

# FLORIDA STATE UNIVERSITY



## SEARCH & SCREENING GUIDE

# SEARCH AND SCREENING GUIDE

## TABLE OF CONTENTS

<b>TITLE</b>	<b>PAGE</b>
INTRODUCTION	1
I. THE SEARCH AND SCREENING COMMITTEE	1-3
Description	1
Functions	1
Objectives	2
Formation	2
Record Keeping	3
II. ADVERTISING, RECRUITMENT AND EMPLOYMENT POLICY	3-6
Position Descriptions	3
Job Posting Process	4
Posting Responsibility and Criteria	4
Pay Range and Salary Information	4
Equal Employment Opportunity Compliance	4
Application Deadline	5
Applicant Sources	5
Where to Post	5
Strategies for Successful Recruitment	5
III. SCREENING PROCEDURES AND INTERVIEWING GUIDELINES	6-14
Applicant Pool	6
Completed Applications	6
Late Applications	6
Application Evaluations	6
Lawful and Unlawful Employment/Interview Inquiries	7
Applicant Interviewing	9
General Interview Questions	9
Interviewing Applicants with Disabilities	10
Tips for Tactful Interviewing	11
Providing a Benefits Synopsis	13
Consider Providing a Welcoming Package for Top Interviewees	13
Making Travel Arrangements and Accommodations	13
Recommending Top Candidates	14
Hiring Authority	14
Search, Screening, and Selection Summary	14
IV. AFFIRMATIVE ACTION GUIDELINES	14-16
A Major Management Objective	14
Review of Benchmarks, Goals, and Objectives	14
Monitoring and Compliance	15
Preferences	15
Training and Awareness	15
Recruitment	15
Affirmative Action Plan	15
A Management Tool	16
Employment Conditions	16
The Role of University Administrators and Supervisors	16
Equal Opportunity & Non-Discrimination Statement	16

<b>TITLE</b>	<b>PAGE</b>
V. AMERICANS WITH DISABILITIES ACT (ADA)	17-20
The Americans with Disabilities Act	17
Guidelines for ADA Compliance in Employment	18
Covered Individuals	18
Covered Employment Practices	18
Prohibited Actions and Practices	18
Reasonable Accommodations for Applicants & Employees	19
Pre-employment Inquiries and Medical Examinations	19
Worker's Compensation and Work-Related Injuries	19
Drug Testing	20
VI. CONCLUSION	20

## INTRODUCTION

Florida State University (“FSU” or “University”) is fully committed to diversity and equal opportunity in employment. We endeavor to provide a welcoming campus environment that embraces, values, and respects the worth and dignity of each person. The University actively promotes equal employment opportunity and non-discrimination for applicants and employees on the basis of: race, creed, color, sex, religion, national origin, age, disability, veterans’ status, marital status, sexual orientation, gender identity, gender expression, or any other legally protected group status.

Search and screening are key elements in the implementation and manifestation of this commitment. Accordingly, the University views the use of search and screening committees as a means towards achieving the expected end result of equal opportunity in employment for all applicants and employees through selection procedures that are consistent and non-discriminatory.

Hiring authorities of higher education institutions commonly use such committees as part of the process for filling faculty, executive, managerial, administrative and professional, and hourly positions. Therefore, consistent with University policy and various other employment-related requirements with which public educational institutions seek to comply, this Search and Screening Guide (Guide) sets forth uniform guidelines for search and screening, pursuant to Federal and State regulations, and University internal policies and procedures for all positions.

This Guide is specifically designed to serve both as a blueprint for hiring officials when establishing search and screening committees at the University and as a valuable and handy tool for University Deans, Directors, Department Heads, and other administrators who have direct authority to make hiring decisions.

Please bear in mind that this Guide should not be considered as the only source on how to conduct an employment search. Rather, this compilation should serve as a procedural process to aid and support the various aspects of the search and screening process that meets the needs and compelling interests of the University. The user is encouraged to augment these guidelines with other actions and resources that contribute to the efficiency and effectiveness of the process.

## I. THE SEARCH AND SCREENING COMMITTEE

### DESCRIPTION

A Search and Screening Committee (Committee) is a select group of University officials that has been given the responsibility to recruit and screen eligible applicants for vacant positions within various departments throughout the University. To ensure reasonable, extensive, and objective recruitment practices have been taken, the University fully endorses and promotes the use of search and screening committees.

### FUNCTIONS

The initial responsibility of the Committee is to establish specific criteria and guidelines for conducting the recruitment and selection. Once this has been accomplished, the Committee performs the following primary functions:

- a. Recruits qualified individuals who are interested in applying for the position under consideration, utilizing University and other sources;

- b. Receives, reviews, and evaluates applications from candidates for the advertised position under consideration;
- c. Interviews qualified individuals who applied for the position under consideration; and,
- d. Recommends the best candidate(s) to the hiring authority.

As it is imperative that a Committee operate within the framework of University guidelines and requirements, each Committee member should become familiar with the policies, rules, regulations, and specific institutional employment benchmarks, which may be obtained from the Office of Equal Opportunity and Compliance or Employment and Recruitment Services in Human Resources.

### OBJECTIVES

The search and screening process should embody objectives that provide for:

- a. A geographical search that is comprehensive in terms of professional, social, and institutional explorations;
- b. A deliberate effort that targets populations that are either not represented or are underrepresented in the unit or department which seeks to fill a position;
- c. Objective screening procedures, which ensure fair and equitable treatment for all applicants; and,
- d. Completion within a prescribed and reasonable timeline.

### FORMATION

Members of the Committee should be appointed by the appropriate administrator or hiring authority when it is determined that a position is to be filled. Committees should be used to fill the following types of positions:

- a. Faculty positions beginning at the Assistant Professor rank; and,
- b. Administrative and Professional (A&P) positions beginning at pay band 08;

The use of search committees is not restricted to those ranks/pay bands listed above. Hiring authorities are urged to utilize search committees to fill vacancies at all levels. If a search committee is not used, interviews should be conducted using an interview panel of two or more.

