standard process to staff non-faculty positions, ensuring compliance with affirmative action, equal employment opportunity, and in accordance with guidelines established by the Texas State University System Rules and Regulations, Chapter V (Component Personnel); Texas Workforce Commission (TWC), Civil Rights Division; and State and Federal Laws and Regulations.

POLICY: It is the policy of Sam Houston State University (the University) to attract and fill every position with the best qualified person available without regard to race, creed, ancestry, marital status, citizenship, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, pregnancy, or gender identity or expression. Accordingly, all persons responsible for hiring shall make vigorous efforts to adhere to principles of equal employment opportunity; and strive for fairness of all sectors of society. The University takes seriously the initiative to make the needed extra efforts to remedy areas of underutilization in our workforce (see also F&O HR Policy Affirmative Action Recruitment). The University finds that a workforce and student body that is representative of our multicultural society is integral to our educational mission as it promotes learning and valuable experience that prepares our students to succeed in a variety of environments. Personnel actions are reviewed to ensure Equal Employment Opportunity (EEO) compliance.

CONTENTS:

1. Definitions
2. Hiring Procedures
3. Promotions
4. Reclassifications
5. Temporary and Emergency Appointments
6. Faculty Appointments
7. Contract Labor and Independent Contractors

1. Definitions

a. “Employee” according to the TWC is anyone who provides services for the university until the university proves that it has no right to exercise direction or control over the work performed.

b. “Exempt” positions are those exempt from the FLSA overtime provisions.

c. “Hiring Manager” is the employee at the hiring department with the authority to review applications, interview, contact references, and make a hiring decision regarding a position vacancy. Usually the direct supervisor over the position.

d. “Non-Exempt” positions are eligible for overtime according to FLSA provisions.

e. “Promotion” occurs when a current employee is selected as the successful candidate of a vacancy that is at a higher grade than the employee’s previous position.

f. "Reclassification" occurs when the job duties and/or required qualifications of a position are re-evaluated and the position is assigned a new classification.

g. "Regular Employee" is an employee who is employed to work at least twenty (20) hours per week for a period of at least four and one-half (4 1/2) months excluding students employed in positions which require student status as a condition of employment.

2. Hiring Procedures

Use the following steps to hire staff employees. Information and resources are available on the Human Resources (HR) website, see Hiring web page.

a. Job Description Verification:

Prior to posting a vacancy, the hiring manager will examine the job description to confirm it accurately reflects the position's primary responsibilities and qualifications requirements. When changes are necessary, the hiring manager will work with HR to update the job description as described in the hiring guidelines on the HR website.

b. Position Posting

(1) To ensure equal employment opportunity and compliance with state regulations, the University makes public all job openings for which external applicants will be considered.

(2) The hiring department initiates a posting in the HR position management system and forwards the request through the automated workflow channels for approval.

(3) Once approved, HR finalizes and posts the position on the University employment website.

(4) Once posted, HR emails a link to the posting to the contact person assigned in the posting system.

c. Posting Period.

Vacancies for all regular non-exempt staff positions are posted for a minimum of five (5) calendar days and exempt staff positions (professional and administrative) for a minimum of ten (10) calendar days.

A reduction in the number of days an exempt position may be posted requires the written approval of the Director of HR. A department may make a written request for reducing the number of posting days by documenting

- an overwhelming critical business need
- the position is mission critical
- the position is associated with an urgent project

d. Recruitment of Applicants.

All recruitment activities will be based on the criteria stated in the position posting and will remain consistent with all hiring procedures stated in this policy.

(1) Routine *open recruitment* efforts include posting on the University employment website, the TWC site, and other employment sites.

(2) Recruitment efforts such as advertisements, recruitment trips, and Job Fairs may be used to increase the pool of qualified applicants. Advertisements must be approved in advance by HR.

(3) *University-wide recruiting* may be used to consider current University employees for posted positions. The hiring department will indicate on the electronic posting action the preference for 'internal applicants only,' will include a justification for university-wide recruitment, and will forward the request through the automated workflow channels for approval. Routine recruitment efforts for university-wide recruiting include posting on the University employment website.

(4) Newly hired, transferred, and promoted employees are not eligible for transfer or promotion until the employee completes a performance review period of one hundred and eighty (180) calendar days with no disciplinary action beyond a verbal warning. The six-month transfer or promotion restriction may be waived at the discretion of the University under the following circumstances:

i. When the employee's assignment is due to end prior to completion of the performance review period;
ii. When a department reorganization and/or job reclassification creates change in an employee's resulting duties, pay, work schedule, and/or reporting structure;
iii. When the employee is in a temporary position and a full-time job opportunity becomes available; or
iv. When the employee's supervisor and the Director of HR deem the employee demonstrates exceptional job performance that warrants promotion or transfer to another position for the benefit of the University.

(5) *Expedited search* may be requested by a hiring manager and is permitted when approved in advance by the hiring manager's supervisor and the Director of HR or designee. The request must document the urgent reasons for expediting the process, including detailing why the search must deviate from normal university posting policy and procedures.

