Search Process Manual

HUMAN RESOURCE MANAGEMENT

Committed to providing equal employment opportunities for qualified candidates through JEDI excellence (Justice, Equity, Diversity, and Inclusion)
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Mission, Vision, and Values

Buffalo State is a diverse and inclusive university committed to the intellectual, personal, and professional growth of its students, faculty, staff, and alumni. Our mission is to empower students to succeed and to inspire a lifelong passion for learning. Buffalo State is dedicated to excellence in teaching, research, service, scholarship, creative activity, and cultural enrichment.

Vision

Buffalo State University will be a nationally recognized leader in public higher education known for

- its caring and rigorous academic environment where lives are transformed through education;
- the intellectual and creative accomplishments of its faculty, staff, students, and alumni;
- its cross-culturally competent community dedicated to developing leaders for an increasingly global society.

We, the Buffalo State community, are committed to:

- actively facilitating access to public higher education;
- excellent learning experiences in and out of the classroom;
- being student centered;
- the rigors, joys, and fulfillment of intellectual discovery;
- engagement, applied learning, and partnerships with the community;
- social responsibility;
- respect for diversity and individual differences;
- supportive and collegial relationships;
- opportunities for individuals to realize their full potential.

Roles and Responsibilities

President

- Sets university vision to support the mission of the university
- Plans and directs all policies, objectives, and initiatives for the university.
- Sets tone for commitment to diversity and tasks Chief Diversity Officer to create a strategic Equal Employment Opportunity/Affirmative Action plan.
- Reviews and approves M/C appointments and Position Management Emerging Needs Forms.

Vice President Finance and Management

- Develop the college’s workforce planning strategy to align with current Equal Employment Opportunity/Affirmative Action goals and availability of physical and financial resources to support Position Release requests.
- Oversight of the Human Resource Management department and recruitment process.
- Ensures recruitment objectives and outcomes are met.
- Responsible for authorizing and approving all personnel requests reviewed at cabinet.

Chief Diversity Officer

- Creates a diversity strategic plan to support overall mission and vision of the university.
- Sets current Equal Employment Opportunity/Affirmative Action goals to align with federal and state regulations.
- Works with cabinet members on aligning workforce plans with Equal Employment Opportunity/Affirmative Action goals.
- Submits annual Affirmative Action Reporting.
- Signs off on Interview and Recommendation Report to ensure Equal Employment Opportunity/Affirmative Action policies and guidelines were adhered to.

**Associate Vice President for Human Resource Management**
- Enforces university workforce planning strategy in Human Resource Management department.
- Provides support for departments reviewing their operational needs.
- Provide support for new hires requiring work authorization.
- Oversees management of the applicant tracking system.
- Ensures SUNY/state guidelines are met in each search.
- Signs off on Interview and Recommendation Report to ensure SUNY and state regulations were followed.

**Manager of Recruitment and Classification**
- Carry out workforce plan and diversity strategic goals set by Chief Diversity Officer with support of Associate Vice President for Human Resource Management.
- Review the needs of the position relative to the affirmative action goals of the University.
- Review the rules and regulations regarding fairness in the search and screening process.
- Encourage the committee to make a good faith effort to develop an applicant pool reflecting the availability of ethnic minorities and women in the workforce.
- Reviews/trains affirmative action principles and requirements with committee.
- Provides support and training to hiring managers, search committees, and administrative support roles.
- Approval of a Position Management Emerging Needs Request Form and/or Annual Workforce Planning will initiate disseminating training information to hiring managers, search chairs, and the committee.
- Training on the operation and navigation of the system.
- Reviews position announcements for inclusive language, commitment to Affirmative Action goals, and advertisement locations.
- Responds to applicant complaints.
- Recommends additional time or advertising if indicated; can request that search be halted and redone.
- May ask for more information on a decision about candidates or request that Search Committee look again at a candidate.
- Faculty/Professional positions are posted for 30 days. CSEA positions are posted for 15 days. Internal postings are posted for ten days for the 30 days prior to being filled and must be announced in university internal communications.
- Discuss the importance of dialog with the department chair and search committee regarding expectations.
- Remind the committee that conversations are privileged and their open discussions in the process is encouraged.
- Ensure search committee is able to fulfill the responsibilities of the search.
➢ Provide committee members with instructions, guides, and best practices to conduct an effective search.
➢ Provide sample forms that can be used to aid committee in their process to evaluate candidates.
➢ Review evaluative criteria used during selection process to ensure fairness in review of applicants.
➢ Compares applicant pool to current labor statistics to ensure a representative pool was attracted.

Provost/Vice President
➢ Discusses the departments needs to fill a vacancy or a request to fill a new position and reviews in cabinet for approval.
➢ Reviews draft postings to approve language in the job announcement and advertising locations.
➢ Reviews the Interview and Recommendation Report including posting documents and Hiring Proposal.
➢ Discusses the recommended candidates with the hiring manager prior to making the verbal offer.
➢ Provost’s Office should discuss tenure timeline, years of service credit, criteria for evaluating faculty.

Dean/Director/Associate Vice President
➢ Reviews department needs with Department Chair / Hiring Supervisor.
➢ Discusses any issues with Hiring Supervisor and/or respective Vice President.
➢ Reviews draft postings, reports in the system, and hiring proposal.
➢ Addresses any concerns with the Hiring Supervisor so Search Committee can rectify any issues.

Hiring Supervisor
➢ Initiates an internal review to determine need (duties that need to be performed, who will perform them, can current staff be assigned roles, is a new role needed).
➢ Reviews request with Dean/Director/Associate Vice President, and Provost/Vice President to fill a vacancy or request a new position, and available budget for salary, advertisement, and travel reimbursement for interviews.
➢ Coordinate with manager of classification on the appropriate classification.
➢ If filling a vacancy or requesting a new position, outside of the annual workforce planning process initiates the Position Management Emerging Needs Form.
➢ Upon approval, determine job duties, required and preferred qualifications, application requirements, and advertisement budget approval.
➢ Reaches out to potential search chair and committee members to request their service on a committee and ensure they understand their role in the process and have the time to designate to the search process and commitment to Equal Employment Opportunity/Affirmative Action goals.
➢ Determines if position can be posted in field-specific diverse sites or media outlets to increase the pool of qualified applicants and if diverse advertising sites are available.
➢ Remains in close contact with search chair during the search process to provide guidance on the recruitment process.
Review Pre-Interview Report and Interview and Recommendation Report for completed posting documents, evaluative method used, and submit action to approve/return the posting.

- Participates in full length on campus or virtual interviews.
- Maintains all search related records for four years.
- Available for consultation throughout search process.
- Oversees onboarding new employee
  - Acclimate new hire to the campus and department with an introduction to co-workers and the office space.
  - Discuss the role of the new hire’s mentor and their role in support of the new hire.
  - Informs the new hire that they will be provided benefit information via campus mail from the Benefits Office, and new hire paperwork including their contract is sent from Human Resource Management to the Provost/Vice President Office for signature and distribution.
  - Ensure support staff submits tickets on the IT Onboarding site to set up network and email access.
  - Clarify office hours and arrange for their first day (office space, network and email access, tour of area, and introduction to co-workers and nearby offices).
  - Provide another copy of the job description. Review the performance program and submit to Human Resource Management.

Search Chair

- Discuss the nature and responsibility of the position with the Hiring Supervisor. Remain in close contact throughout the recruitment and selection process.
- Coordinate meeting with the committee, support staff, and Hiring Manager to review the search process and expectations, Equal Employment Opportunity/Affirmative Action goals, and documentation requirements during the process.
- Provides leadership in assuring that all members of the committee understand the search process.
- Direct any question on search process or navigation of applicant tracking system to Human Resource Management.
- Coordinates all meetings with search committee and maintains meeting minutes.
- Coordinates meeting between the committee and Human Resources to review Equal Employment Opportunity/Affirmative Action goals and committee expectations.
- Sets pace for committee on timeline for review of applicants and interview process.
- Ensures interviews with candidates are scheduled timely and arranged so all committee members, and stakeholders when applicable, can participate.
- Prepare pre-interview posting documents, change applicant statuses, complete report. Ensuring all documents are complete with clear, indiscriminatory language.
- Provide information to interviewees on the university travel reimbursement policy and arranges travel and accommodations for the interviewees.
- Provide the college’s policy on background checks and the Authorization Release Form to all candidates that have made it past the telephone screening phase.
- Prepare Interview and Recommendation posting documents, change applicant statuses, complete report. Ensuring candidates strengths and weaknesses have been evaluated and compared against each other to recommend the best candidate(s) for the position.
Search Committee

- Each member uses their subject matter expertise to review qualifications of applicants and advises hiring manager on recommendations.
- Sets aside time to be available to meet with the committee, review candidates, provide feedback/opinions on candidates and the search process, post to advertisements (if applicable).
- Remains in contact with the search chair and hiring manager throughout the process.
- Participates in meeting with Human Resources to review Equal Employment Opportunity/Affirmative Action goals and committee expectations.
- Actively participates in the interview process.
- Maintains confidentially of applicant names and privileged committee conversations.
- Uploads documents process in the system and prepares file with supporting documents to the hiring manager to be stored for four years.

President’s Welcome

Buffalo State has a long and continuing commitment to equity, inclusion, and an engaged diverse community. Our dedication and focus to this commitment exists in every sphere of the Buffalo State community. We seek outstanding employees and students to join us. Together we as a community represent every aspect of our state and our country. We are culturally and linguistically diverse; we represent diverse geographic locations; our gender diversity represents the world we inhabit; we represent every physical form and physical ability; and our backgrounds represent the economic diversity of our country. Together we come as a community of learners, teachers, administrators, professional staff, and support staff as we add our voices to the complex and multifaceted discussions that occur on our campus every day.

The Buffalo State community believes in the equitable and just treatment of all members of our community and the broader world around us. We seek to educate ourselves and others about the value of a diverse population and the importance of elevating equality as a united force to guide our world.
On these webpages, you will find the formal ways we track, propagate and assure that equity permeates every corner of our campus. We will continue to advance the work we do in this area by engaging in rigorous and continual professional development. Advancing and promoting a just community is at the core of a Buffalo State experience. Please follow our work here as we strive for true excellence in all we do to promote and encourage equity, inclusion, and an appreciation for diversity.

Sincerely,

Katherine Conway-Turner
President Buffalo State University

**Equity and Diversity**

**Mission Statement**

The mission of the Equity and Campus Diversity Office is to ensure that the university community understands and complies with both federal and state laws with the respect to equal employment opportunity and affirmative action. While equal employment opportunity is the law, affirmative action and diversity issues require the university not only to provide access to employment and educational programs, but also to provide equitable opportunities to enhance success.

The primary goal of the Equity and Campus Diversity Office is to create a campus climate that is favorable to the development of the human potential of all faculty, staff, administrators, and students. To achieve this goal, the office has three major responsibilities: compliance, equity of services, and diversity.

**A Message from Chief Diversity Officer**

If you have agreed to participate on a search committee I want to take the time to thank you for your service in this capacity. This is an important position and in truth, requires a large amount of due diligence and commitment to Buffalo State’s mission, vision, and our core values. A vacancy presents an opportunity for the university to rethink a position, how the position will be used to advance the mission, priorities, and strategic directions of the university. It also provides opportunities to review the education, experience and character of the person needed to make the position work now, and over the next few years. Every search should provide an opportunity to review the university mission, values, priorities and strategic directions as they relate to the position. Our commitment to diversity as well as to equity and inclusion is paramount to this process and cannot be ignored. We do have a commitment to making Buffalo State University one of the area’s most inclusive campuses and places to work. We want a campus community that reflects the diversity of our student population as well as the surrounding community. Everyone serving on the search committee must be made aware of these expectations and commit to working as a team to achieve them.

Our commitment to diversity and inclusion begins now.