The hiring authority also determines the size and composition of the Committee, and may either appoint a Chairperson or allow the Committee to elect a Chairperson via a voting process. Committees should be established based on the following standards and characteristics:

- a. Committee membership should include individuals who are employed within the hiring unit with knowledge of the discipline (for faculty searches); individuals who are familiar with the pertinent administrative duties and responsibilities (for searches at the executive, administrative, and managerial levels); or individuals who have a general knowledge of the particular position requirements (for searches at general A&P and University Support Personnel System (USPS) levels); and,
- b. Committee members, at a minimum, should have a general knowledge of the employment and recruitment process. Each Committee member should read this Guide, which should be considered a basic orientation to the search and screening process.

## RECORD KEEPING

Committee records shall be maintained for a period of four (4) years, and consist of the following, at a minimum:

- a. Information on recruitment efforts, including advertisements, vacancy announcements, and records of contacts (direct, phone, e-mail, and letter);
- b. A copy of the position description (A&P and USPS positions only);
- c. All applications received and considered for the position, including copies with any notations made by Committee members;
- d. An applicant log confirming method of EEO data solicitation for each applicant;
- e. A listing of qualified applicants considered by the hiring department or unit;
- f. A listing of applicants/interviewees eliminated from consideration who were determined not to be qualified, or as qualified as the final candidate, with reasons (disposition codes);
- g. Checklists or ranking instruments used and any minutes relating to Committee deliberations and the rationale for applicant recommendations;
- h. A listing of applicants who were selected for an interview and those who were recommended to the hiring authority;
- i. A listing of the interview questions and all responses/notations captured by Committee members;
- j. Applicant interview schedule or agenda, if applicable;
- k. Documentation affirming that applicants not selected for an interview were notified of their status; and,
- l. Hiring paperwork packet, including the [AA-186 form](#).

The Chairperson of the Committee is responsible for ensuring that all records regarding the search are properly retained. Such records are maintained in the hiring department for a minimum of four (4) years.

## **II. ADVERTISING, RECRUITMENT, and EMPLOYMENT POLICY**

### POSITION DESCRIPTIONS

For A&P and USPS job openings, one of the most important steps in the initial hiring process for the Committee is utilizing an up-to-date Position Description (PD), in order to establish the knowledge, skills, and abilities (KSA) required for the position. An accurate PD will facilitate all other aspects of the hiring process (resist the temptation to use the previous PD); the PD utilized must be less than three (3) years old and reflect current job duties.

For new positions, the Office of Budget and Analysis authorizes and manages all position numbers for E&G and Auxiliary funded positions (Faculty, A&P, and USPS). The HR Classification Section authorizes and manages position numbers for C&G and Agency-funded positions (A&P and USPS only). The Office of Faculty Development and Advancement (FDA) manages Faculty position numbers.

To ensure that departments post job openings effectively and efficiently, it is advisable to consult HR Employment and Recruitment Services prior to posting.

## JOB OPENING POSTING PROCESS

Positions in all classifications, both new and continuing, for all budget entities in the employee categories of Faculty, A&P, and USPS must be posted in the FSU Position Vacancy Listing for a minimum of seven (7) calendar days, unless specifically exempted under University policy.

In order to effectively post a job opening, it is necessary to execute a public announcement that covers the full geographical area from which potential qualified applicants for the position might reasonably be available. Departments should also consider posting in professional journals/periodicals with national distribution; publications of particular interest to female and minority groups; and at colleges and universities where members of these groups are significantly represented. This should yield a more diverse pool of applicants. For additional information on the posting process, circumstances that do not require a posting, or how to request the posting requirements be waived, see [4-OP-C-7-B2 Advertising a Vacancy](#) and [4-OP-C-7-I5 Waiver of Advertisement](#).

## POSTING RESPONSIBILITY AND CRITERIA

Posting of the position should be as specific as possible regarding expected performance standards. The posting must include clear criteria that an applicant will be expected to meet to qualify for the position. The definition of terms such as “major,” “significant,” “minimum,” and “minor” should be defined, if such terms are used.

## PAY RANGE AND SALARY INFORMATION

A&P, USPS, and Faculty postings should indicate an expected hiring salary range, or that the salary is negotiable above the minimum, when applicable, by entering “Negotiable” for the maximum salary. Faculty postings must also show specific rank, as appropriate.

## EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

All position vacancy postings placed in journals and periodicals must carry a statement reflecting the University’s position regarding equal opportunity, diversity, and inclusion. The following statement is required:

An Equal Opportunity/Access/Affirmative Action/Pro Disabled & Veteran Employer. FSU’s Equal Opportunity Statement can be viewed at: <a href="http://www.hr.fsu.edu/PDF/Publications/diversity/EEO_Statement.pdf">http://www.hr.fsu.edu/PDF/Publications/diversity/EEO_Statement.pdf</a>
---

If character spacing or cost is a concern, the second sentence may be omitted; however, the first sentence is still mandatory under the law.

Additionally, for those academic departments that do not require faculty applicants to apply via OMNI, a Faculty Applicant EEO Survey (located at: [http://hrapps.fsu.edu/eoo\\_form/](http://hrapps.fsu.edu/eoo_form/)) must be sent to each faculty applicant. The survey is web-based and requires the applicant to enter a position number and a posting date. Departments are required to email the Faculty Applicant Survey directly to the applicant and provide the position number and posting date. In the event an applicant does not have an email account, please revert to the hardcopy method of soliciting EEO data (see [Form AA-317](#) “Applicant Information for Monitoring Affirmative Action”). Please use the posting date as the first date that the advertisement appeared in a national publication.

Other useful recruitment tools regarding faculty applicants are available on the FDA website at <http://fda.fsu.edu/Recruitment>.

## APPLICATION DEADLINE

Each vacancy announcement/posting should show an application deadline, unless the vacancy qualifies as an “open” position, which requires the approval of Human Resources. An “open” position is one for which no application deadline date has been established due to an on-going need for the class. Otherwise, no position may be filled, or a firm commitment for employment made, until after the application deadline date.

## APPLICANT SOURCES

In addition to traditional recruitment activities, hiring officials and search and screening committees may obtain further information on qualified potential applicants from sources within Human Resources and/or the Division of Graduate Studies, as applicable.

