



Human Resource Services **POLICY RESOURCES**

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This administrative procedure is provided for the purpose of effectuating the provisions of Marshall University (hereinafter University) Board of Governors Policy HR-13, Classified Recruiting.

DEFINITIONS

As defined in West Virginia State Code Section 18B-9-2, a classified employee "means any regular full-time or regular part-time employee of a governing board or the commission, ... who hold[s] a position that is assigned a particular job title and pay grade in accordance with the personnel classification system established by this article or by the commission...."

With regard to the U.S. Fair Labor Standards Act (FLSA) a classified position may be either non-exempt or exempt according to whether or not the incumbent of such a position is *non-exempt* and eligible to earn overtime pay or compensatory time off or *exempt* from the overtime/compensatory time provisions. Classified recruiting procedures will differ as set forth below according to whether the position is exempt or non-exempt.

RECRUITING MODES

There are two modes of recruiting available for classified positions. The department sustaining the vacancy (the client department) may choose which way they wish their position recruited.

Public Recruiting: Under public recruiting qualified University employees may make application along with members of the public. Employee bidder rights as reflected in the West Virginia State Code remain in effect for FLSA non-exempt positions that are recruited for publicly (see Appendix 1 below). (See sections on REFERRAL OF APPLICATIONS and BIDDER RIGHTS below.) Positions in public recruiting appear in the Marshall University Human Resource Services (hereinafter Human Resource Services) Recruiting Bulletin. The position may be advertised in other external advertising outlets according to type of position, reasonable recruiting market, and recruiting needs. The client department is responsible for the cost of any and all external advertising for its position other than the Recruiting Bulletin.

Internal Recruiting: Applications for internal recruiting for University positions are restricted to regular-status employees of the University. (See section on BIDDER RIGHTS below.) Under internal recruiting a job announcement is placed in the Human Resource Services Recruiting Bulletin, but the position is not advertised in area newspapers or in other external outlets. Internal recruiting may not be restricted to a particular college or department. Qualified employees in all units of the University are eligible to bid for positions posted for internal recruiting regardless of where the vacancy exists in the University.

For any Marshall University classified position for which a regular-status employment appointment is desired and for which the previous regular-status incumbent (if not a new position) has vacated the position, the position will be recruited for and published at least once in the Recruiting Bulletin appearing on the Human Resource Services website at <http://www.marshall.edu/human-resources/jobs/>.

RECRUITING TIMELINES

The ordinary minimum length of time that a classified non-exempt position may be posted for recruiting is two weeks. A shorter length of time may be approved in certain circumstances by the Marshall University Director, Equity Programs (hereinafter Director, Equity Programs), but recruiting may not be shortened without such approval in writing. A recruiting timeline longer than provided above may be observed at the request of the client department.

Classified exempt positions are ordinarily posted as open until the position is filled (or until a decision on who to employ is made and approved). If the client department wishes to use a fixed timeline, it is ordinarily no less than three weeks from date of publication in the Recruiting Bulletin. A length of time shorter than three weeks may be approved in certain circumstances by the Director, Equity Programs. Classified exempt recruiting may not be shortened to less than three weeks without such approval in writing.

RECRUITING AUTHORIZATION FORM

Client departments request classified recruiting services from Human Resource Services by submitting a properly completed Recruiting Authorization Form. This form is available on the Human Resource Services website forms page at: <http://www.marshall.edu/human-resources/forms/>.

All required fields should be completed down through and including the last appropriate signature in the block captioned "Requested/Approved by (signature)." Departments should send a completed and signed original to Human Resource Services, 207 Old Main, and should keep a copy for their files.

RECRUITING QUALIFICATIONS

All University classified positions are governed by (1) a Position Information Questionnaire (PIQ) of record for the position; (2) by a general classification specification statement; and/or (3) by a data line approved by West Virginia public higher education's Job Evaluation Committee (JEC). The PIQs of record, the general classification specification, or the data line set forth the general qualifications for each classified position. These are usually expressed as a requirement for a certain minimum amount of education and/or a requirement for a certain minimum amount of work experience. Departments sustaining recruiting vacancies that develop and submit Recruiting Authorization Forms must set the position qualifications consistent with the PIQ of record, the general classification statement, and/or the JEC dateline.