Thank you again for agreeing to serve in this important role. Roar on Bengals!
Human Resources

Vision Statement
We aspire to build partnerships with management at all levels of the organization to create a campus culture that values all employees. This culture encourages and rewards exceptional performance and continuous improvement, fosters teamwork, and supports balanced attention to work and personal life issues. We provide valued services in a cost-effective manner to support a vibrant professional environment that fosters respect for both diverse perspectives and a service orientation.

Mission Statement
Human Resource Management/Payroll is dedicated to providing supportive and innovative services and relevant and timely advice to Buffalo State leaders, faculty, and staff. We are committed to promoting a quality work environment that positively influences the education of our students.

A Message from Associate Vice President for Human Resource Management

Human Resource Management is committed to promoting the college’s Equal Employment Opportunity/Affirmative Action goals and ensuring all job announcements and search committees are free from bias. We believe our workforce should reflect the true diversity of our community. Our best asset is our people, and we are committed to supporting our current employees with their future aspirations to promote equity as well as encouraging and seeking a diverse applicant pool.

To find out more about diverse groups on campus, please view the sites below which provide additional links to other resources on campus.

Campus Life – Get Involved https://sle.buffalostate.edu/engagement
Equity and Diversity – Programs  https://equity.buffalostate.edu/programs-0
Buffalo State – Intellectual Foundations https://intellectualfoundations.buffalostate.edu/diversity-0

Training and Resources

Upon approval of a Position Release, Human Resource Management will reach out to the Hiring Supervisor with resources to aid in preparing a posting that includes:

- The college’s commitment to diversity.
- Clearly written job descriptions and required and preferred qualifications.
- Inclusive language.
- Advertising placements to attract a large, diverse candidate pool.
- Option for supplemental questions to help determine qualified applicants.
- Technical navigation of the system.
Mandatory Equal Employment Opportunity/Affirmative Action Training

- Training from the Chief Diversity Officer

https://buffalostate0.sharepoint.com/:f:/r/sites/grp-cmscollegerelations/Shared%20Documents/_Creative%20Media%20Services%20Exports/2020%202021%20Academic%20Year/210222_E%20and%20D%20Search%20Videos?csf=1&web=1&e=ln9T7w

- The ways in which bias may exist and how to prevent it.
  
  Online video training
  1. Preface: Biases and Heuristics (5:13)
  2. Lesson 1: Schemas (3:12)
  3. Lesson 2: Attitudes and Stereotypes (4:13)
  4. Lesson 3: Real World Consequences (3:45)
  5. Lesson 4: Explicit v. Implicit Bias (2:49)
  6. Lesson 5: The IAT (5:14)
  7. Lesson 6: Countermeasures (5:23)

Videos obtained from UCLA Equity, Diversity & Inclusion.

- Charge Meeting with Human Resources

The entire search committee will meet with the Manager of Recruitment and Classification in Human Resources. Training is required for all search committees upon approval of each search. The search chair is responsible for arranging the meeting and is required to be attended by the entire committee, department head/chair or hiring supervisor, and administrative support staff, if applicable.

The meeting will consist of:

- The college’s commitment to diversity.
- Understanding the department need, job requirements.
- Maintaining close contact with the hiring manager throughout the process.
- How to review/rate applicants based on required qualifications and completing the Rating Sheet and Screening Matrix.
- Importance of documents legally defensible reasons for each applicant’s rating in the process.
- Sample forms are provided to aid the committee in preparing documents required in the search including maintaining meeting minutes.
- Handling contact with applicants.

Any questions the committee may have can be asked at this meeting, and also at any time throughout the process.

Navigation Training

Human Resources also provides training on the navigation of the system. This meeting is optional.
The applicant tracking system will automatically notify committee members via email with a link to the posting. Login information is the Buffalo State username or password, or the Guest User information if there are any committee members outside of the university.

**Definitions**

**Diversity** – the inclusion of people of different races, cultures, etc. in a group or organization. Also, understanding that each individual is unique, and recognizing our individual differences. These can be along the dimensions of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other ideologies.

**Equity** – freedom from bias or favoritism; the quality of being fair and impartial.

**Inclusion** – the act of including or state of being included as part of a group, list, etc.

**Equal Employment Opportunity** – the equal and fair treatment of all qualified applicants and employees regarding employment practices, including, but not limited to, recruitment, selection, hiring, training, promotion, compensation, benefits, transfers, discipline, terms and conditions of employment, and layoffs.

**Affirmative Action** - an active effort to improve the employment or educational opportunities of members of minority groups and women.

**Tips for a Successful Search**

**Training:** is crucial to understand what is expected of the committee, receive resources that are available to utilize for the search, be able to screen candidates using uniform criteria and without bias, take notes from the beginning of the process, and store search-related documents properly.

**Representative Committee:** A search committee should be able to take the department/college's interests into account. The committee should include stakeholders from various departments that would be working with or sharing information with the person to be hired.

**Communication:** Communicating with the hiring manager throughout the process will help to ensure that the department’s needs are being met. The hiring manager assigned the task of reviewing candidates to the search committee but should also be included in the process for feedback.

**The COMMITTEE CHAIR**

**Availability.** The leader of the committee must be able to invest sufficient time in the search, which also includes having a schedule that does not conflict with that of other committee members.

**Skill.** The committee leader must have the skill to balance between encouraging a free exchange of ideas and bringing each step in the process to a timely conclusion. The leader must also be able to decide when to proceed, when to delay, and how to build a consensus among members when selecting the strongest candidates.
Knowledge. The Chair should possess substantial knowledge of the position and its institutional context in order to answer the more complex questions that may arise from the search process based on their expertise in the subject matter.

Understanding. The Chair should also understand the type of candidates the position is likely to attract in order to set appropriate goals and expectations for the search.

The COMMITTEE MEMBERS

Availability. Search Committee members must be available to participate in important processes, such as formulating the position description, actively seeking applicants to enlarge the pool, carefully reviewing incoming applications, and participating in meetings and interviews.

Teamwork. Committee members must be prepared to work as a team. Committee members must be able to put aside narrow interests and to trust each other.

Knowledge. Individual members need to understand the position and the institution. The committee should possess a balanced understanding of both the position and the institution.

Diversity. The committee should reflect the diversity that the search claims to be seeking.
Steps for approval to fill a vacancy

Review department needs
The department head reviews the departmental needs including what duties need to be performed, what is not being performed, who can do them, can they be assigned to current staff, or if an existing position needs to be filled due to a vacancy. This information is shared with the Dean/Director/Associate Vice President and Provost/Vice President for review and approval.

The division of Finance and Management oversees physical and financial resources and has guidance on their site for initiating the required Position Release form that is needed to fill a vacancy. For purposes of this manual, the key areas are to obtain approval to fill a position to post a position or request a search waiver.

Obtain approval to fill a position
Obtaining approval is required to fill a vacancy that is due to a new position, retirement, resignation, or other separation. All requests to fill a vacant position or create a new position must follow the annual workforce planning process and/or position management emerging needs request process. All requests must include justification for the request and a Job Description for the position. The search cannot begin, or search waiver cannot be granted until the President has approved the annual workforce planning initiative and/or the position management emerging needs request.

When is a Search Necessary?
A position can be filled by actively recruiting and creating a job announcement in the applicant tracking system, or by requesting a search waiver. Detailed steps for each process are outlines in this manual.

To determine which step to take, please consider the following:

- Union policies that may require a position to be posted.
- Type of position that is vacant and priority of filling it.
- If a search will create a diverse applicant pool to support the Equal Employment Opportunity/Affirmative Action goals.

Questions on either process should be directed to the Manager of Recruitment and Classification.

Benefits of a Search to Fill a Vacancy:
A vacancy presents an opportunity for the university to rethink a position, how the position will be used to advance the mission, priorities and strategic directions of the university. It also provides opportunities to
review the education, experience and character of the person needed to make the position work now and over the next few years. How a given search is conceived should be a function of the resulting position analyses, which in turn reflects a larger pattern of personnel planning for the institution, developed by the senior administrator to be consistent with the strategic goals of the university. Every search should provide an opportunity to review the university mission, values, priorities and strategic directions as they relate to the position.

Positions that Require a Search:

Searches are required for filling full-time term faculty, professional staff, and administrative positions. This applies to:

- full time regular term positions
- temporary positions FTE .50 or greater AND 6-12 months duration
- non-US citizens that wish to apply for permanent resident status must have their position posted. The Department of Labor will only approve a Labor Certificate application after a search has been conducted to attest that there is not a local qualified US worker to fill the position.

Positions that Do Not Require a Full Search:

- Part-time positions. Part-time positions less than FTE .50 AND less than six months duration.
- Graduate assistant positions. Graduate assistants are part-time temporary employees who meet specific requirements of the graduate school and the employing unit. Special recruitment procedures have been established to inform all graduate students about the availability of assistantships and the application process when they inquire about the graduate programs. The position release/recruitment plan is required so that the position can be posted on the Human Resources and Graduate school website. Each hiring unit will use its own internal process for graduate assistant searches.
- Interim appointments. Interim appointments are created by sudden or late resignations, illness, death or other unforeseen circumstances resulting in the need to fill a position quickly without time to conduct a search. The position may be filled on an interim basis without a full search. Such appointments are temporary, i.e. they are not expected to be “temporary” for more than one year. Interim appointments created by reorganization may also be filled without a full search as such appointments are temporary. A full justification for the interim appointment should be provided to the Human Resource Management Office with a statement indicating when the full search is expected to commence. It is expected that a full search will commence as soon as is practicable.
- Temporary appointments. In order to provide equal access to all positions, an affirmative action search is required for all temporary faculty, professional staff and administrative appointments of .50 FTE or greater AND with a duration of six to twelve months. According to collective bargaining agreements, temporary appointments are not renewed and do not exceed a year in duration. Departures from the policy are handled on a case-by-case basis upon petition from the appropriate vice president. Questions about searches for temporary positions should be directed to Human Resources Office.
- Re-classification or promotions in place. Personnel actions such as re-classification of a person’s position occur because of an increase in the scope and complexity of job duties and responsibilities such that a re-classification or promotion is justified. For example, re-classification from computer programmer analyst to senior programmer analyst or state line SL-1 to state line
SL-2 may be justified because of a change in duties and responsibilities. The promotion or reclassification, if effected, does not leave a residual vacancy to be filled. Re-classification is exempt from the provisions of a full affirmative action search by approval of the Dean, Director, Vice President and the Senior Advisor for Equity and Campus Diversity. Consultation with Human Resource Management is strongly recommended before such requests are made.

Can a Search be Waived?

It is expected that all vacant full-time positions will be filled with a fair and non-discriminating search. On very rare occasions, the equal employment assurances of the university can be reached without going through an extensive search. This can be done under the following conditions:

- The Equal Employment Opportunity/Affirmative Action goals of the campus can be met by the identification of a qualified candidate for the position. This can only be used if there is a narrowly tailored justification for the hire based on clearly defined evidence of the effects of previous discrimination.
- There is evidence that the qualifications necessary for the position are unique to a particular individual and it is unlikely that a full search will result in the identification of a more qualified person for the position.

Consultation with Human Resource Management is recommended prior to submitting a request for a search waiver.

Steps to Post Position and the Search Process

Overview

The applicant tracking system, PeopleAdmin, performs the following functions:

- Stores template postings with pre-populated data to easily create a draft announcement.
- Acknowledges receipt of all applications.
- Collects Equal Employment Opportunity/Affirmative Action data.
- Sends notices to applicants if they are not selected.
- Allows applicants to check the status of any completed application.
- Obtains online approval for required forms from administrators.
- Historical postings and hiring proposals are kept in the system for quick access/review.
- Internet-based and can be accessed from anywhere.

Workflow and Approvers

The workflow in PeopleAdmin is set up to reflect the search process and the roles involved in the review process.