## WHERE TO POST

All ranked faculty, academic administrative, senior-level administrative, and professional-level vacancies should be posted on a national level. The national posting is in addition to the requirement to utilize the FSU Position Vacancy Listing.

National posting requires that the vacancy announcement be carried in publication sources that are widely circulated throughout the United States, and have relevance to the available job opening. Typically, this is accomplished by placing advertisements in professional and recruitment publications and in publications that specifically address the interests and concerns of minorities and women. Job openings may also be forwarded to diverse organizations and other institutions of higher education. A partial recruitment source list can be found at the Human Resources website at: [http://compliance.hr.fsu.edu/index.cfm?page=recruiting\\_sources](http://compliance.hr.fsu.edu/index.cfm?page=recruiting_sources).

## STRATEGIES FOR SUCCESSFUL RECRUITMENT

For an effective search, it is suggested that individuals charged with implementation of this process should:

- a. Request the appropriate authorization from the hiring authority to recruit for the position (Provost, Dean, Chair, VP, etc.)
- b. Prepare the vacancy announcement and/or advertisements.
- c. Welcome and encourage all prospective employees, including ethnic minorities, women, veterans, and individuals with disabilities.
- d. Ensure diversity on search committees and as interviewers for Faculty, Administrative and Professional, and University Support Personnel System positions.
- e. Look to non-traditional recruitment sources for qualified diverse candidates, such as business and industry, government and public service, or the military.
- f. Utilize publications and professional organizations as sources for advertising and networking when filling job vacancies.
- g. Network with professional colleagues and alumni for purposes of identifying potential candidates at conferences, meetings, and/or formal/informal affairs.
- h. Broaden the advertisement of position vacancies to include publications and electronic media that are targeted to diverse populations.
- i. Use a “personalized” outreach approach to attract those individuals who are considered “hard to recruit.”

- j. Encourage external professional agencies to refer applicants for appropriate positions, particularly those that address the interests and concerns of targeted diverse populations.
- k. Use creative approaches to bring diverse candidates to campus (e.g., guest/visiting lecturers, job sharing, flex time)
- l. Ensure that interview and evaluation procedures are consistent with institutional/legal policies.
- m. Consider the qualifications of applicants on the basis of bona fide, job-related criteria.
- n. Rather than relying on only one factor, apply several related factors in evaluating experience requirements, such as previous success record and academic achievement.
- o. Conduct reference checks, employment verification, etc.
- p. Extend offers to successful candidates in a forthright, consistent manner.
- q. Develop and maintain a welcoming work environment that is conducive to success, high productivity, and high morale for all employees.

### **III. SCREENING PROCEDURES and INTERVIEWING GUIDELINES**

#### APPLICANT POOL

Where the applicant pool is not diverse (based upon data available through Human Resources' Office of Equal Opportunity and Compliance (EOC)) the search process may be re-opened or augmented to allow the Committee the opportunity to implement additional or more focused recruitment strategies. However, prior to screening, the EEO solicitation link should be provided to each applicant to complete and return to EOC on a voluntary basis. Neither the hiring authority nor the Search and Screening Committee will have direct access to these data. Applicants' names or any other identifying information will not be provided.

#### COMPLETED APPLICATIONS

Persons interested in employment opportunities at the University must submit an on-line application to specific job openings prior to the posted application deadline in order to be considered for those positions.

Applicants for USPS and A&P job openings must complete and submit an FSU Employment On-Line Application. All applicants are strongly encouraged to submit a resume and cover letter with their on-line application.

Applicants for faculty job openings are required to submit a current curriculum vitae, which may be submitted directly to the employing department. The department must stamp the date of receipt on the curriculum vitae as documentation that it met the application deadline.

#### LATE APPLICATIONS

If an application for a job opening is received (for Faculty positions, postmarked if mailed) after the published deadline (close of the business day), the tardy application cannot be considered as part of the applicant pool unless the position is re-posted in the FSU Position Vacancy Listing for a minimum of one (1) calendar day.

#### APPLICATION EVALUATIONS

Upon determining that the applicant pool is diverse, or that good faith efforts were conducted to ensure diversity, the Committee may begin the screening process. All aspects of the screening process should be directly related to the particular position to be filled.

The following steps are designed to ensure a successful applicant evaluation process:

*Step 1* Using the predetermined set of position based criteria, evaluate the applicant pool to ensure that all persons qualify for employment consideration. A&P and USPS applicants must be screened and routed by the Employment and Recruitment Services in Human Resources prior to any interview. Committee members should reserve sufficient time to review all application materials. Any person who meets the stated qualifications and posted requirements (knowledge, skills, and abilities), and has submitted the required application materials by the closing deadline, should be deemed “qualified and eligible” for further consideration.

*Step 2* - Analyze the training and experience of each qualified applicant by comparing the specific knowledge, skills, and abilities described in the individual’s history to the specific knowledge, skills, and abilities posted for the job vacancy. In doing so, consider a candidate’s skills that may be transferable and/or preferred.

*Step 3* - At this stage, any broadly stated criteria should be clarified and refined, but only to the extent that it does not result in changed or un-posted criteria. The Committee should subsequently compare the on-line applications and resumes of all qualified applicants with the refined criteria.

*Step 4* - **IF**, during the initial review of all applications, the Committee elects to develop and use ranking as a part of the preliminary screening process, it is vital that the ranking criteria be related to the job requirements and documented. The Committee should take steps to ensure that ranking:

- Is performed in a consistent manner;
- Is based upon criteria valid for predicting job success; and,
- Results in no adverse or disparate effect to any applicant.

*Step 5* - The final stages of the screening process include:

- The interview;
- Reference checks (including verification of education, training, and/or work history);
- Pre-employment criminal background check or fingerprinting (if applicable);
- A review of work samples and essential job elements as appropriate; and,
- Completion of the Pre-Employment Verification Checklist for New Hires for all A&P and USPS applicants.