Departments may not stipulate education requirements or experience requirements that exceed those set forth in the above-named documents. However, client departments may make proposals for particular qualifications that they can demonstrate are critical to successful performance on the job. For example, the Information Technology department may state that a particular kind of computer programming skill is necessary for successful performance in an IT job. Therefore, the qualifications may be built around a particular amount of education and/or experience but may include a specific requirement for skills in a particular software language or the possession of a particular certification deemed important. Any additional qualifications other than those generally stated in the above-named documents must be approved by the Marshall University Director, Human Resource Services (hereinafter Director, Human Resource Services) in advance of posting to the Recruiting Bulletin.

West Virginia public higher education observes the principle of equivalency in recruiting qualifications. A bidder may offer, for example, a greater amount of relevant work experience than that stated in the recruiting announcement if he/she does not possess all the minimum required education. In spite of the possibility for such trade-offs, candidates may still be required to possess certain specific skills, credentials, licenses, or certifications for which there is no equivalency. Determinations of qualification based on equivalency are made by the Director, Human Resource Services. Client departments may, on request, obtain a full list of those applicants shown qualified and not qualified and an explanation for any

determinations made on equivalency. Client Departments may appeal to Human Resource Services decisions made about the qualification or disqualification of a candidate.

Qualification for classified positions will be determined solely from evaluation of information reflected in the application packet (See section below on Application Materials). Therefore, it is important that bidders keep their applications up to date so as to ensure evaluation at the maximum possible amount of experience, education, or other qualification.

PROCESS FOR PUBLISHING JOB VACANCIES

Human Resource Services publishes new job vacancies to its website each week day that a new job order can be processed and prepared for publication. A properly completed Recruiting Authorization Form (see above) must be provided to Human Resource Services in order for the job to be posted for recruiting. New job postings are flagged with a "new" symbol for seven days after posting.

The Job Opportunities page appears on the Human Resource Services website at:

<http://www.marshall.edu/human-resources/jobs/>.

SEARCH COMMITTEES

A search committee is required for classified *exempt* positions. A search committee is recommended but not required for classified *non-exempt* positions. A search committee assists in the review of applications for positions and acts to ensure that affirmative action and equal employment opportunity are provided. Search committees should represent diversity to the extent possible and should if possible include one or more minority persons and one or more females. The Director, Equity Programs, participates in the selection and charging of search committees as set forth in the Affirmative Action/Equal Employment Opportunity section below. The client department is responsible for preserving a record of the names, departments, and job titles of the persons appointed to a search committee.

APPLICATION MATERIALS

Applicants for classified non-exempt positions must complete the standard Human Resource Services employment application. Those bidding for classified exempt positions do not have to complete the standard Human Resource Services employment application, but must instead submit a current, complete resume along with such other application materials as may be specified in the job announcement in the Recruiting Bulletin. Other applications materials may include such things as a letter of interest in the job (application letter); names, addresses, telephone numbers, and/or e-mail address of at least three professional references who may be contacted in the recruiting process; and/or official college transcript(s). The standard Human Resource Services employment application is available on the Human Resource Services forms page at: <http://www.marshall.edu/human-resources/forms/>.

The employment application must be completed in its entirety. A resume or other supporting documentation may be attached to the application, but no portion of the application may be waived with statements such as "see attached resume." Incomplete applications may be held from referral for employment consideration at the discretion of the Director, Human Resource Services. All applications for classified exempt and non-exempt positions must be submitted to Human Resource Services.