See Roles and Responsibilities for details of user expectations.
**Post Position**

Key components of the Job Description and Position Release are needed for creating a posting. Templates of all Budget Titles are set up in the system, so it is easy to create a posting from a template. The templates include pre-populated information such as budget title, title code, rank, FLSA indicator, and negotiating unit. This information should be checked with the approved Position Release to make sure the correct template is being used. Discuss with Human Resource Management to make sure the job description and title is classified correctly. The draft posting is completed by filling in the required information on each screen and clicking Save and Continue until finished.

**Choosing a Search Committee:**

Search Committees are essentials in the recruitment process for faculty and professional staff positions. Ideally, a search committee should be as small as practicable, yet large enough to include as many legitimate interests as possible. At a minimum, the search committee should have 3-5 members. An odd number is advisable to avoid tie votes.

It is also advisable to have diverse membership on the committee. Where possible, fair representation by gender and ethnicity should be included on the committee. Professional staff positions should include persons from units that have a relationship with the hiring unit.
It is unusual to have members on the search committee who are not university employees. However, a committee searching for a position that will have visibility in the community might have a member of the community board on the committee. For example, a search for a Director of the Performing Arts Center may involve members of the Performing Arts Center Board. A position that will be highly involved with students may have a student as a member of the committee.

**Conflict of Interest:**

Persons who should not be part of a particular search committee include those who may have a personal interest in the position or who could be viewed as having a conflict of interest involving applicants or potential applicants for the position. Even the appearance of a conflict of interest should be avoided. If a family member or other close ally is a potential applicant, the member should excuse him/herself from committee membership.

**Type of Searches:**

- **Classified.** Clerical, maintenance, and security positions are in the NEW York State classified service. Recruitment procedures are determined by the Civil Service Law, administrative regulations, and agreements negotiated under the laws of New York State. All classified appointments are temporary pending clearance of NYS Department of Civil Service preferred lists.

- **National.** Most faculty and senior level professional staff and administrative positions are conducted through a national search. Because of the nature and cost of the national search, care should be taken to ensure that the effort and resources expended will result in the identification and eventual hire of a qualified candidate.

- **Local.** Local searches are usually conducted for professional staff positions. Depending on the nature of the position to be filled, a local search may be more appropriate than a national search. Local searches are less costly. They should be used only when there is certainty that a sufficient pool of qualified applicants can be obtained by the local advertising and recruitment efforts. Because even local searches advertised on the internet often yield national candidates, discussion of budget to interview non-local candidates in this search should be discussed with the appropriate dean/administrator.

- **Graduate Assistant.** Graduate assistants are temporary part-time employees. The Graduate Office has developed procedures to inform all graduate students about the availability of graduate assistantships as a part of the inquiry and application process. All graduate assistant positions are advertised via a link from the Graduate School website. Positions may also be posted and additional advertising for GA positions is optional. Any special recruitment or advertising should be noted on the recruitment plan, especially if external advertising is to be done through Marketing and Communications.

- **Internal.** Vacancies often allow the institution the opportunity to review how the current staff is used. From time to time, there are vacancies that can be filled by persons on the staff of the university to retain a strong, creative, and proactive workforce. In these cases, an internal search may be authorized. This will allow only university employees to be considered for a position, thus providing a promotion opportunity for some employees. If a suitable candidate is not identified
through the internal search, a local or national search may be conducted.

**Intradepartmental.** Within a department recruitment. This will allow only those employees within the specific department to be considered for the position, thus providing a promotion opportunity for some employees.

**Search Waiver.** Positions are not posted online if a search waiver is approved. See the section for Search Waivers for additional information.

**Permanent Resident Status.** In some situations, if an employee wishes to apply for permanent resident status a new regulation regarding recruitment procedures for non-US citizens working in the United States took effect on March 28, 2005. The employer (Buffalo State) must bear the burden of proof to document that there are, in fact, no qualified, willing, or able U.S. workers who meet the minimum requirements for the position sought for Labor Certification. The Department of Labor will only approve a Labor Certificate application after the employer has recruited for the position, documented, and attested that it could not located a qualified U.S. worker to fill the offered position.

Ad placements under the new regulations are governed by specific content and placement rules. Recruitment must occur between 30 to 180 days prior to filing the application. Since many positions have the potential of attracting a non-U.S. citizen as the only qualified worker, the following procedures are recommended for positions where it is possible that a non-U.S. citizen candidate could be offered the position.

**Brief Job Description:**

Review the job description submitted as part of the cabinet approval process including who the position reports to and the departments that the position will need to interact with. The Job Description should include a clear description of the essential job functions and identify the duties and responsibilities of the position. The focus is on the duties and responsibilities. The job description should be specific so that the committee will clearly understand the nature of the position and provide a basis for the requirements.

**Required Qualifications:**

Regulation issues by the U.S. Equal Employment Opportunity Commission (EEOC), Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and other federal laws make it illegal to recruit, advertise or use job procedures in a way that discriminate against applicants for positions on the basis of age, sex, national origin, religion, disability, marital or veterans status except when such notice is based on a Bona Fide Occupational Qualification (BFOQ) for employment. BFOQ recognizes that in extremely rare instances, a person’s sex, religion or national origin may be reasonably necessary to carrying out a particular job function in the normal operation of an employer’s operation or business. The protected class of race is not included in the statutory exception and cannot, under any circumstances, be considered a BFOQ for any job.

It is important that the qualifications for a position not be written so as to cause de facto discrimination. Requiring that applicants speak Standard English is potential discrimination by national origin. Requiring a doctorate or advanced degree for an entry-level position has the effect of discriminating against those without the higher degree. Since fewer minorities, women and other protected classes including
Vietnam Era Veterans and persons with disabilities have higher academic degrees, requiring a degree or other qualifications that are not necessary for the essential functions of the position can be considered de facto discrimination.

This is essential in recruiting and selecting the right candidates. The search committee will need to review candidates based on information in this section. These qualifications should reflect the minimum requirements to perform the job. Consider how minimum requirements will be assessed by the committee. Candidate qualifications and judgement standards should be clearly understood by committee members. Consider including required skills, knowledge, education, experience, or competencies, if applicable. All candidates that meet the required qualifications are eligible for a screening interview. Any applicant that does not met the Required Qualifications cannot be considered for the position.

**Preferred Qualifications:**

The department may not wish to unnecessarily limit the applicant pool by a too-strict definition of minimum requirements. Listing key preferred qualifications may let applicants know more about what the job entails but will not keep applicants without these qualifications from applying and being considered. You need not list everything you want, just the key elements.

**Experience:** Search committees should be cautious about requiring a specific number of years of experience for a position. It may be appropriate to specify the type of experience rather than a specific number of years. An applicant may have had five years of experience at entry-level levels of responsibility. It may be more appropriate to express the desired experience as increasing levels of responsibility in certain areas related to the position, such as data entry, budget management, supervision of staff, or other specific tasks.

**Communication Skills:** The ability to communicate effectively “both orally and in writing” cannot be a requirement for a position. Communicating orally could screen out otherwise qualified individuals with speech or hearing impairments. Such persons may be able to communicate effectively by use of manual and/or electronic devices. It is, therefore, more appropriate to require that applicants be able to communicate effectively for the essential functions of the position.

**Print and Electronic Advertising:**

Required advertising resources are indicated in the posting. Select additional resources that are applicable and be sure to make the same selections on the Recruitment Ad Production Form. Pricing is available from Marketing and Communication when they submit the ad for review with the vendor, Graystone. Consider non-traditional advertising publications to recruit diverse candidates and free advertising options through social media networks. Marketing and Communications does not place advertisements in discipline specific list serves, or professional organizations. This would be done by the hiring manager or search committee. Committee members may also post the job announcement on personal social media pages, if appropriate, or use personal contact to recruit to expand the search pool.

**Local and National postings** require placement in Panorama Hispano News and two other media outlets that run in print and/or online formats. The ads must include Employer name, Brief Job Description, Job Location, Link to Posting, Reference Number, Equal Employment Opportunity/Affirmative Action statement. Wage and Education Requirements is not required. All postings
are automatically placed on the [New York State Job Bank](#).

**Internal postings** must be displayed for 10 business days at the job site, 30 to 180 days prior to filing. The Posting must also be placed in any in-house media, electronic or print, for as long as normally posted. The internal posting must contain the Job title, Job location, Complete job description, Wage, Direct applicants to report to a Company representative, and Reference number.

**Application Deadline Date or Priority Review Date:**

The Application Deadline Date is a cutoff date that does not allow applications to be submitted after that date. A Priority Review Date lets applicants know who will be considered in the initial review process. Applications can still be still be submitted during the review process and would need to be considered by the committee. The position can also be left Open Until Filled.

**Posting Documents:**

Upload the approved Position Release.

**Equal Employment Opportunity/Affirmative Action considerations:**

The Manager of Recruitment and Classification (MRC) will review for inclusive language, compare listed salary to College and University Professional Association data, and bona fide job functions in the required qualifications, and compare the pool to national and regional availability data. These data are broken down by job titles and by academic specialty. If the pool is very different from those available data, the MRC may recommend additional time and/or advertising to increase the pool. It is important that all available steps be taken to ensure a large and diverse pool. Pool sizes and depths will vary, of course, according to the position.

At the time of application, we are required by federal law to solicit gender and ethnicity information form applicants. Providing this information is voluntary, but the response rate is very high. These data are not available to the search committee and should never be any part of its considerations.

Outreach to increase the pool of diverse applicants has been enhanced. Contracts with publications that have a high readership of minorities and protected classes has been revised. Any positions that are posted in the applicant tracking system will be reviewed and included in select publications for advertisement. The recruitment plan within the posting will be updated by Human Resources.

All print advertisements include the following language:

*Buffalo State is an affirmative action/equal opportunity employer and committed to respect for diversity and individual differences.*

**Review Applicants and Conduct Screening**

**Review with Hiring Manager:**

It is important to start by reviewing the department needs with the Hiring Manager to get an idea of what kind of person is needed for the position and to understand the job functions. The hiring manager
may also provide their expectations from the search and for their position. The hiring manager will also be able to provide the full job description.

Applicant Review:

Candidates are reviewed based on the Required Qualifications listed in the posting and all candidates that meet the Required Qualifications are eligible for an interview. A sample rating sheet is listed at the end of this manual. Ratings should be given in Yes/No responses to whether a candidate meets or does not meet the specific requirement. Numeric ratings should be avoided. The rating sheet should be emailed to the Manager of Recruitment and Classification for approval prior to review of applicants.

The Search Chair needs to create a screening matrix to summarize the committee’s review of each applicant in the pool from the rating sheets. Each committee members rating sheet should be kept as part of the search file but do not need to be uploaded in the system. The sample screening matrix listed at the end of this manual includes a drop-down list of the available status options. Each candidate is required to have a new status selected to either Recommend for Interview or Does not Meet Required (required sub-reason to identify which requirement was not met). Meeting minutes need to document the process with notes on each candidate’s status selection. A sample Meeting Minutes document is available at the end of this manual.

Protocol for Internal Candidates:

It is not uncommon for searches to contain internal candidates. All candidates in any search must be vetted and treated in the same manner as external candidates. The search process is a confidential personnel process in which all reviews, conversations and proceedings must not be discussed or shared outside of the committee, hiring manager, or Human Resources. Internal candidates are not entitled to a courtesy interview on the sole basis of being a fellow colleague. In keeping the search process fair and equitable for all candidates, internal candidates should follow the same on campus interview agenda as external candidates. While a campus tour may not be necessary it may warrant a tour of a facility/department if the area of the campus is new to the candidate. If an internal candidate progresses through the search process and is not selected for the position, then the Search Chair should reach out prior to official notification from the system. A courtesy phone call is a best practice.

Protocol for Conflict of Interest:

Committee members should be conscious of the conflict between their personal interests and those of the university. Committee members should articulate and disclose any possible conflicting interests, both on the general level and as conflicts arise and they should not participate in any discussion or vote if the conflict is either strong enough to actually influence the committee or may reasonably appear that way.