LAWFUL AND UNLAWFUL EMPLOYMENT/INTERVIEW INQUIRIES

<u>SUBJECT</u>	<u>LAWFUL</u>	<u>ILLEGAL</u>
<b>Address</b>	Place and length of current and previous address.	Specific inquiry into foreign addresses, which would indicate national origin.
<b>Age</b>	Request proof of age in form of a work permit issued by school authorities. Require proof of age by birth certificate <u>after</u> hiring.	Require birth certificate or baptismal record <u>before</u> hiring. Any question which tends to identify applicants 40 or older.
<b>Arrest</b>	Nothing	-----

<b><u>SUBJECT</u></b>	<b><u>LAWFUL</u></b>	<b><u>ILLEGAL</u></b>
<b>Citizenship</b>	Nothing	-----
<b>Convictions</b>	If the position to be filled has special requirements, such as bonding, may ask "In order to fill this job, you must be bonded. Will you have a problem meeting this criteria?"	Have you been arrested?
<b>Credit Ratings or Garnishments</b>	Nothing, unless job related.	It is a Civil Rights violation to refuse to hire a minority, if the refusal is based even in part on the person's poor credit rating.
<b>Disability</b>	Nothing. You may inquire <u>only</u> if it relates to the applicant's ability to perform job related functions. "Please demonstrate how you would perform 'X' function." Do not ask the nature of the disability.	If a question is phrased in terms of a disability. It is a violation to require a medical exam or inquire whether an applicant is an individual with a disability, or as to the nature or severity of such disability.
<b>Education</b>	Inquiries as to what academic, professional or vocational schools attended. Inquiry into training and experience related to job requirements. Inquiry into language skills, such as reading and writing of foreign languages.	Any inquiry questioning the nationality, racial, or religious affiliation of a school attended. Any inquiry about education that is not related to job performance. Inquiry as to applicant's speech or how foreign language was acquired, unless necessary for job.
<b>Family</b>	Freedom to travel if job requires; or meeting work schedule requirements, provided <u>all</u> applicants for a position are asked the same questions.	Inquiries about family planning, ages of children, childcare plans, spouse's employment or salary.
<b>Gender</b>	Nothing	-----
<b>Height and Weight</b>	Ability to perform the job requirements.	Inquiries not related to job requirements. The Civil Rights Act states that unless proven otherwise, height requirements are discriminatory in that a higher percentage of women and ethnic minorities are excluded.
<b>Material Status</b>	Nothing	-----
<b>Military Discharge</b>	Nothing	-----
<b>Name</b>	Current legal name.	-----
<b>National Origin</b>	Nothing	-----
<b>Organizations</b>	Only questions related to the job being filled and how the candidate's participation in the organization may fulfill the KSAs.	What organizations, societies, and/or clubs a candidate is a member of.
<b>Other Qualifications</b>	Any question that has a direct reflection on the job being applied for.	Any non-job related inquiry that may present information allowing unlawful discrimination.

<b><u>SUBJECT</u></b>	<b><u>LAWFUL</u></b>	<b><u>ILLEGAL</u></b>
<b>Photographs</b>	May be required after hiring for identification purposes.	Requesting photograph prior to hiring.
<b>Pregnancy</b>	Anticipated absences from the job. (May be asked of both males and females)	Questions concerning medical history of pregnancy or other related health matters.
<b>Race or Color</b>	Nothing	-----
<b>References</b>	Only questions related to the job General personal and work references not relating to race, color, religion, gender, national origin, or ancestry.	Request references specifically from clergymen or any other persons who might reflect race, color, religion, gender, national origin, or ancestry of applicant.
<b>Relatives</b>	Inquiry into name, relationship, and address of person to be notified in case of emergency.	Any other inquiry about a relative.
<b>Religion</b>	Nothing	-----
<b>Work Schedule</b>	Inquiry into willingness to work the required work schedule.	Any inquiry into willingness to work on any particular religious holiday.

### APPLICANT INTERVIEWING

Where the listing of interviewees is not diverse, the Committee should review the list of qualified applicants to ensure that the reason(s) for applicants who were not selected for interviews can be substantiated and did not result from bias. An example might be exclusion based on not meeting the minimum qualifications and/or the preferred knowledge, skills, and abilities to successfully perform a particular job.

Interviews should be conducted in such a way as to provide an objective analysis of each candidate's ability to successfully fulfill the responsibilities of the position. The following measures will help to foster equity in the interview process:

- a. Copies of the committee's critical criteria should be available in a checklist format, when possible, as part of the standard procedure for the interviews;
- b. Structure all aspects of the interview, including questions asked, to ensure consistency for each applicant;
- c. Ensure the interviewing team has a diverse make-up;
- d. Inform Committee members of all compliance requirements regarding pre-employment inquiries;
- e. Afford equitable time and exposure in the interviewing process for each candidate; and,
- f. Avoid restrictive scheduling of applicant interviews (e.g., consider giving telephone or Skype interviews to out-of-town candidates or others who may be unable to come to the interview site).

### GENERAL INTERVIEW QUESTIONS

The following are sample questions designed to guide the interviewer(s) in eliciting information in a manner that is not confrontational or threatening to the applicant. It should be noted that these questions may or may not be job-related for a particular employing job unit.

<b><u>DO NOT USE</u></b>	<b><u>DO USE</u></b>
Did you enjoy your last job?	Tell me what you enjoyed about your last job.
Do you feel you learned a lot while you were in school?	What things, related to this job, do you feel you learned most about in school?
Were you attracted to seek work here because of the salary being offered?	What was it that attracted you to our organization?
Do you feel you are qualified for this job?	Describe how you feel you are qualified for this job.
Wouldn't you say that you've changed jobs rather often?	How do you feel about the frequency with which you have changed jobs?
Have you ever been required to demonstrate leadership?	In what ways have you been required to demonstrate leadership in the past?
Wouldn't it have been better just to admit you made a mistake?	Given the opportunity, what would you have done to improve?
Have you found that people react that way to you often?	Why did you feel people reacted in that way?
Have you ever had personality clashes with any other people in that company?	How did you feel about the people you worked with?
A great deal of that kind of work has to be done on this job, and I get the impression you don't enjoy doing it.	Was there anything about that kind of work you didn't like?
I suppose you left that department because there was a little disagreement?	Why did you decide to transfer to a different department?
Were you ever asked to make decisions?	How much contact did you have with your boss on a day-to-day basis?
Were you closely supervised on your last job?	What are you looking for in a job change at this time?
Naturally, we want someone to stay with our company for a number of years – do you anticipate you would be able to do that?	Was there anything about the company that you didn't particularly like or agree with?
I've heard that was a terrible company to work for – do you agree?	Could you describe some particularly tough problems you had to deal with?
We need someone who can really solve problems in this department – have you ever done that before?	Describe the kind of responsibilities you've been asked to assume in the past.