The employment application packet contains either a voluntary affirmative action information card or a full-page form. The card/form is used to collect information on the gender, race, citizenship, military service, and/or handicapped status of applicants for employment. If an affirmative action information card/form is not included with an application, applicants may obtain one by calling Human Resource Services at 304.696.2592 or by sending e-mail to recruiting@marshall.edu. Applicants for employment

are encouraged to complete and return the card/form, but submitting or not submitting the card/form has no effect on eligibility for employment consideration. The information collected on the card/form is not sent to departments with vacancies but is used by Human Resource Services and the Office of Equity Programs to assess the University's efforts to ensure equal employment opportunity and to provide affirmative action. Applicants for classified exempt positions who would not ordinarily complete a standard employment application will be given an opportunity to complete and return a copy of the card/form.

Employment applications (referring both to the standard application for classified non-exempt positions and the application packet as defined for classified exempt positions) are valid for one year from the date submitted to Human Resource Services. An application for employment may be renewed for an additional year by making a request to the Director, Human Resource Services before the original year of eligibility has expired. Such requests may be made through signed paper mail or through an e-mail message to recruiting@marshall.edu. Human Resource Services will verify the sender of e-mail requests.

Applicants are responsible for keeping their applications up-to-date, for making any corrections, and/or for providing any additional information that may be appropriate for their application. This is also particularly important at any time that an applicant requests that his/her application be renewed for an additional year of eligibility. Since application requirements for classified exempt positions may vary slightly from position to position, it is the responsibility of the applicant to make any corrections or provide any additional materials that may be requested in connection with a search.

Resumes vary in quality, content and appearance. Although there are no specific standards for the appearance and content of resumes submitted to Human Resource Services, it is important that the resume provide clear information on each episode of present or prior employment. Information must be clearly provided as to the date when employment began, the date it ended (if it is not current employment), the job title, the name and address of the employing organization, clear statement of duties, indication of whether or not the bidder supervised others, and the circumstances for leaving the employment (if not the current employment). Information on academic preparation must clearly set forth which institution(s) the bidder attended, what academic degrees they were awarded and when, and/or how many hours of credit they accumulated if a degree was not awarded. Official copies of college transcript(s) are required to be submitted when job announcements clearly state a requirement for an academic degree that was not waived through additional experience offered in lieu of a degree. However, such transcript(s) should not be submitted until requested by Human Resource Services.

The ability to properly evaluate the qualifications of a bidder for either a classified non-exempt or a classified exempt position depends on the clarity and completeness of application materials. Failure to provide required information in application materials may prevent Human Resource Services from determining the bidder to be eligible for referral. The Director, Human Resource Services is responsible for determination of qualification for classified non-exempt or classified exempt recruiting conducted for vacancies in the University. Client departments may on request obtain an explanation for any determinations made on qualification.

Human Resource Services will accept an employment application or a resume at any time. Such unsolicited applications or resumes will be maintained in Human Resource Services a one-year period. No referral to active vacancies will be made until/unless the bidder contacts Human Resource Services by one of the means set forth below to indicate their desire to have their materials referred against a particular vacancy.

POSITION APPLIED FOR

The standard employment application contains spaces that applicants may fill out indicating the search number and/or job title of the position(s) they wish to apply for. An employment application may be

completed and tendered without a "position applied for" indicated. Such application will be maintained in the Human Resource Services files for the one year of eligibility but will not be referred for employment consideration until/unless the applicant indicates through acceptable means (paper mail, FAX, or e-mail) that he/she wishes to have the application referred against a particular known vacancy.

If/when an applicant for employment wishes to amend their application to request referral to a particular vacancy they may do so (1) by visiting Human Resource Services in 207 Old Main and completing a form available there to add the position(s) desired, (2) sending signed paper mail to Human Resource Services indicating the position(s) desired for bid, (3) sending a FAX version of such signed paper mail to 304.696.6844, and/or (4) sending e-mail to recruiting@marshall.edu. Such e-mail messages will be verified as to sender. Human Resource Services will not make a referral for employment consideration unless the original application materials reflect the position(s) the applicant wishes to bid for or unless one of the notification methods outlined above has been followed.

REFERRAL OF APPLICATIONS

The referral of applications for employment to the department sustaining the vacancy is governed by the requirements of the West Virginia State Code as set forth in Appendix 1 below.