Screening Interview/Call:

All applicants who meet the required qualifications are eligible for an interview. This may cause a large group of applicants that are to be interviewed. It is recommended to use a multi-step interview process beginning with a screening call then advancing select, qualified candidates to a full-length interview with the search committee. The virtual/telephone screening should be brief at approximately 10-15 minutes and can be conducted as applications are received and reviewed by the committee. As many committee members should participate when possible. However, if a search results in an overwhelming number of
applicants that meet the required qualifications then the screening process may be split amongst the committee members to be reviewed with the rest of the committee when making a final determination. Only committee members present during the screening call should evaluate the candidate and care should be taken to ensure that the feedback to the full committee is presented in a way that fosters a fair comparison of candidates and review of the committee.

All initial questions asked of candidates should be the same. Follow-up questions may differ based on candidate responses to the initial questions. The time allotted for each candidate’s interview should be consistent. All questions should conform to the Legal and Illegal Questions at the end of this manual.

**Narrowing Interview List:**

The Meeting Minutes should include details on each candidate including strengths and weaknesses, and their status in the search process. Decisions to move a candidate forward or eliminate them from consideration need a clearly stated, legally defensible reason for each candidate the process. The reason should correlate with the available status options in the Manage Applicants through to Hiring Proposal Guide but also be included in the minutes. The Search Committee should evaluate candidates in broad comprehensive terms, carefully examining all of an individual’s accomplishments, potential growth, diversity of perspective, and the unique contribution that the candidate will make to the academic unit or department.

**Required Documents to Upload:**

When the applicants review is complete, the Search Chair uploads the required documents to the posting including meeting minutes, rating sheet, and screening matrix. Then the Pre-Interview Report can be completed, and applicant statuses changed (see Manage Applicants through to Hiring Proposal Guide for assistance with navigation). The posting is then routed in the workflow for review/approval.

**Search File:**

Individual rating sheets of committee members need to be maintained as part of the recruitment file. All related materials used in the search process is also to be included. This file is to be saved in the department for four years.

**Review of Post-Screening Report:**

The Equal Employment Opportunity/Affirmative Action information in every position will be reviewed and compared with labor statistics in the field. The job announcements should be posted to recruit a representative candidate pool. A job announcement may need to be reposted with a new recruitment plan if the applicant pool does not match the current labor market.

An email will go out to the Search Chair, Committee, and all approvers when the Post-Screening Report is approved.
**Interview and Recommendation Report**

**Full length Interviews:**

The committee may begin the full-length interviews after the screening interview/calls are conducted and the posting is approved after routing the narrowed list and appropriate posting documents.

There is no set number of campus interviews. This should be discussed with the hiring manager for considerations including budget and availability.

It may be necessary for some departments to conduct more than one full-length interview. Faculty positions include interviews with other stakeholders (Dean’s area and students). Professional positions that report to a Vice President, Provost, or President may include an interview with cabinet.

Candidates that are invited to a full interview should be provided a Welcome Packet with information about the University, department, Buffalo/Niagara area, and Background check information.

- University mission, vision and values
- Department information
- List of diverse groups on campus
- Anne Frank Project
- Benefits at-a-glance
- Buffalo State at-a-glance
- Buffalo and the area
- Childcare brochure
- Background check policy and form

An agenda for each interview should be created and used for each interview for consistency and is uploaded to the Posting Documents. During the discussions, it is permissible to ask additional, follow-up questions indicated by the candidates’ responses. The agenda can be used by committee members for each interview to record notes of thoughts, candidate responses, and strengths and weaknesses while it is fresh on one’s mind. The Search Chair is charged to compile the committee’s decisions and maintain Meeting Minutes that is also uploaded to the Posting Documents. The forms completed by individual committee members should be maintained as part of the search file and kept in the department for four years.

**On campus interviews:**

Send the itinerary to the candidates before their visit. Let them know who will be escorting them between meetings. Allow some free time in the schedule with a meeting place to reconvene. The
itineraries for all candidates should be as consistent as possible, including those for internal candidates. As an internal candidate may not be familiar with a particular building and should not be omitted from the tour.

**Remote interviews:**

If there is one interview with the committee then there is no need to send an agenda but let the candidates know who they will be interviewing with. If there is a second interview with stakeholders, hiring manager, or Vice President/Provost then arrange the meeting prior to the first interview so candidates know what to expect and understand the steps in the recruitment process.

**Reference Checks:**

Reference Checks should be completed after the screening interview or on candidates that have made it to the final stages of the interview process. The primary purpose of a reference and credential check is to confirm information obtained from a resume, curriculum vitae, application, or interview. Some studies indicate that as many as 45% of all resumes contain false information, while university registrars report that at least 60% of the requests for verification contain falsified educational information. Another reason to conduct a reference and credential check is to obtain more information about an applicant’s work ethic, initiative, and performance. The results of reference checks may assist the committee in narrowing the pool for campus interviews.

Candidates should be notified in advance when references will be contacted as a courtesy.

Off list references can be contacted and applicants should be notified in advance as a convenience of which employer is to be contacted. Reference check should be kept brief and at least two committee members should be present on the call and notes taken during the conversation to ensure accurate opinions are used when updating the meeting minutes.

If the candidate asks that references not be called, honor that request within reason, and determine with the candidate when this may happen. Some candidates may need time to inform their current employer that they are seeking other employment. If there seems to be other reasons the candidate does not want references verified, contact MRC.

See sample reference questions in the Appendix.

**Planning for the Reference Check:**

- Gather information on the references to be contacted. Make sure the candidate has provided you with the current information on the individuals providing references.
- Check “off the list” references. It is a courtesy but not a requirement that you inform the candidate that you will be contacting references “off the list,” particularly for administrative positions. This is usually not done unless the candidate is a serious finalist for the position.
- Review the application and the resume. Identify what data needs to be verified. When talking to references use open-ended questions to ascertain the skills and characteristics that you want to learn more about. Review to make sure you are not asking prohibited questions.
- Schedule about 20-30 minutes to conduct each reference. Make sure that you will have the privacy needed to conduct the check.
Search Status Inquiries:

Applicants who inquire about the status of a search should be told that the search process is ongoing. Never tell a candidate that they are not being considered for an interview or for the position, as you may have to revisit the original pool if the selected candidates decline an interview or the position offer. Committee members should direct all inquiries to the search chair. All other candidates will be notified via email once an offer is made and accepted. Never discuss the search results with a candidate.

Recommendation Review:

Upon completion of the interview process and when all information on the candidates has been collected, the committee begins its final deliberations and determination of candidates to recommended for the position. Care should be taken to follow all legal considerations in making final recommendations. The reasons for documenting why a candidate is not recommended or is ranked lower than others should be clear, legally defensible, and free from bias or illegal discrimination. Any recommendations should be based on the requirements and perceived ability to perform the essential functions of the job, and strengths and weaknesses of the candidates. There are no minimum or maximum number of candidates to recommend. Contact MRC if you think the search will result in no recommendations.

Note: It is essential that confidentiality be maintained until the president, provost or dean makes the appointment. Final negotiation can be jeopardized by breach of confidentiality at this point. Since the committee is making a final recommendation, the final selection of the successful candidate remains the responsibility of the provost/vice president or president, depending up on the position.

Remember that the committee is making recommendations. It is up to the hiring manager to whom to offer the job and for how much. The hiring manager will offer the position and negotiate the salary. The committee plays no role in that process. The hiring manager may decide not to make an offer. For these reasons, information about the search remains confidential. After someone is hired, that person should not be told anything about the search committee deliberations or other candidates.

Failed Search:

If there are no recommendations by the committee or the hiring manager’s offer is declined, the Manager of Recruitment and Classification may ask for the committee to review their notes to determine if any candidates should have been recommended based on their application materials, reference checks, and performance during the interview process. The new list will need to be documented and approved. If there are no other candidates then the search may be declared failed and the process may begin again. This decision is up to the hiring manager and necessary approvals to post a position.

Searches may also fail if the procedure detailed in this manual is not followed.

Interview and Recommendation Report:

The Interview and Recommendation Report is used to report on the process for interview and final recommendations. The report and supporting documents provide the rationale for recommending the final candidates and the rationale for why other candidates were not recommended. Information on the form must relate to the requirements for the position and the candidate’s ability to perform the essential functions of the position. It may also indicate how the candidate compares to others in the report.
The committee chair, department chair/director, dean/director, the appropriate vice president and MRC must approve the report.

The dean and/or hiring manager appropriate for the position makes the final selection of the candidate to be offered the position, makes the offer to the candidate and negotiates the final terms of employment. They may or may not accept the recommendation of the committee. If the recommendation is not accepted the search may continue or be closed without hire.

Interview and Recommendation Workflow:

Hiring Proposal or Appointment Form

Once the Interview and Recommendation Report has been approved by the Provost/Vice President or President (where applicable) and a verbal or written contingent offer of employment has been accepted by an applicant, the Department Head/Chair may initiate and route the Hiring Proposal.

Notes:

- A background check is required for all new hires (those requiring an I-9).
- Official transcripts confirming the applicant’s highest degree are required. (not applicable for Graduate Assistant appointments)
- Faculty and professional contracts are prepared by HRM for signature and mailing by the associated Provost/Vice President.

Any verbal or written employment offer extended to an applicant is subject to a pre-employment background investigation. The College's Pre-Employment Background Screening policy and forms are available at http://hr.buffalostate.edu/pre-employment-background-screening.

The hiring proposal is routed electronically and the posting is closed upon its approval. Applicants are then notified that they were not selected based on their status in the system. Email notices that go out can be found options in the Manage Applicants through to Hiring Proposal Guide.

Hiring Proposal / Appointment Form workflow:
Internal Search

The workforce of the university is the core element of future success and prosperity, and the parameters outlined here have been devised with the goal of acknowledging the value of the employees who devote their professional lives to the University. We believe that the concept of internal career development is an integral ingredient in employee morale and institutional success. We understand that building and maintaining an excellent workforce is in part achieved by providing equal opportunity to all persons in employment consideration and recognize the need to balance affirmative action commitments with the concept of internal promotion.

The promotional opportunities in this plan will be consistent with employee development, qualification, and job performance. Guidance and criteria for professional employee consideration is consistent with Affirmative Action requirements to provide upward mobility for women, minorities, veterans, persons with disabilities and regardless of sexual orientation.

A position may be requested to be filled as an internal search and is considered on a case-by-case basis. To request an internal search, please have the following documents prepared:

- A justification for the request and how this supports the colleges mission, vision, and values
- History of the position (Who was in it? When was it vacated?)
- Organizational Chart with the proposed position including current staff names and budget titles
- A description of the position, including required qualifications (and if appropriate) preferred qualifications
- Documentation of how the department is meeting its affirmative action goals

Review process:

The documentation should be submitted to the Manager of Recruitment and Classification. A written determination will be rendered and routed to the requesting department.

Search Waiver

Buffalo State is committed to hiring a talented workforce through recruitment practices that are fair and consistent and that comply with all applicable laws and regulations. Conducting competitive recruitments for staff positions is the normal and expected method for identifying and hiring staff personnel. Under special circumstances and in accordance with local procedures, exceptions may be granted to the recruitment policy by authorizing a waiver of recruitment.

Waivers of recruitments are an exception to the normal recruitment process and should only be proposed in limited circumstances. Repeated requests for waivers from the same department or unit
may be an indication that the recruitments overall are not being well-managed. The department or unit should consult with Human Resources to obtain assistance with its recruitment efforts.

In rare circumstances, it may be argued that the college's interests are best served in foregoing the standard posting and search procedures before making an appointment. Waiver of all or part of the regular search process is appropriate in situations where it can be amply demonstrated that the investment of time and effort in a search is simply not in the college's best interests. These may involve critical workload situations involving a high cost of breakdown or failure, or emergencies necessitating immediate hiring.

When the situation arises, the department chair/hiring manager should consult with the Manager of Recruitment and Classification. Note, this first conversation is only a consultation; approval is gained only through the process outlined below.