### INTERVIEWING APPLICANTS WITH DISABILITIES

<b><u>DO NOT ASK</u></b>	<b><u>OKAY TO SAY OR ASK</u></b>
...about visible characteristics such as scars, burns, or amputations.	...if the applicant can stand for a certain period of time (or sit, climb, type, etc.) IF required to perform the essential functions of the job.
...if the applicant is in good health or if the applicant has ever had a drug or drinking problem.	..."Can you lift 30 pounds?" IF the job requires employees in the position applied for to lift 30 pounds.

<b><u>DO NOT ASK</u></b>	<b><u>OKAY TO SAY OR ASK</u></b>
...if the applicant ever had an injury or disease, or ever filed a workers' compensation claim.	...if the applicant volunteers information about present or post medical conditions, explain the University's commitment to equal employment opportunity, and ask what you can do to accommodate the applicant.
...even if an applicant volunteers information about a medical condition, don't inquire about the nature or extent of the condition, or if it is in remission.	...about job duties or their previous employment.
...whether the applicant's family or acquaintances are ill or injured.	...whether the applicant can reach the top drawer of a filing cabinet, IF filing is an essential job function.
...for an in-house only job, don't ask if the applicant has a driver's license.	...IF an essential function of the job is to drive, may ask if the applicant has a valid driver's license.
...why the applicant uses a wheel chair or crutches, or how the person came to be blind, etc.	...IF the applicant asks about an accommodation, ask the person for suggestions.
...about limitations or what the person CANNOT do.	...if the applicant can perform the essential functions listed in the job description, with or without a reasonable accommodation.

### **TIPS FOR TACTFUL INTERVIEWING**

Of all the employment selection processes, the interview holds the greatest potential for bias and subjectivity. However, effective interviews conducted by persons who are free from stereotyped opinions and attitudes can be a useful tool in assessing candidates' capabilities and potential. Every effort should be made to ensure there is diversity on the interviewing team, particularly with respect to ethnicity and gender. The following basic guidelines are presented to assist the Committee in the interviewing phase of the screening process:

- a. **Interruptions:** If at all possible, avoid interruptions. Failure to do so will generally tell the applicant that he or she is not as important as "rush phone calls" or intermittent "report signing."
- b. **Individual Treatment:** A natural tendency when interviewing a number of applicants for a given position is to begin treating each person as if he/she were the same. No two people have ever been found to be alike—each is distinctly unique in many respects and should be treated accordingly.
- c. **First Impressions:** It is highly important that interviews be conducted in a timely manner. Your promptness indicates the importance of timeliness to the candidates. Being late suggests that conditions are hectic or that tardiness is condoned in the workplace. Try to provide a neat, quiet, and orderly environment for the interview. Be friendly and warm. Provide a good first impression of your department to each candidate you interview.
- d. **Listening:** Avoid the temptation to frequently introduce your own thoughts during the interview. The applicant is not there to hear about your experiences. Remember, you have a limited period of time to learn as much as you can about each applicant.
- e. **Questions Unrelated to the Job:** Inquiries that are not related to the position may be unlawful (e.g., age, marital status, age of children, etc.) and they waste time and do not provide the

useful selection/decision information needed. Avoid asking questions during the interview that are irrelevant to the job requirements.

- f. Arguments/Confrontations: An effective employment interview is not a contest; it is an important task. The interviewer should not let his or her pride interfere with efforts to obtain relevant information. Verbal disagreements or disputes among the interviewers, or between the interviewer and the applicant, have no place in the interview process.
- g. Making Promises: If you know the exact salary and benefits offered by the hiring unit or department, you may want to discuss these during the interview. Interviewers should never, however, make promises that cannot be fulfilled (e.g., if you cannot ensure definite advancement within a few years of hire, do not indicate that there is a possibility of advancement). The applicant is very impressionable at this point and will remember all promises, no matter how vaguely stated. Furthermore, it is best to avoid making a job offer during, or immediately following, the end of the first interview with any candidate. Time should be taken to fully consider the interview and study what you have learned.
- h. Privacy and Confidentiality: A closed door, a private or quiet environment, your own sensitivity – these items will go a long way towards assuring the applicant that you will treat information he/she shares with you confidentially.
- i. Allowing Sufficient Interview Time: Do not attempt to conduct too many interviews in a limited period of time. The time allotted for each interview should be governed primarily by the complexity of the job. Typically, an hour and a half is considered adequate for an average job of average complexity.
- j. Questioning Attitude Directly: Using the phrase “Your attitude...” can be potentially negative or caustic. It is recommended that substitute phrases like “What is your philosophy about...?” be used instead, to help make the applicant feel more fairly treated. Be careful that such questions are job-related.
- k. Taking Notes: Some interviewers find it helpful to take brief notes during an interview, as they may be valuable in reconstructing information after the interview. It is important, however, to refrain from the appearance of taking exceptionally careful or excessive notes when a candidate is discussing something that may be sensitive or personal. To do so may prevent the applicant from being open during the remainder of the interview. When a sensitive subject emerges, it is best to drop the pencil and listen with interest and sincerity.
- l. Limiting the Interview to Questions: The use of comments and/or questions during an interview is important. A well-placed comment or question can “echo,” or provide support for something an applicant has just said, thus encouraging further explanation on that subject, or other issues in the interview. The use of comments, as well as questions, during the interview can also help prevent the applicants from perceiving themselves to be under interrogation.
- m. Language Level: Language used during a job interview is a judgmental decision, at best. Generally, however, an effort should be made to utilize language, questions, and comments that reflect the educational level of the candidate and the appropriate level of the position to be filled. Do not “talk down” or “talk above” a candidate. Be natural.
- n. The Halo Effect: The “halo effect” causes the interviewer to feel generally good about an applicant, usually because of something he or she has observed fairly early in the interview process. The interviewer should make a deliberate effort to keep from making quick judgments—especially in areas where there may be a strong, personal bias, such as with a person’s appearance.