(6) *Search Committees* may be used for staff positions, but are not required. When employed, a committee with differing points of view is encouraged. The search committee will follow all hiring procedures stated in HR policies and use the criteria stated in the position posting for interview and candidate selection. HR serves as a contact for policy and procedural clarification for committees.

e. Veteran's Preference

To ensure the University's commitment to equal opportunity and veteran employment preference under Chapter 657 of the Tex. Gov. Code, qualified veteran preference applicants will be interviewed when the pool includes qualified applicants who self-identify as eligible for Veteran's Preference employment as follows:

(1) when six or fewer applicants are chosen for an interview, at least one qualified veteran's preference applicant from the pool must be interviewed, or
(2) when more than six are interviewed, 20% will be qualified veteran's preference applicants must be interviewed.

f. Selection

(1) Only individuals who complete an online application are considered candidates for a position.

(2) The hiring manager reviews applications to determine which applicants meet the minimum requirements for the position. This review consists of comparing each applicant's education, experience, and training to the minimum requirements or combination indicated on the position posting.

(3) The hiring manager will use tools available in the online employment system or a screening tool or matrix to evaluate applicants based on the job posting. All qualified applicants will be considered. The screening criteria must be objective, job related, developed in advance, and consistently applied. The online employment system and any screening tool or matrix used is part of the record must be submitted to HR with the list of applicants requested for interview. The screening tool that will be maintained to indicate the disposition of each applicant at this step.

(4) HR will review the applications of selected interview candidates to verify meeting minimum job requirements. Additionally, HR compares applicants selected for an interview with the posting applicant pool to ensure every opportunity to align with the University's Affirmative Action Plan goals.

(5) The hiring manager develops interview questions that cover objective, job related criteria, and inquire about each applicant's knowledge and competencies to perform the job. Core interview questions should be the same for each applicant and may not reference any characteristic related to protected categories including, race, creed, ancestry, marital status, citizenship, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, pregnancy, or gender identity or expression. HR is available to assist hiring managers with examples of appropriate and inappropriate questions to be used as a guideline and training tool during the hiring process.

(6) During the interview process, the hiring manager will use the job-related screening criteria to rate the applicants interviewed. The University deploys a holistic approach to hiring. This means that multiple aspects of candidates' qualifications are assessed from various points of view to ensure that meaningful, relevant information is obtained during the hiring process. From the group interviewed, and in counsel with HR, the hiring manager selects the applicant to which the job offer will be extended.

(7) The selected applicant's start date should be a date that best meets department/college needs. If the selected applicant is a current employee, the selected start date must allow for an orderly employee transition to the new position and meet department/college needs.

g. Job Offer

Prior to making a job offer, a hiring manager must confirm with HR that the following University procedures and requirements are satisfied:

(1) The applicant completed an application.

(2) The EEO/Affirmative Action recruiting review is complete and approved by HR.

(3) HR has reviewed and approved recommended compensation for market and EEO purposes.

After confirming completion of the pre-offer procedures, the hiring department manager may make a job offer contingent on results of a criminal background check and, for a Commercial Driver's License (CDL) required position, a drug and alcohol testing (See, F&O HR Policy Drug Free Work Place, for CDL drug and alcohol testing requirements).

h. Criminal Background Checks HR-19 (see policy)

3. Promotions

An internal promotion occurs when a current employee is selected as the successful candidate of a vacancy that is at a higher grade than the employee's previous position.

An internal promotion within a hiring department or division may be requested and approved in advance by the hiring manager's supervisor, divisional Vice President, and Director of HR. In the request, the hiring manager must document the reasons for the internal promotion, including detailing why the search must deviate from normal university posting policy and procedures, the employee's unique qualifications, knowledge, skills, and abilities, and that other similarly situated employees are not eligible for the position.

4. Reclassifications

A reclassification occurs when the job duties and/or required qualifications of a position are re-evaluated and the position is assigned a new classification. The re-evaluation of job duties and/or qualifications should be sufficient enough to warrant a study by HR and make a change to the essential functions of the position or required qualifications as compared to when it was originally established. To initiate a reclassification, a supervisor will submit a request through the position management system. A position that is re-evaluated may be assigned a new title and be classified at a lower or higher grade and salary range. Please refer to F&O HR Policy HR-02 Classification, Evaluation and Salary Administration of Non-Faculty Jobs, for more information regarding classification changes.

5. Temporary and Emergency Appointments

Temporary emergency appointments may be granted when there is an overwhelming or legitimate business emergency. The hiring manager will provide the reason for requesting the emergency hire and must obtain prior approval through the President and the Director of HR or designee. Temporary emergency appointments must be 4.5 months or less. To convert a temporary emergency position to a regular appointment, a new position must be approved and posted in accordance with existing job posting requirements.

6. Faculty Appointments

See Academic Policy Statement 800114, Academic Instructional & Research Personnel.

7. Contract Labor and Independent Contractors.

See Finance & Operations Human Resources Policy HR-03.

Reviewed by: Rhonda Beassie, Associate VP for People and Procurement Operations, April 2024