**Required forms for request:**

The department chair or hiring manager should prepare a written request for a waiver of the search requirements, which must include:

- A justification for the request demonstrating the imperative for departing from a full, affirmative search including past recruitment job announcements
- History of the position (Who was in it? When was it vacated?)
- Organizational Chart with the proposed position including current staff names and budget titles
- A description of the position, including required qualifications (and if appropriate) preferred qualifications
- The resume/CV and transcripts of candidates who may already have been identified, with a description of the process used to locate them
- Documentation of how the department is meeting its affirmative action goals

**Review process:**

The documentation is submitted to the Manager of Recruitment and Classification. Along with the supporting documentation, the department's history with respect to hiring from underrepresented groups will be included for consideration. The request is reviewed by the Manager of Recruitment and Classification, Associate Vice President of Human Resources, and Chief Diversity Officer. A written determination will be rendered and routed to the requesting department.
Search Exceptions:
In the past, search waivers were sought in situations that simply should not have required the effort to prepare the request and the administrative time spent in review. In the following cases, a full, open search is not required, and a waiver from the search procedure need not be sought. That said, nothing precludes a department from undertaking a search in these cases - it is simply not a requirement.

- Appointments of six months or less.
- Internal promotion. (However, collective bargaining arrangements may require a position to be posted).
- Upward reclassification/retitling, generally as a result of an increase in professional responsibilities or reorganization, where no actual vacancy exists.
- Non-renewable Visiting faculty appointments of two years duration or less.
- Temporary replacements.
- Graduate Assistant positions.
- A new president's exercise of their prerogatives in the initial organization of the office. That prerogative may, on occasion, be extended by the president to a new vice president.

Positions requiring a search:
Waiver requests for tenure-track academic (continuing appointment) or professional (permanent appointment) position, or any M/C position at the level of dean or higher are reviewed on a case-by-case basis. Temporary replacements may be hired without a search, but not the permanent/tenure-track replacement. If an employee has been hired in a temporary position as the result of a search waiver then that position then must have a full, fair, and complete search before it is made permanent (tenure-track). The temporary incumbent may apply for the position but must go through the search procedure just like all other candidates for the position.

Waiver request will also not be granted for open-competitive positions requiring candidates to be canvassed as per the collective bargaining unit.
Appendix A: Search Chair Checklist

Position: ____________________________________________

The information below captures the absolute “must haves” relating to the search process. Additional items may be considered.

____ Schedule meeting with Human Resources to review Affirmative Action principles and requirements
____ Schedule meeting with Hiring Manager to review department needs
____ Make sure committee has access to the Posting including job description, required qualifications, preferred qualifications, supplemental questions, access to applicant materials)
____ Advertisement (postings required by the committee)
____ Meeting minutes (create a process to maintain minutes during the search. A specific reason is needed for each candidate if they are or are not moving forward in the process.)
____ Rate all applications to determine who is minimally qualified (all who meet required qualifications must be interviewed)
____ Applicant Responses: all applicants receive an email notification once their application is successfully submitted. They also receive an email notification when the position is filled/closed. They also can check their status in the system. Any concerns from candidates should be sent to Human Resources.
____ Determine Interview Questions (same agenda should be used for screening calls and full length interviews)
  • Review “Do’s and Don’ts questions to avoid illegal questions
  • Ask all candidates the same core questions
____ Documents needed to be uploaded as part of Interview and Recommendation process (updated meeting minutes to include strengths and weaknesses, full interview questions/agenda)
____ All applicants invited for campus interviews may require approval or other considerations (travel, accommodations, budget approval).
____ All applicants invited for campus interviews may require approval or other considerations (travel, accommodations, budget approval).
____ Check References. Confer with Hiring Manager for direction on when references will be checked (after initial screening and before full interview or after full interview).
____ Applicant statuses should be updated as they are moved along in the process.
____ Records - keep copies of all interview notes, completed rating sheets, and other materials used in the search for four years
____ Background Check Process (provide policy and Authorization Release Form at the time of the full interview).
Appendix B: Sample Rating Sheet

Sample Rating Sheet:

**Position Title:** Staff Assistant (Nursing Internship Coordinator)

**Name of Applicant:**

### Required Qualifications

<table>
<thead>
<tr>
<th>QUALIFICATION</th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor's degree in Nursing or a related field</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ability to handle multiple tasks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strong effective communication skills</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ability to identify sources and solicit volunteers for student internship placements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Experience in a higher education setting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Experience with use of the Internet, Microsoft Word, Excel, and Access</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### Preferred Qualifications

<table>
<thead>
<tr>
<th>QUALIFICATION</th>
<th>YES</th>
<th>NO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensed R.N.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursing or related experience at a college health center</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**General Comments:**

**Name of Reviewer:** ___________________________  **Date:** ________________
Appendix C: Sample Screening Matrix

<table>
<thead>
<tr>
<th>NAME</th>
<th>REQUIRED QUALIFICATIONS</th>
<th>Comments</th>
<th>Pre-Interview Report</th>
<th>REQUIRED QUALIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criteria 1</td>
<td>Criteria 2</td>
<td>Criteria 3</td>
<td>Criteria 4: Exp in</td>
<td>Written Communication</td>
</tr>
<tr>
<td>Candidate 1</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Candidate 2</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Candidate 3</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Candidate 4</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Candidate 5</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Candidate 6</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

Appendix D: Sample Meeting Minutes

Budget Title:
Line:
Minutes of Meetings

Search Committee:

[DATE]

Charge Meeting with Hiring Manager, [NAME].

Attendees:

Reviewed:

[DATE]

Charge Meeting with Carey Seneca.

Attendees:

Reviewed:

Minutes of Meetings – [DATE]

Meeting Participants:

The Search Committee met to review the applicants’ submissions. The committee reviewed each applicant’s submission based on the required qualifications.

The following candidates met all of the required qualifications and will be screened in a phone interview:
The following candidates did not meet the following required qualifications and therefore will not move forward in the search process:

- NAME:
  - Q1 - education
  - Q3 - experience
- NAME:
  - Q3 - experience
- NAME:
  - Q4 - certification

Pre-Interview documents submitted for approval.

**Minutes of Meeting – [DATE]**

Pre-Interview Report Approved. Committee met to discuss interview process, develop questions for an agenda.

Search Chair coordinated screening interviews with all possible committee members.

Phone Interviews Conducted:

<table>
<thead>
<tr>
<th>CANDIDATE</th>
<th>ATTENDEES</th>
<th>STRENGTHS</th>
<th>WEAKNESSES</th>
</tr>
</thead>
</table>

**Minutes of Meetings – [DATE]**

Attendees:

Committee met to review screening candidates’ strengths and weaknesses and who is advancing.

Moving forward:

- Name & reason
- Name & reason

Not moving forward:
Minutes of Meetings – [DATE]

Full interviews conducted on the two candidates that moved through the screening interview.

Search Chair arranged interviews with the entire committee.

- NAME – DATE
  - Attendees
  - Strengths
  - Weaknesses

- NAME – DATE
  - Attendees
  - Strengths
  - Weaknesses

Minutes of Meetings – [DATE]

Committee met to review the candidates interviewed, their strengths and weaknesses. Committee discussed candidates with hiring manager to review department needs.

Recommendations determined...[to be completed by search chair ]

- Interviewed and Recommended:
  - Interviewed and Not Recommended:

Report/documents prepared and submitted for review/approval.

Appendix E: Diverse job sites

General Diversity Recruitment Links

Academic Diversity Search www.academicdiversitysearch.com
Affirmative Action Register www.aar-eeo.com
Black Perspective www.blackperspective.com
Committee on Institutional Cooperation www.cic.net/Home.aspx
Diverse Issues in Higher Education www.diverseeducation.com
Diversity Career Fair [www.spanishmarketing.com]
Diversity Directory [www.mindexchange.com]
Diversity Expo [www.diversityexpo.com]
Diversity Search [www.diversitysearch.com]
Diversity Web [www.diversityweb.org]
DiversityJobFairs.com [www.diversityjobfairs.com]
Equal Opportunity Publications, Inc. [www.eop.com]
GoldSea - Asian American Daily [www.goldsea.com]
Higher Ed Jobs Online [www.higheredjobs.com]
Hire Diversity [www.hirediversity.com]
Hispanic Outlook in Higher Ed [www.hispanicoutlook.com]
Hispanic Today [www.hispanic-today.com]
Historically Black Colleges and Universities [www.edonline.com/cq/hbcu]
IM Diversity [www.imdiversity.com]
Journal of Blacks in Higher Education [www.jbhe.com]
National Minority Faculty Identification Program [www.southwestern.edu/natfacid]
NationJob Education Jobs Page [www.nationjob.com/education]
Native Jobs [www.nativejobs.com]
PSI Job Fair [www.psijobfair.com]
The Black Collegian Online [www.black-collegian.com]
The Black E.O.E. Journal [www.blackoejournal.com]
University Jobs [www.universityjobs.com]
Women for Hire [www.womenforhire.com]
Women in Higher Education [www.wihe.com]
Workplace Diversity [www.workplacediversity.com]
Biology Diversity Recruitment Links American Indian Science and Engineering Society [www.aises.org]
American Society for Biochemistry and Molecular Biology [www.asbmb.org]
HBCU's with Advanced Degrees in Biology [www.edonline.com/cq/hbcu]
Society for Advancement of Native Americans & Chicanos in Science [www.sacnas.org]
The American Society for Cell Biology www.ascb.org

The GEM Consortium www.gemfellowship.org

Business Administration Diversity Recruitment Links American Assembly of Collegiate Schools of Business www.aacsb.edu

American Marketing Association www.ama.org Association of Latino Professionals in Finance and Accounting www.alpfa.org

Consortium for Graduate Study in Management www.cgsm.org

HBCU's with Advanced Degrees in Business www.edonline.com/cq/hbcu

Indiana University Kelley School of Business www.kelley.iu.edu

National Association of Black Accountants, Inc www.nabainc.org

National Black MBA Association www.nbmbaa.org

National Economic Association www.neaecon.org/

The Center for Advancement of Minority Accountants www.nabainc.org

The Ph.D. Project www.phdproject.com/index.html

Chemistry Diversity Recruitment Links American Association for Clinical Chemistry www.aacc.org

American Chemical Society Committee on Minority Affairs www.acs.org

American Indian Science and Engineering Society www.aises.org

C&E News: Diversity http://pubs.acs.org/cen/education/7923/7923education2.html

Chemical and Engineering News http://pubs.acs.org/cen/index.html

HBCU's with Advanced Degrees in Chemistry www.edonline.com/cq/hbcu

National Academy of Clinical Biochemistry www.nacb.org

National Organization for the Professional Advancement of Black Chemists and Chemical Engineers www.nobcche.org

Society for Advancement of Native Americans and Chicanos in Science www.sacnas.org

Clinical Science/Medicine Diversity Recruitment Links American Association of Respiratory Care www.aarc.org