- o. Impatience: There will be occasions when an applicant does not go in the direction you anticipate or desire during a job interview. It is important to be patient. Through an interviewer's proper use of open-ended questions, silence, and listening, the applicant will usually "come around." Any impatience displayed by an interviewer usually causes an applicant to feel anxious and tense, and can result in the failure to obtain relevant information needed.
- p. Discrimination: Resist the temptation to unconsciously "raise the bar" by imposing higher qualification standards for female or minority candidates.
- q. Quick Decisions: A natural tendency for interviewers is to quickly decide who the "best" candidate is, especially if he/she is one of the first interviewees. Take your time and carefully evaluate all candidates, using the criteria established for the position.

### PROVIDING A BENEFITS SYNOPSIS

While the Committee is screening and evaluating applicants, the applicants are also screening and evaluating the University. Usually, one of their chief considerations in this process is what benefits are applicable to the position. The Committee should ensure that all applicants who visit the campus become familiar with the University's benefits package. The Committee should ask HR's Benefits Section to provide a synopsis of the University's current benefits package for the particular position.

This takes on added importance when the salary for the position may be lower than that expected or desired by an applicant. The synopsis should list all applicable benefits, including all available leaves (e.g., sabbatical and administrative leave), in addition to annual leave and sick leave. It should also note items such as computer purchase programs, reduced rates for health and gym facilities, tuition assistance for the employee and his or her family, and support of professional development activities.

### CONSIDER PROVIDING A WELCOMING PACKAGE FOR TOP INTERVIEWEES

Here is a brief list of information that you should send to all applicants that are invited to the University for an interview:

- |  |   |
|--|---|
| (1) Employee/Faculty Handbook          | (2) Organizational Chart                            |
| (3) Benefits Synopsis                  | (4) History of the University                       |
| (5) College or University Catalog      | (6) Annual Reports                                  |
| (7) Department Brochure                | (8) Mission Statement, Vision, and Values           |
| (9) Goals & Objectives and Initiatives | (10) Information from the local Chamber of Commerce |

### MAKING TRAVEL ARRANGEMENTS AND ACCOMMODATIONS

The Committee should notify each candidate in writing of the University's travel and accommodations policies, including which expenses the University will reimburse. For example, airfare to one area airport may be reimbursable, whereas airfare to another area airport may not be reimbursable.

The Committee should ask the University Travel Office or their business and financial office for information in order to advise candidates about a variety of travel and lodging matters, such as rental car and taxi information and local accommodations. In addition, the Committee should notify candidates of any special arrangements the University or department may have with specific travel agencies, rental car companies, hotels, and restaurants. All candidates should be informed that they will be assisted with any special accommodation(s) that they require.

## RECOMMENDING TOP CANDIDATES

The Committee should submit a listing of at least three (3) recommended applicants in alphabetical order to the hiring official, with supporting comments or documentation. A listing of at least three alternates may also be prepared to be used if the original recommended candidates are not available for consideration. If the hiring official requests that finalists be ranked, the committee should make qualitative evaluations based upon job-related criteria.

## HIRING AUTHORITY

USPS and A&P hiring approving authority is dependent upon the proposed salary rate in relation to the position. Specific criteria can be found in policy, [4-OP-C-7-D1 \(B\), Hiring Compensation for Salaried Staff](#). Faculty hiring authority resides with the dean of the college.

## SEARCH, SCREENING, & SELECTION SUMMARY

At the conclusion of the selection process an [Affirmative Action Search, Screening, and Selection Summary](#) (FSU Form AA-186) should be submitted to Human Resources with the hiring paperwork. For vacancies where applications were accepted outside of OMNI, an Applicant Flow log must be included. The [Applicant Flow Log](#) must indicate the name of every applicant, why they were not selected for interview/hire, and how the applicant's EEO data was solicited.

# **IV. AFFIRMATIVE ACTION GUIDELINES**

## A MAJOR MANAGEMENT OBJECTIVE

The University considers it effective management to fully utilize all available human resources and acknowledges its commitment to foster diversity and ensure equal opportunity for all current and potential employees. Its affirmative action program was developed pursuant to requirements of the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP), the Department of Education's Office for Civil Rights (OCR), the Florida Commission on Human Relations (FCHR), and other agencies.

Affirmative action is a major management objective at the University and the principle of equal opportunity should guide all employment processes and decisions. It is essential that all administrators and hiring officials execute "results-oriented" activities designed to enhance workforce diversity and equal employment opportunity. Thus, consideration should always be given to annual institutional hiring objectives established under the University's Affirmative Action Plan prior to filling any vacancy. Specific demographic information is available by unit, department, and discipline, upon request, from the Office of Equal Opportunity and Compliance (EOC). Hiring officials and search and screening committees must routinely demonstrate commitment, "good faith" efforts, and corrective actions, as appropriate, in all hiring and employment practices. In this way, advancing equal opportunity, diversity, affirmative action, and equity will be assured. The University's efforts regarding equal opportunity and access have made it a flagship institution of higher education, both in the state of Florida and nationally.

## REVIEW OF BENCHMARKS, GOALS, AND OBJECTIVES

To be effective, equal opportunity benchmarks, or goals and objectives, must be reviewed on a continual basis to ensure they are realistic and achievable. Thus, the benchmarks are developed by the EOC in collaboration with appropriate deans, directors, and/or department heads, in accordance with the availability of qualified applicants. The University understands that some traditional strategies used in the past to recruit, employ, and retain women and ethnic minorities in higher education have not yielded the level of diversity sought. Therefore, each hiring unit is urged to

continue implementation of strategies designed to include qualified members of these under-represented areas.