For classified exempt and non-exempt positions, Human Resource Services will review for qualification and refer for employment consideration any applications from qualified classified non-exempt University employees whose applications are current and within the one-year time limitation (or as extended through appropriate action by the bidder) and who have made request that their materials be sent for employment consideration for a vacancy in the University. The purpose of the applicable portion of West Virginia State Code is to facilitate the appointment of the best qualified classified non-exempt bidder but only to find on the basis of seniority when two or more bidders are deemed equally qualified and one of them prevails due to greater seniority. Human Resource Services does not involve itself at point of referral of applications in the issue of determination of best qualified among qualified classified non-exempt bidders. Rather that office reviews the bidder proposed by the client department for promotion or transfer to determine if they are the best qualified without regard to seniority or best qualified among equally senior bidders. Human Resource Services will either concur with the appointment recommended by the client department or may at its discretion return the recommendation to the department if it is not clearly apparent that the bidder recommended for appointment is the best qualified among bidders with equal seniority.

The University is required under West Virginia State Code Section 18B-7-1 (see Appendix 1 below) to appoint a qualified regular-status classified non-exempt University employee to a University classified non-exempt position recruited for unless the department sustaining the vacancy can demonstrate that such person is not qualified or that there is a legitimate non-discriminatory reason why they should not be appointed. (See section on BIDDER RIGHTS below.) Such request must be made in writing to the Director, Human Resource Services, and any approval expressed by the Director, Human Resource Services to waive the appointment of a regular-status classified non-exempt employee to a classified non-exempt position must likewise be in writing.

The provisions of West Virginia State Code Section 18B-7-1 do not apply to University classified exempt positions even though bidders for the position may be regular-status classified non-exempt University employees. Internal University bidders who are regular-status classified employees and who are determined eligible for referral to a University classified exempt vacancy are guaranteed an interview for the position. With classified exempt positions, a preference is still stated to hire a qualified internal bidder before appointing a bidder from the public for the position, but departments sustaining such vacancies are not required to appoint a University regular-status classified non-exempt employee if one is qualified as a bidder.

Rights to appointment to regular-status classified positions depend upon there being a current, up-to-date employment application for consideration in the context of recruiting prior to the recommendation for appointment. The Director, Human Resource Services, reserves the right to withhold from promotional or transfer consideration any regular-status classified non-exempt bidder whose application has expired. Current employees are responsible for updating their application if appropriate.

Human Resource Services scans and digitizes classified applications and resumes. No paper copies of applications and resumes are referred. Applications and resumes cleared for referral to clients are made available to the client department and/or search committees by posting those materials in secure network areas where authorized persons can review them. The client department is responsible for notifying Human Resource Services of the names and e-mail addresses of search committee members so that permissions may be set to allow access to referred applications. Any paper or electronic copying of applications or resumes is at the discretion of the hiring officials or search committee chair. Client departments and/or search committees are responsible for ensuring that the confidentiality of referred applications is maintained.

AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY

The Director, Equity Programs, who is responsible for providing affirmative action and ensuring equal employment opportunity, interacts with the classified recruiting process at several points.

(1) When a Recruiting Authorization Form is received in Human Resource Services, the Director, Equity Programs, will advise the client department on whether or not the position is underutilized. "Underutilized" refers to a circumstance where the EEO occupational group to which the vacancy is assigned employs fewer females or minorities than the percentage at which those groups are available and qualified in the appropriate recruiting area. If a position is underutilized, additional steps must be taken to ensure that affirmative action is provided in filling the vacancy.

(2) See section on Search Committees above. The Director, Equity Programs, contacts the client department and provides assistance with the formulation of and charge to a search committee.