HBCU's with Advanced Degrees in Health Care Fields www.edonline.com/cq/hbcu

Health Care Careers and Jobs www.healthcarejobs.org

Institute for Diversity in Health Management www.diversyconnection.org

Medical Career Resource Center www.medbulletin.com
National Association of Health Services Executives [www.nahse.org]
National Medical Association [www.nmanet.org]
Nuclear Medicine Jobs [www.nuclearmedicinejobs.com]
Society of Nuclear Medicine [www.snm.org]
Computer Science & IT Diversity Recruitment Links Black Data Processing Associates [www.bdpa.org]
Computer Scientists of the African Diaspora [http://www.math.buffalo.edu/mad/computer-science/index.html]
HBCU's with Advanced Degrees in Computer Science [www.edonline.com/cqhbcu]
Society for Advancement of Native Americans and Chicanos in Science [www.sacnas.org]
The Association for Women in Computing [www.awc-hq.org]
Criminal Justice Diversity Recruitment Links Academy of Criminal Justice Sciences [www.acjs.org]
ACJS: Minorities and Women Division [http://members.tripod.com/ACJS/MWS/]
National Association of Blacks in Criminal Justice [www.nabcj.org]
National Criminal Justice Association [www.ncja.org]
HBCU's with Advanced Degrees in Criminal Justice [www.edonline.com/cq/hbcu]
Engineering Diversity Recruitment Links American Indian Science and Engineering Society [www.aises.org]
BlackEngineer.com [www.blackengineer.com]
Career Communications Group [www.ccgmag.com]
HBCU's with Advanced Degrees in Engineering [www.edonline.com/cq/hbcu]
National Action Council for Minorities in Engineering, Inc [www.nacme.org]
National Association of Hispanic Journalists [www.nahj.org]
National Society of Black Engineers [www.nsbe.org]
Society of Women Engineers [www.swe.org]
The Society of Hispanic Professional Engineers [www.shpe.org]
English/Writing Diversity Recruitment Links Accrediting Council on Education in Journalism and Mass Communications [http://www2.ku.edu/~acejmc/]
African American Literature and Culture Society [www.atomicage.com/aalcs]
Asian American Journalists Association [www.aaja.org/]
Association for Education in Journalism and Mass Communication [www.aejmc.org]
Association of LGBT Journalists [www.nlglja.org/](http://www.nlglja.org/)
Association of Teachers of Technical Writing [www.attw.org](http://www.attw.org)
Association for Women in Communications [www.womcom.org/](http://www.womcom.org/)
HBCU's with Advanced Degrees in English/Writing [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)
Journalism Education Association [www.jea.org](http://www.jea.org)
Linguistic Programs [www.linguistlist.org](http://www.linguistlist.org)
National Association for Multi-Ethnicity in Communications [www.namic.com](http://www.namic.com)
National Hispanic Media Coalition [www.nhmc.org](http://www.nhmc.org)
Native American Journalists Association Job Bank [www.naja.com](http://www.naja.com)
Association for Latin American Art [www.arts.arizona.edu/alaa](http://www.arts.arizona.edu/alaa)
Association of Academic Museums and Galleries [www.acumg.org](http://www.acumg.org)
College Art Association [www.collegeart.org](http://www.collegeart.org)
HBCU's with Advanced Degrees in Arts Fields [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)
National Art Education Association [www.naea-reston.org](http://www.naea-reston.org)
National Conference of Artists - MI Chapter [http://ncamich.org](http://ncamich.org)
National Conference of Artists - NY Chapter [http://ncanewyork.com](http://ncanewyork.com)
Women's Caucus for Art [http://nationalwca.com](http://nationalwca.com)
History Diversity Recruitment Links American Historical Association www.historians.org
HBCU's with Advanced Degrees in History [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)
National Council for History Education [www.history.org/nche](http://www.history.org/nche)
OAH Committee on the Status of Minority Historians and Minority History [www.oah.org/about/cmte/cmte.html](http://www.oah.org/about/cmte/cmte.html)
Mathematics Diversity Recruitment Links American Mathematical Society [www.ams.org](http://www.ams.org)
Black Women in Mathematics [www.math.buffalo.edu/mad/wmad0.html](http://www.math.buffalo.edu/mad/wmad0.html)
Conference for African American Researchers in the Mathematical Sciences (CAARMS) [www.math.buffalo.edu/mad/CAARMS/CAARMS-index.html](http://www.math.buffalo.edu/mad/CAARMS/CAARMS-index.html)
HBCU Mathematics Departments Online [www.math.buffalo.edu/mad/mad_HBCU.html](http://www.math.buffalo.edu/mad/mad_HBCU.html)
HBCU's with Advanced Degrees in Mathematics [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)

Mathematicians of the African American Diaspora [www.math.buffalo.edu/mad/00.INDEXmad.html](http://www.math.buffalo.edu/mad/00.INDEXmad.html)

National Association of Mathematics [http://www.math.buffalo.edu/mad/NAM/](http://www.math.buffalo.edu/mad/NAM/)

Society of Industrial and Applied Mathematics [www.siam.org](http://www.siam.org)

Strengthening Underrepresented Minority Mathematics Achievement (SUMMA) [www.maa.org/summa/archive/summa_wl.htm](http://www.maa.org/summa/archive/summa_wl.htm)

The MAA Committee of Minority Participation in Mathematics [www.maa.org/summa/archive/commtt.htm](http://www.maa.org/summa/archive/commtt.htm)

The Mathematical Association of America [www.maa.org](http://www.maa.org)

Nursing Diversity Recruitment Links American Academy of Nursing [www.nursingworld.org](http://www.nursingworld.org)

American Association of Colleges of Nursing [www.aacn.nche.edu](http://www.aacn.nche.edu)

American Nurses Association [www.nursingworld.org](http://www.nursingworld.org)

HBCU's with Advanced Degrees in Nursing/Medical Sciences [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)

MinorityNurse.com [www.minoritynurse.com](http://www.minoritynurse.com)

National Association of Hispanic Nurses [www.thehispanicnurses.org](http://www.thehispanicnurses.org)

National Black Nurses Association [www.nbna.org](http://www.nbna.org)

Nursing Center [www.nursingcenter.com](http://www.nursingcenter.com)

Occupational Therapy Diversity Recruitment Links American Occupational Therapy Association [www.aota.org](http://www.aota.org)


American Association of Philosophy Teachers [http://philosophyteachers.org](http://philosophyteachers.org)

American Philosophical Association [www.apa.org](http://www.apa.org)

HBCU's with Advanced Degrees in Philosophy [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)

Society for Women in Philosophy [www.uh.edu/~cfreelan/SWIP](http://www.uh.edu/~cfreelan/SWIP)

Physical Therapy Diversity Recruitment Links American Physical Therapy Association [www.apta.org](http://www.apta.org)


Physics Diversity Recruitment Links American Association of Physics Teachers [www.aapt.org](http://www.aapt.org)

American Institute of Physics [www.aip.org](http://www.aip.org)

American Physical Society [www.aps.org](http://www.aps.org)

HBCU's with Advanced Degrees in Physics [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)

National Society of Black Physicists [www.nsbp.org](http://www.nsbp.org)

Society for Advancement of Native Americans and Chicanos in Science [www.sacnas.org](http://www.sacnas.org)

Political Science Diversity Recruitment Links American Political Science Association [www.apsanet.org](http://www.apsanet.org)

HBCU's with Advanced Degrees in Political Science [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)

Latino Caucus in Political Science [www.csulb.edu/depts/posc/latinocaucus](http://www.csulb.edu/depts/posc/latinocaucus)

Race, Ethnicity and Politics of the APSA [www.apsanet.org/~rep](http://www.apsanet.org/~rep)

Psychology Diversity Recruitment Links American Psychological Association [www.apa.org](http://www.apa.org)

Association for Psychological Science [www.psychologicalscience.org](http://www.psychologicalscience.org)

Asian American Psychological Association [www.aapaonline.org](http://www.aapaonline.org)

Association of Black Psychologists [www.abpsi.org](http://www.abpsi.org)

HBCU's with Advanced Degrees in Psychology [www.edonline.com/cq/hbcu](http://www.edonline.com/cq/hbcu)

International Association for Cross-Cultural Psychology [www.iaccp.org](http://www.iaccp.org)

Society for the Teaching of Psychology [www.teachpsych.org](http://www.teachpsych.org)

Society of Indian Psychologists [www.aiansip.org](http://www.aiansip.org)

Student Affairs Diversity Recruitment Links American Academics for Higher Education [www.aauw.org](http://www.aauw.org)

American Association of University Women [www.aauw.org](http://www.aauw.org)

American College Personnel Association [www.myacpa.org](http://www.myacpa.org)

Association on Higher Education and Disability [www.ahead.org](http://www.ahead.org)

National Association of Student Affairs Professionals [www.nasap.net](http://www.nasap.net)

StudentAffairs.com [www.studentaffairs.com](http://www.studentaffairs.com)

Theology and Religious Studies Diversity Recruitment Links American Academy of Religion [www.aarweb.org](http://www.aarweb.org)

Association of Theological Schools [www.ats.edu](http://www.ats.edu)


Interdenominational Theological Center [www.itc.edu](http://www.itc.edu)
Appendix F: Preparing for the Interview

Tips for Interviewing Candidates

- Prepare applicants for the interview by telling them the process and schedule before they arrive.
- Provide a comfortable physical environment with water and/or coffee for the candidate.
- Allow time to get acquainted with the interviewee before beginning.
- Be sure interview questions are free of culture and value bias.
- Keep your language gender-neutral and culturally appropriate.
- Be cautious of jargon or culture-specific metaphors.
- Be aware of what biases are operating in evaluating interviewees and their responses.
- Use a culturally diverse interview panel.
- Use a committee with gender balance.
- Train interviewers in effective interviewing.
- Avoid using acronyms or abbreviations for your organization’s positions and processes.
- Be honest with someone whose accent or speech you can’t understand and accept responsibility for not understanding.
- Clarify your understanding of responses by restating what you’ve heard.
- Don’t raise your voice when interviewing someone with an accent.
- Listen patiently when interviewing someone for whom English is a second language.
- Be aware that maintaining eye contact is not a universal value and handshakes, social distance, gestures and body posturing are culturally determined.
- Acknowledge if you lack information about the candidate’s culture.
- Ask interview questions that allow the applicants to discuss their achievements in a group context.
- Allow interviewees to solve work-related problems.

Legal and Illegal Questions

In general, you can ask only questions directly pertinent to the qualifications of the candidate for the position advertised.

You may ask:

• About degrees and licenses obtained (only if they are required to do the job);
• About experience in the field; keep in mind that gaps in work experience are not necessarily negative—parents (especially women) sometimes take time off for child rearing, for example;
• About how the candidate would handle a specific situation relevant to the position;
• About memberships in professional organizations, if it is relevant to doing the job (use caution, as some such memberships may reveal personal information about race or religion, for example);
• About language fluency if required for the position;
• For a demonstration of how candidate would do the job; • Any other job-related question.

You may NOT ask:
• For a photograph;
• National origin;
• Race or color;
• Marital status;
• Religion or creed;
• Children or family plans;
• Whom to notify in case of emergency;
• Age (except to ascertain that the candidate is over 18—but leave that to HRS);
• Disability (leave that to HRS after hire);
• Citizenship (leave that to HRS after hire);
• Military Service (leave that to HRS after hire);
• Sexual Orientation;
• Arrest record;
• Native language or how languages were acquired;
• Any other question NOT related to the job;
• Previous salary.

If a candidate offers information in one of the areas listed above (for example asking about school districts) be circumspect to ensure their privacy and do not seek additional personal information. If someone on the Search Committee or in an audience asks an illegal question during any session, simply state that the question is inappropriate and move on. When in doubt, DON'T ASK! Consult the Manager of Recruitment and Classification.
EEOC Interview Questions

According to the EEOC, the following are examples of questions that **may NOT be asked** on a job application or during an interview.

- Have you ever had or been treated for any of the following conditions or diseases?
- Have you been treated in the past three years for any conditions or diseases and, if so, what were they?
- Have you ever been hospitalized? If so, for what condition?
- Have you ever been treated by a psychiatrist or psychologist? If so, for what condition?
- Have you ever been treated for any mental condition?
- Is there any health-related reason you may not be able to perform the job for which you are applying?
- Have you had a major illness in the last five years?
- How many days were you absent from work because of illness last year?
- Do you have any physical defects that preclude you from performing certain kinds of work? If yes, describe such defects and specific work limitations.
- Do you have any disabilities or impairments that may affect your performance in the position for which you are applying?
- Are you taking prescribed drugs?
- Have you ever been treated for drug addiction or alcoholism?
- Have you ever filed for workers’ compensation insurance?