### MONITORING AND COMPLIANCE

Efforts to enhance diversity and inclusion at the University will be regularly monitored by the EOC. As appropriate, each unit, department, and/or search and screening committee will maintain recruitment records that delineate specific action(s) taken to attract ethnic minorities, women, and applicants from other protected groups.

### PREFERENCES

Recruiting of employees will be gender-neutral for all vacancies and gender preference will not be expressed in position vacancy advertisements or announcements unless it is a bona fide occupational qualification. Furthermore, advertisements or announcements will not be expressed in columns headed "male" and "female," or "men" and "women."

### TRAINING AND AWARENESS

The University provides ongoing training and awareness opportunities to assist employees in understanding how enhancing diversity for A&P and USPS employees aids the University. The Office of Faculty Development and Advancement (FDA) is responsible for faculty-related training.

### RECRUITMENT

EOC is available as a management resource when seeking candidates for Faculty, A&P, and USPS positions. The prospective recruitment pool can be further expanded through contacts made at professional/association conferences or activities.

### AFFIRMATIVE ACTION PLAN

The Affirmative Action Plan reflects the results of institutional "good faith" efforts to improve the quality of higher education through the prevention and elimination of discrimination due to race, color, gender, religion, national origin, age, disability, or veteran status. Further, it serves as a human resource management tool for those administrators who have the responsibility of ensuring expected outcomes.

Consequently, EOC seeks to ensure the implementation of University-wide programs and plans by which the University may achieve full utilization of faculty and other employees at all workforce levels. Fundamentally, accomplishment of this mission rests in strategies for recruitment and corrective action. Recruitment is "targeted" to the availability of ethnic minorities and women. Progress is expected in departments or units where deficiencies exist with respect to the representation of ethnic minorities and women. However, the number of opportunities a department or unit has to make hires and the respective availability of persons in a job class will be considered when little or no progress is noted.

The University President is the Chief University Administrator with respect to equity, access, and diversity efforts and is ultimately responsible for ensuring that they are manifested in all programs, services, and activities utilized by University administrators and hiring officials in fulfilling the responsibilities associated with recruitment, hiring, promotion, training, work conditions, salaries, and other related equal opportunity policies, practices, and processes.

Success is contingent upon the demonstrated commitment, involvement, and support of all levels of administration, including the Provost, Vice Presidents, Deans, Directors, and other decision-making administrators.

## A MANAGEMENT TOOL

Current and past copies of the University's Affirmative Action Plan are available for review and use by members of the University. Data in these documents may be useful in tracking past employment actions, as well as viewing their impact on the workforce. These documents are located in Human Resources and the Special Collections Section of the University's Strozier Library.

## EMPLOYMENT CONDITIONS

Once an individual is hired, the University seeks to provide appropriate working and employment conditions that are conducive to an employee's well being and productivity, thereby aiding retention. These include, but are not limited to:

- a. Conformity to both the spirit and letter of non-discrimination laws;
- b. Striving to build a pluralistic community (department or unit) characterized by diversity and equal opportunity; and,
- c. Utilizing the assets of its human resources as a means to develop the skills of, and opportunities for, others; such as the equitable distribution of assignments and decision-making opportunities; equal access to programs, services, activities, and facilities; equitable pay and benefits; and equitable application of all human resource practices.

## THE ROLE OF UNIVERSITY ADMINISTRATORS AND SUPERVISORS

In addition to the Provost and Vice Presidents, the University's Deans, Directors, Department Heads, and other employing supervisors are responsible for the development and implementation of non-discriminatory practices and procedures within their respective departments and units. As an accountability and/or performance measure, they may be evaluated annually for purposes of salary increases and/or promotions for their good faith efforts and support of workforce diversification.

The responsibilities of University administrators and supervisors include:

- a. Following the personnel policies contained in the employee or faculty handbook, as appropriate;
- b. Following the recruiting and hiring procedures set forth in this Guide;
- c. Monitoring efforts in each department and/or unit for which they have oversight;
- d. Ensuring good faith efforts are being utilized in the recruiting, hiring, promoting, and continued employment of minorities and women;
- e. Following job advertising policies and procedures; and,
- f. Ensuring that each supervisor under his/her authority understands that a factor that will be considered in evaluating one's job performance is his/her good-faith efforts toward achieving workforce diversity.

## EQUAL OPPORTUNITY & NON-DISCRIMINATION STATEMENT

Florida State University (University) is an equal employment opportunity employer and educational provider committed to a policy of non-discrimination for any member of the University's community on the basis of race, creed, color, sex, religion, national origin, age, disability, veterans' or marital status, sexual orientation, gender identify, gender expression, or any other protected group status. This policy applies to faculty, staff, students, visitors, applicants, and contractors in a manner consistent with applicable federal and state laws, regulations, ordinances, orders, and rules, as well as the University's policies, procedures, and processes.

In pursuing its mission of excellence as a comprehensive, graduate-research University with a liberal arts base, the University strives to create and maintain a harmonious, high performance work and educational environment.

It is the expectation that all members of our community are provided equitable opportunities to succeed and enrich the strength, skill, and character of the University. It is also expected that all members of our community will help create a work and educational environment that promotes fairness, respect, and trust, free from discrimination or harassment. Behavior that may be considered offensive, demeaning, or degrading to persons or groups will not be tolerated.

The University will continue to reinforce its commitment of non-discrimination to all groups protected by state and federal law. We will continue to monitor our methods of recruitment, retention, and advancement of qualified faculty, staff, and students and annually examine our affirmative action plan, as prescribed by federal guidelines, to measure whether our campus is reflective of the community we serve.

The University further recognizes that forms of discriminatory or harassing behavior may create an unwelcome or hostile environment and lead to an uncomfortable situation. As a result, the University has established internal complaint procedures available to all who believe their experience on any of our campuses has been less than appropriate.

To facilitate or otherwise strive to ensure University-wide compliance, Renisha Gibbs, Assistant Vice President for Human Resources/Finance and Administration Chief of Staff, and University Title IX Co-Coordinator, has been appointed to develop, administer, and coordinate University-wide initiatives and complaint investigations. This will be accomplished through collaboration with the Dean of Students Department, the Athletics Department, the Office of Faculty Development and Advancement, and all other University divisions, colleges, and departments.