(3) When recruiting has been conducted and a sufficient pool of applicants has been assembled, the client department contacts Human Resource Services to request clearance to interview. The Director, Equity Programs, is notified by Human Resource Services and contacts the client department to review their recommendations for interview. If the position is underutilized, the Director, Equity Programs, will review the demographics of the applicant pool in order to see if the particular group underutilized in the EEO occupational group is included among those recommended for interview. If not and if such persons are present and qualified in the applicant pool, the Director, Equity Programs, may request the inclusion in the interview pool of one or more persons whose appointment would tend to remedy the underutilization. If the position is not underutilized and in either case, the Director, Human Resource Services, and the Director, Equity Programs, will cooperate in a process of reviewing the applications recommended for interview to verify that they are indeed the best qualified. If such review indicates other persons equally or better qualified than those selected for interview, the Director, Human Resource Services, and the Director, Equity Programs, may jointly or individually direct their inclusion in the interview pool.

(4) See section on Closure of Recruiting and Review for Approval to Hire/Transfer/Promote below. The Director, Equity Programs, reviews the proposed appointment as set forth in that section.

(5) The Director, Equity Programs, is responsible for preserving statistical information on the number, gender, and ethnicity of the applicant pool.

BIDDER RIGHTS

Refer to section above, REFERRAL OF APPLICATIONS, for information on treatment of applications from qualified University classified FLSA non-exempt employees for University classified non-exempt recruiting vacancies. Also see Appendix 1 below for an excerpt from West Virginia State Code Section 18B-7-1 related to the rights of classified non-exempt bidders for classified non-exempt positions.

There are no specific statutory requirements with regard to bidder right for bids for classified exempt positions. The University will interview any University internal bidder for a classified exempt vacancy who is deemed qualified by Human Resource Services. For classified exempt vacancies that are recruited through public recruiting (see above), Human Resource Services refers both internal regular-status employees of the University and members of the public who are determined qualified. For internal recruiting (see above), bids are considered from persons employed by the University for a University vacancy.

See section on Affirmative Action/Equal Employment Opportunity above. If a position is underutilized (as defined in that section), the appointment of a qualified individual whose appointment would tend to remedy the underutilization may be allowed to supersede the requirement to appoint the best qualified among internal bidders. Such individual may be a member of the public bidder pool and may be referred for employment consideration as authorized by the Director, Equity Programs. The only appointment of an individual not a regular-status employee of the University that will be allowed in the case of a classified non-exempt vacancy (if qualified internal bidders have been identified) is an individual whose appointment would specifically alleviate or remedy the underutilization. If females are underutilized in the EEO occupational group to which the vacancy is assigned, only the appointment of a female might potentially be allowed to supersede this requirement. Likewise, if minorities are underutilized in the EEO occupational group to which the vacancy is assigned, only the appointment of a minority person might be allowed to supersede this requirement.

CLOSURE OF RECRUITING AND REVIEW FOR APPROVAL TO HIRE/TRANSFER/PROMOTE

After recruiting for a classified position has been conducted, the client department makes a recommendation to Human Resource Services about who they wish to hire. When this request is received, Human Resource Services notifies the Director, Equity Programs who will conduct a review of the recruiting and make a determination of (1) whether equal employment opportunity was provided and (2) whether affirmative action was taken as necessary. Information on the gender, ethnicity, and other relevant measures of referrals is provided to the Director, Equity Programs by Human Resource Services. If a proposed appointment is approved by the Director, Human Resource Services, and the Director, Equity Programs, (1) the recruiting representative in Human Resource Services will ensure that a sufficient record on the person proposed for appointment is added to the Banner HR® system, and (2) the client department is then responsible for generating and submitting timely a Personnel Action Request (PAR) or Electronic Personnel Action Form (EPAF) to process the appointment.

APPENDIX 1

Excerpt from West Virginia State Code Section 18B-7-1: *"A nonexempt classified employee... who meets the minimum qualifications for a nonexempt job opening at the institution where the employee is currently employed, whether the job is a lateral transfer or a promotion, and applies for the job shall be transferred or promoted before a new person is hired unless the hiring is affected by mandates in affirmative action plans or the requirements of Public Law 101-336, the Americans With Disabilities Act. If more than one qualified, nonexempt classified employee applies, the best-qualified nonexempt classified employee shall be awarded the position. In instances where the classified employees are equally qualified, the nonexempt classified employee with the greatest amount of continuous seniority at that state institution of higher education shall be awarded the position."*