Pre-employment questions that **may be asked** –

- Can you meet the requirements of the attendance policy?
- Can you perform the tasks of this position with or without accommodation?
- Describe or demonstrate how you would perform this function, with or without accommodation. (Such a question may be asked of applicants who have a known disability that might prevent them from performing a job function. If the disability would not interfere with a job function, however, the person could be asked only to demonstrate job performance if all other candidates must do so.)
- Do you use illegal drugs?
- Have you ever been arrested for driving under the influence?
- Do you have the required licenses and degrees to perform this job?
Q and A on Questioning - What Employers Can Ask and When

Q: Is it all right to ask job applicants about their use of sick leave in a previous job during the interview?

A: No. During the application stage prior to making a job offer, an employer may not ask any disability-related questions or require any medical examinations, even if those questions or exams are related to the job.

Of course if an applicant volunteers information about his or her sick leave history, there is no violation as long as the disclosure is truly voluntary. What you must remember is that you cannot request, persuade, coerce or otherwise pressure a job applicant to get him or her to disclose medical information, including the use of sick days, prior to making a job offer.

Q: If during a job interview an applicant volunteers information about a previous illness, is it legal to ask the candidate to take a physical exam?

A: No. During the application stage prior to making a job offer, an employer may not require any medical examinations, even if the applicant indicates a current or prior physical of mental condition that raises concerns.

After an applicant is offered a job but before he or she starts work, you may ask disability-related questions and conduct medical examinations even if they are not job-related, as long as all entering employees in the same job category are required to take the same tests and answer the same questions. Moreover, the job offer may be conditioned on the exam results (42 U.S.C. 12112 (d) (3)).

After basic medical information has been received, an individual may be asked for more medical information if the follow-up examination or questions are medically related to the previously obtained medical information

If questioning or an exam reveals a condition that might interfere with the potential employee’s ability to perform the job’s essential functions, you are obligated to determine whether a reasonable accommodation would enable the person to do the job. If there is no such accommodation available and you withdraw the employment offer as a result, you must be able to show that the withdrawal was job related and a business necessity and that there was no reasonable accommodation that would have enable the candidate to perform the job’s essential functions.
Q: I’m concerned about the health of one of my employees. Is it okay to require him to get a physical examination?

A: Maybe. During employment, employers may make only those disability-related inquiries and require only those medical examinations that are job-related and consistent with business necessity. That means that, based on objective evidence, if you reasonable believe the employee will be unable to perform the job’s essential functions because of a medical condition, or that he will pose a direct threat to the health or safety of himself or others, you may ask the employee to get certification that he is medically fit (42 U.S.C. 12112 (d) (4)).

Employers also may see medical information about an employee when:

A reasonable accommodation has been requested and the disability is not obvious;

A federal law or regulation requires it;

Voluntary health programs are offered; or

Affirmative action is required by law or undertaken voluntarily to benefit individuals with disabilities.

Questions about general well-being, such as “How are you today?” are always permitted, according to EEOC in Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act.

Q: When an employee is out on sick leave, does it violate the Americans with Disabilities Act to ask about his or her health?

A: No. Despite the ADA’s prohibitions against medical inquiries and examinations, employers may ask employees about their health when sick leave is involved, according to the EEOC. You are entitled to know in general terms why the employee is taking sick leave and may request a doctor’s note or other explanations. The requirement must apply to all employees equally.

You may also ask questions or require a medical exam when an employee wants to return to work from sick leave if there is any doubt about his or her ability to perform essential job functions or whether he or she will pose a direct threat to the health of others. Inquiries or exams must be limited to what is needed to determine whether the employee is able to work (42 U.S.C. 12112 (d) (4)).
Employment Considerations Under Americans with Disabilities Act

The Americans with Disabilities Act prohibits employers from discriminating against qualified applicants with disabilities by using job-screening techniques that would eliminate such individuals from consideration (42 U.S.C. § 12112(b)). That means employers cannot ask job applicants about their health or require medical examinations or other tests that might reveal disabilities before a firm offer of employment has been made.

According to the EEOC, the following are examples of questions that **may NOT be asked** on a job application or during an interview.

- Have you ever had or been treated for any of the following conditions or diseases?
- Have you been treated in the past three years for any conditions or diseases and, if so, what were they?
- Have you ever been hospitalized? If so, for what condition?
- Have you ever been treated by a psychiatrist or psychologist? If so, for what condition?
- Have you ever been treated for any mental condition?
- Is there any health-related reason you may not be able to perform the job for which you are applying?
- Have you had a major illness in the last five years?
- How many days were you absent from work because of illness last year?
- Do you have any physical defects that preclude you from performing certain kinds of work? If yes, describe such defects and specific work limitations.
- Do you have any disabilities or impairments that may affect your performance in the position for which you are applying?
- Are you taking prescribed drugs?
- Have you ever been treated for drug addiction or alcoholism?
- Have you ever filed for workers’ compensation insurance?

Pre-employment questions that **may be asked** –

- Can you meet the requirements of the attendance policy?
- Can you perform the tasks of this position with or without accommodation?
- Describe or demonstrate how you would perform this function, with or without accommodation. (Such a question may be asked of applicants who have a known disability that might prevent them from performing a job function. If the disability would not interfere with a job function, however, the person could be asked only to demonstrate job performance if all other candidates must do so.)
- Do you use illegal drugs?
- Have you ever been arrested for driving under the influence?
- Do you have the required licenses and degrees to perform this job?
Q: Is it all right to ask job applicants about their use of sick leave in a previous job during the interview?

A: No. During the application stage prior to making a job offer, an employer may not ask any disability-related questions or require any medical examinations, even if those questions or exams are related to the job.

Of course, if an applicant volunteers information about his or her sick leave history, there is no violation as long as the disclosure is truly voluntary. What you must remember is that you cannot request, persuade, coerce, or otherwise pressure a job applicant to get him or her to disclose medical information, including the use of sick days, prior to making a job offer.

Q: If during a job interview an applicant volunteers information about a previous illness, is it legal to ask the candidate to take a physical exam?

A: No. During the application stage prior to making a job offer, an employer may not require any medical examinations, even if the applicant indicates a current or prior physical or mental condition that raises concerns.

After an applicant is offered a job but before he or she starts work, you may ask disability-related questions and conduct medical examinations even if they are not job-related, as long as all entering employees in the same job category are required to take the same tests and answer the same questions. Moreover, the job offer may be conditioned on the exam results (42 U.S.C. 12112 (d) (3)).

After basic medical information has been received, an individual may be asked for more medical information if the follow-up examination or questions are medically related to the previously obtained medical information.

If questioning or an exam reveals a condition that might interfere with the potential employee’s ability to perform the job’s essential functions, you are obligated to determine whether a reasonable accommodation would enable the person to do the job. If there is no such accommodation available and you withdraw the employment offer as a result, you must be able to show that the withdrawal was job related and a business necessity and that there was no reasonable accommodation that would have enable the candidate to perform the job’s essential functions.

Areas to Avoid When Reviewing Candidates’ Files

**RACE AND COLOR:** Race must never be a factor in a hiring decision except in an approved targeted search or when such factors stand to the test of strict scrutiny (see page 22) so there is no reason to raise issues relating to race while reviewing an application.

**RELIGION:** Avoid considering information about an applicant’s religious background or affiliation. This includes considerations about the origin of last name, or current or past affiliations, such as university fraternities.

**SEXUAL ORIENTATION:** There is no justification to consider a person’s sexual orientation.
NATIONAL ORIGIN AND ENGLISH LANGUAGE SKILLS: It is not acceptable to consider the applicant’s national origin, use of an accent or fluency in English in consideration for employment, unless it is a justifiable business necessity.

HEIGHT AND WEIGHT: There are some jobs which height and weight are bona fide occupational qualifications (BFOQ), but not many. If an employer cannot prove that it is a BFOQ, then any questions relating to them, verbal or written, are forbidden.

MARITAL STATUS, CHILDREN AND CHILD CARE: The rule of thumb here is quite simple: do not consider for a woman what you would not consider for a man, and vice versa. It is never legal to consider whether an applicant is married, has children, how the children will be cared for, what the applicant’s spouse does for a living or how the family will react to the applicant traveling on the job.

ARRESTS: It is not permissible consider an applicant’s record of arrests, but it is acceptable to consider if the candidate has ever been convicted. A good reviewer should seek details. (For example, someone who has been convicted of embezzlement is probably not a good match for a job handling large amounts of money.)

GENDER/SEX: There are very few jobs that must be performed by one particular sex only. A wet nurse is one of the few examples. Employers who select candidates on the basis of sex/gender should be prepared to provide that sex is a bona fide occupational qualification (BFOQ).

MILITARY RECORD: It is not appropriate to consider prior or current military service. Any information about military experience which relates to a job will surface when the candidate’s specific job skills, knowledge, or experience are being considered. If an applicant was court martialed and served any term in prison as a result, this should surface with consideration of prior convictions.

AGE: Federal law prohibits discrimination on the basis of age (people age forty and over are specifically protected under this law). New York State Human Rights Law protects persons of all ages from age discrimination including those under the age of 18. Therefore, it is illegal to consider any factors directly or indirectly relating to one’s age, such as age of graduation from high school or university.

ECONOMIC STATUS: It is illegal to consider an applicant’s economic status.

MEDICAL CONDITION AND/OR PHYSICAL DISABILITY: It is illegal to eliminate persons with a disability or persons with medical conditions from consideration for a job, unless it can be shown that their condition will measurably and adversely affect job performance or safety. Consideration during the review should focus on the applicant’s ability to do the job, not on disabilities.

Sample Screening Call Questions
Screening calls should be brief and start with introductions with time to allow for a closing statement to let the candidates know about the next steps in the search process. A few questions should be asked to get a better idea of the candidate’s education, experiences, and knowledge in relation to the qualifications of the position. Some questions may be:

What interested you to apply for this position at Buffalo State?
Tell us about yourself.

What resources do you commonly reference as part of your regular work routine?

Tell us about a successful problem-solving experience you have had.

A requirement for the position is ______. Describe your experiences with this.

Appendix G: Sample Reference Verification Form

Identify yourself as a member of a search committee at Plattsburgh State University. Describe the position, and that you are calling to get a reference for applicant X. Secure the permission of the reference to proceed.

Applicant’s Name: ___________________________ Position: __________________________

Employer Contacted: ________________________ Telephone#: ______________________

Institution: _________________________________ Title: ____________________________

Dates of employment: _________________________ Position held: ____________________

1. How do you know the candidate:

2. How well do you know the candidate:

3. Reason why applicant left this job:

4. Applicant’s strengths:

5. Areas the applicant needs improvement:

6. Is there any additional information you feel we should know about this candidate?

7. Would you hire this candidate again for the same or a similar position? Why?

8. Are there any other people you could recommend that we contact about this candidate? (Ask for contact information.)

Reference verification conducted by: ___________________________ Date: ________________

Guidelines for the Reference Check:

Introduction and Overview.

- Give your name and position/title.
- State the name of the applicant and the purpose of the call. (Instead of saying, “I am doing a reference check on X,” it is preferable to say, “I’ve been talking about a position in my office with X and he/she gave me your name because you know him/her well. May I ask you a few questions?”)
- Ask if it is a convenient time to talk.
Emphasize the confidential nature of the call.
Describe the job for which the candidate is being considered. You might also want to describe the nature of Buffalo State and your program.

**Verification of Factual Information**
- Confirm the relationship of the reference provider to the candidate (current/former supervisor, coworker, client, teacher, etc.)
- Verify current/last position held (job title, responsibilities, etc.)
- Confirm dates of employment.

**Obtaining Position/Applicant Specific Information**
- Obtain information about the candidate’s primary job responsibilities to check if it matches with the information provided by the candidate.
- Clarify any concerns or areas of uncertainty about the candidate’s background. Follow up on hunches or leads that came up from the application or the interview.
- Ask for specific examples about the candidate’s work performance.
- Describe situations the candidate will face and ask the reference provider if he/she feels the applicant will be able to handle them, why and why not.