Questions regarding the above may be directed to your supervisor or Renisha Gibbs at (850) 644-8082 or [rgibbs@admin.fsu.edu](mailto:rgibbs@admin.fsu.edu).

## **V. THE AMERICANS WITH DISABILITIES ACT (ADA)**

### THE AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (collectively, the ADA) are comprehensive and far-reaching pieces of legislation that prohibit discrimination against persons with disabilities in employment, public services, transportation, public accommodations, and telecommunications. It requires reasonable accommodations, auxiliary aids, and means of accessibility in order to enable persons with disabilities to work, live, and function on an equitable level with others. The ADA is designed to bring about equity, empowerment, and the restoration of dignity for individuals with disabilities. As a public employer and institution of higher education, the University is required to comply with all requirements of the ADA.

The ADA employment provisions are contained in Title I, covering equal employment opportunities for individuals with disabilities and requires that they be given the same considerations for employment as individuals without disabilities.

## GUIDELINES FOR ADA COMPLIANCE IN EMPLOYMENT

The University is committed to a policy that ensures persons with disabilities are not unlawfully discriminated against and that they have equal opportunity and access to all rights and privileges enjoyed by those who are not disabled.

### COVERED INDIVIDUALS

An individual who is qualified for an employment opportunity cannot be denied that opportunity because that individual has a disability. The ADA prohibits employment discrimination against any “qualified individual with a disability,” who is defined as:

An individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of a job.

Please note that all individuals and/or conditions that are covered by the ADA are not listed in the statute, nor in the issued regulations.

The ADA also protects existing University employees, as well as job applicants. When uncertain whether a person is protected under the ADA or to assist with a request for reasonable accommodation, departments should consult the University’s ADA Coordinator, in the Office of Equal Opportunity and Compliance.

### COVERED EMPLOYMENT PRACTICES

There can be no discrimination against individuals with disabilities with regard to any employment practices, terms, conditions, and/or privileges of employment. This restriction applies to all aspects of the employment process, including but not limited to:

- application
- testing
- hiring
- assignments
- evaluation
- disciplinary actions
- training
- promotion
- medical examinations
- layoff/recall
- termination
- compensation
- leave
- benefits

### PROHIBITED ACTIONS AND PRACTICES

The following are actions that may constitute discrimination under the ADA:

- a. Limiting, segregating, or classifying a job applicant or employee in a way that adversely affects employment opportunities for the applicant or employee because of his or her disability.
- b. Participating in a contractual or other arrangement/relationship that subjects a qualified applicant or employee with a disability to discrimination.
- c. Denying an employment opportunity to a qualified applicant or employee because he/she has a relationship or association with a person with a disability.
- d. Refusing to make a reasonable accommodation for the known physical or mental limitations of a qualified applicant or employee.
- e. Using qualification standards, employment tests, or other selection criteria that screen out, or tend to screen out, an applicant or employee with a disability, unless they are job-related and necessary for the position.

- f. Failure to use employment tests in the most effective manner to measure actual abilities. Tests must accurately reflect the skills, aptitude, or other factors being measured, and not the impaired sensory, manual, or speaking skills of an employee or applicant with a disability (unless those are the skills the test is designed to measure).
- g. Discriminating against an applicant or employee because he or she has opposed an employment practice of the employer; or filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing to enforce provisions of the ADA.

### REASONABLE ACCOMMODATIONS FOR APPLICANTS AND EMPLOYEES

Reasonable accommodation is a critical component of the ADA regulations and is defined as any change in the work environment, or in the way things are usually done, that results in equal employment opportunity for an individual with a disability.

Under the ADA, all University departments must make reasonable accommodations in employment to employees and applicants with disabilities unless they can show that the accommodation would cause an undue hardship to the operation of the unit. All University departments should use [FSU Reasonable Accommodation Request Form](#) to document the reasonable accommodation provided. Some examples of reasonable accommodation include:

- a. Making facilities readily accessible to, and usable by, an individual with a disability;
- b. Job restructuring by reallocation or redistribution of marginal duties;
- c. Modifications to work schedules;
- d. Reassignment to a vacant position;
- e. Acquiring or modifying equipment or devices;
- f. Adjusting or modifying examinations, training materials, or policies;
- g. Permitting use of accrued paid or unpaid leave for necessary treatment(s);
- h. Providing qualified readers or interpreters; and/or,
- i. Changing or re-locating workstations.

### PRE-EMPLOYMENT INQUIRIES AND MEDICAL EXAMINATIONS

It is a violation of the ADA to ask a job applicant about the existence, nature, or severity of a disability. Applicants may only be asked about their ability to perform specific job functions. (See “Lawful and Unlawful Employment/Interview Inquiries” “General Interview Questions,” and “Interviewing Applicants with Disabilities,” sections of this Guide). It is illegal to make medical inquiries or request/conduct a medical examination until after a job offer has been made. A job offer may be conditioned on the results of a medical examination or inquiry, but only if this is required for all entering employees in similar positions. Medical examinations of employees must be job-related and consistent with the department’s operational needs.

### WORKERS’ COMPENSATION AND WORK-RELATED INJURY

An employee who is injured on the job is only protected by the ADA if the person meets the ADA definitions of an “individual with a disability.” Work-related injuries do not always cause physical or mental impairments severe enough to “substantially limit” a major life activity, or cause chronic impairments.

## DRUG TESTING

It is not a violation of the ADA to administer a drug test to job applicants or employees for the purpose of determining the illegal use of drugs. Such tests are not considered medical examinations. It should be noted, however, that the ADA neither encourages, authorizes, nor prohibits the use of drug testing.

## **VI.**

## **CONCLUSION**

For additional assistance, contact the Office of Equal Opportunity and Compliance or another section of Human Resources. Specific contact information for each section can be found at: <http://hr.fsu.edu/?page=contacts&a=main>.

**Revised: October 2014**

**NOTE:** The Search & Screening Guide is available in alternative formats. To make a request, call Amber Wagner, ADA Coordinator, at (850) 645-1458, or send an Email to [amwagner@admin.fsu.edu](mailto:amwagner@admin.fsu.edu).