**Closing**
- Ask the reference provider if he/she would like to provide any additional information not covered.
- Ask if you can call back if you have more questions.
- Thank the reference provider for his/her time and assistance.

**Post-Reference Check: Evaluation**
- Evaluate the quality of the information gathered, especially if there is an impression that the reference provider was not being entirely frank, or if the information provided did not match the information given by the applicant.
- Organize all your notes and document all reference-checking activities.

*Information taken from the Human Resources Office at the University of Chicago and Princeton University.*

**Tips for Conducting Reference and Credential Checks**
- Check the same number of references for all candidates, and ask the same questions of each reference source.
- Ensure that at least one reference is a former or current supervisor of the candidate.
- Document all reference-checking activities.
- Before asking questions, describe the job and the competencies you are seeking. This will give the reference a chance to structure their thinking.
- Limit questions requiring “yes” or “no” answers.
- Try to avoid questions that elicit qualitative answers (e.g., “good” or “excellent”). Instead, ask for specific job-related examples in which the applicant demonstrated the particular skills you are assessing.
- Do not ask questions “off the record”—no answers can be treated as such.
- Listen “between the lines” to the tone of voice, inflection, and word choice.
- Do not rate the applicant while gathering information. There will be enough time to evaluate the information once it has all been collected.

- Keep the tone conversational. Try not to sound like you are interrogating the reference provider. Use phrases like, “Can you recall...”

**Some cautions about recommendations**

- *Personal reference listed instead of professional reference.* All references should be individuals who have worked with the candidate in a professional capacity and who are not relatives of the candidate.

- *No references from current employers.* Ensure that at least one reference is from a current employer or recent employer.

- *Reference makes an unverifiable statement or uses hearsay.* Unverified statements and hearsay about the candidate’s fitness for the position cannot be considered. The purpose of a reference check is to gather evidence (facts, observations, and examples). Opinions should not replace evidence.

- *Be cautious of “red flags.”* Note certain things such as lateral moves that could be potential red flags and look into them during the reference check.

### Sample Questions for Reference Checks

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<th>Type</th>
<th>Sample Questions</th>
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| **BASIC**       | - How long did you work with or know the candidate?  
                   - What was the candidate’s formal job title and did he/she hold other job titles while at your company?  
                   - Did you have an opportunity to promote the candidate while she/he worked for you? |
| **JOB CONTENT** | - Tell me about the candidate’s job. What were her/his primary responsibilities?                                                             |
| **PERFORMANCE LEVEL** | - How would you compare him/her with others in your department who were performing the same job?  
                   - How would you describe the candidate’s attendance record and the quality of his/her work? Can you provide some examples?  
                   - What are the candidate’s strengths?  
                   - How would you describe the candidate’s work style?  
                   - In a few words, how would you summarize the candidate’s job performance?  
                   - What would have made the candidate more effective? |
### SKILL AREA

- How would you evaluate the candidate’s technical skills?
- How would you describe the candidate interpersonal and written communication skills?
- How would you evaluate the candidate’s leadership ability? What leads you to that conclusion?
- How would you compare the candidate’s skills with others performing in the same area?

### SUPERVISION

(For management or supervisory positions)

- How would you describe the candidate’s management/supervisory style?
- How would the candidate’s subordinates describe him/her?
- What aspects of the candidate’s management style were most effective/least effective?

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**Appendix H: FAQs**

**What do I tell applicants when asked about the position’s salary?**

Positions either list a salary range or simply state the salary is competitive. The listed range or minimum salary may be shared, and the hiring manager or authorized person to make the offer will discuss the salary with candidates at the full interview stage.

**When should references be called, and who should call them?**

References can be called by the search committee after the screening interview if there is a large pool of candidates that need to be narrowed down. If there is a small pool of candidates after the screening interview, then references may be contacted after the full interview to confirm recommendations. Hiring managers may decide to contact references for higher level positions. Timing and preference should be discussed with the hiring manager.

**What documents are saved as part of the Search file, and how long should it be saved?**

The recruitment documents used in the posting include the Rating Sheet, Screening Matrix, and Meeting Minutes. These documents should be saved in the Search file. The completed rating sheets by the committee members are not uploaded in the system but should also be saved along with any other documents that the committee used in the search. The search file should be kept in the department for four years.

**Can virtual meetings be recorded?**

You can ask the candidate if it is okay to record the meeting. Let them know who will be watching the recording, that is used solely for the recruitment efforts of the specific position, and will deleted up on completion of the search. If it okay with the candidate, then it can be recorded.

**What if an applicant does not submit the required documents?**
If it can be determined a candidate meets the Required Qualifications then they are to be included in 
the Screening process. When scheduling the screening call, the missing documents can be requested so 
the committee can review them prior to the call. If the document(s) is/are needed to determine if a 
candidate meets the Required Qualifications then the Search Chair can reach out to the candidate and 
request the documents to be sent to the Manager of Recruitment and Classification who will update the 
candidates documents.

**Can I require “oral communication skills” for a position?**

No. The ability to communicate orally usually cannot be a requirement for a position. Communicating 
orally could screen out otherwise qualified individuals with speech or hearing impairments. Unless oral 
communication is a *bona fide* occupational requirement, it is better to use “*effective communication 
skills*”.

**Can a search committee member consider applications that are emailed, mailed, or faxed?**

No. All applications must be submitted through the online applicant portal. Applications that are 
received via email, mail, or fax should be forwarded to Human Resource Management where they will 
be notified of Buffalo State’s application process.

**What is Affirmative Action? Do we have to hire a woman or minority?**

Affirmative Action is an active effort to improve the employment or educational opportunities of 
members of minority groups and women. This effort includes placing the job announcement in media 
outlets that would attract a diverse pool, and evaluating candidates fairly, equitably, and without bias.

The recruitment process is intended to eliminate biases when selecting qualified candidates for 
interviews. This allows everyone that meets the required qualifications, including underrepresented 
groups, a chance to speak to their own experiences, education, and qualifications. Thus opening up 
more opportunities for members of minority groups and women.

Buffalo State does not have any “quotas” for hiring members of protected classes. We expect to hire 
the most qualified candidate for the position.

**Can a search be waived?**

Whenever possible a full, open affirmative action search procedure should be conducted prior to filling a 
position vacancy. A search waiver request is granted rarely and only after an internal review of the 
department that submitted the request, and -- when the request is fully justified under the law and 
policy for equal employment opportunity.

**Can we only hire US Citizens?**

SUNY has a policy of supporting candidates who need visa sponsorship. Employment Authorization 
information is collected as part of the application process but this information is not available to the 
search committee. Citizenship should not be considered as a requirement of the position.

With the enactment of the Immigration Reform and Control Act of 1986, Congress made it unlawful for 
an employer to hire individuals who are not legally authorized for employment in the U.S. While 
adopting the requirement, Congress was concerned that some employers might overreact and refuse to
hire individuals who appeared or sounded “foreign”. The Immigration Act leaves in full force and affects the provisions of The Civil Rights Act Title VII, which bans discrimination in employment on account of national origin. International candidates should be given full consideration without regard to the national origin.

At the time of the offer, Human Resources will determine whether the candidate is legally permitted to work in the United States of America and will assist with visa issues.

**What if someone asks an illegal or inappropriate question during the interview?**

If someone asks a question that seems or is illegal or inappropriate, a member of the committee should state to skip that question and move on. It should be noted that the incident occurs in a committee members individual rating sheet. Depending on the severity, it should be reported to the Manager of Recruitment and Classification.

**Can interviews be recorded?**

It is a major responsibility of each committee member to be present and fully participate in the interviews. When, due to unforeseen circumstances, this is not possible, the committee member should participate in subsequent discussion based only on the information he/she has firsthand and not participate in evaluating a candidate based on hear-say. Interview sessions are usually not recorded because they usually cause the interviewee to be uncomfortable and are not usually able to reflect the personal dynamic of the interview. If necessary to record the sessions, they should only be done with the candidate’s permission. Refusal to agree to the recording should not be considered a negative factor for the candidate.

**Appendix I: SUNY Policy on Affirmative Action Searches and Waivers**

SUNY Policy on Affirmative Action Searches and Waivers

Both Federal law and university practice agree that whenever possible a full, open affirmative action search procedure should be conducted prior to filling a position vacancy. However, a certain degree of flexibility remains necessary. Late resignations, illness or death may result in the need to fill a position quickly without adequate time to conduct a full search. Again, a new president may wish to reorganize existing staff into a pattern compatible with his or her own administrative style. Still, another reason to allow some flexibility in this matter is that some campuses have instituted upward mobility/internal promotion programs in order to implement their affirmative action goals.

In general, we support the principle that a full, open affirmative action search precede the filling of all professional vacancies and understand that the failure to do so may be an abuse of equal employment opportunity guidelines. Consequently, it is recommended that when special circumstances (such as those enumerated above) warrant, the appointing administrator seek a waiver of the search requirement from the local campus Affirmative Action committee. All exceptions to the usual open affirmative action search and selection procedure should be documented with a waiver request and waiver approval form or letter.
Appendix J: Executive Orders

Executive Order #1: Prohibition Against Nepotism in Hiring and Contracting

6.1.5a. No individual covered by this order may take part in any hiring or employment decision relating to a family member. If a hiring or employment matter arises relating to a family member, then the employee must advise his or her supervisor of the relationship, and must be recused from any and all discussions or decisions relating to the matter.

6.1.5b. No individual covered by this order may take part in any contracting decision: (i) relating to a family member; or (ii) relating to any entity in which a family member is an officer, director or partner, or in which a family member owns or controls 10% or more of the stock of such entity.

If a contracting matter arises relating to a family member, then the employee must advise his or her supervisor of the relationship, and must be recused from any and all discussions or decisions relating to the matter.

6.1.5c. For the purposes of this paragraph, the term "family member" shall mean any person living in the same household as the employee, and any person related to the employee within the third degree of consanguinity or affinity.

US Commission on Civil Rights’ Commitment to EEO

January 28, 2021

U.S. Commission on Civil Rights

Policy Statement on Equal Employment Opportunity

The U.S. Commission on Civil Rights’ mission is to inform the development of national civil rights policy and improve enforcement of federal civil rights laws. See 42 U.S.C. § 1975a. The Commission embraces equal employment opportunity (EEO) and inclusiveness. We welcome employees from diverse backgrounds to apply their skills and talents towards advancing our mission to further civil rights. Accordingly, it is the policy of the Commission to provide equal opportunity in all employment decisions for employees and applicants for employment.

The Commission will ensure that no applicant for employment or Commission employee is denied equal opportunity because of race, color, religion, national origin, sex, age, sexual orientation, disability (physical or mental), gender identity, protected genetic information, pregnancy, status as a parent, marital status, political affiliation, or any other nonmerit-based factor. The Commission will take swift and appropriate corrective and/or disciplinary action when employees are found to have engaged in
discrimination, retaliation, or harassment (including sexual harassment) which are prohibited by our policies regardless of whether the discrimination, retaliation, or harassment violates federal law.

The Commission provides reasonable accommodations to employees and applicants with disabilities and for religious observances or practices in accordance with established law, and supports the use of alternative dispute resolution to resolved EEO complaints and workplace disputes.

All Commission employees and applicants for employment are afforded legal protections against EEO violations and have the right to raise allegations of discrimination and harassment without fear of reprisal. Commission employees or applicants for employment who believe that have been subjected to discrimination, or to retaliation for participating in EEO activity, or for opposing discrimination, should contact the EEO Director, Latrice Foshee at 202-376-7655 or by email at lfoshee@usccr.gov, within 45 days of when the alleged harm occurred.

Since its founding in 1957, the Commission has stood for equal protection under the law. Employees and applicants for employment have my commitment that equal justice and opportunity will continue across the Commission.

Mauro Morales 01/28/21
Mauro Morales  Dated
Staff Director