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	Section: PERSONNEL		
Subject: AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY			

GENERAL STATEMENT OF POLICY

1. Southeast Missouri State University is committed to the principles of affirmative action/equal employment opportunity. It is the policy of the University to do all in its power to eliminate discriminatory employment conditions, either purposeful or inadvertent, for all applicants and employees.

2. Applications from all persons are welcomed: Women, minorities, disabled persons, and Vietnam era veterans are especially encouraged to apply. Southeast Missouri State University does not discriminate on the basis of race, color, religion, national origin, sex, age, disability or status as a Vietnam era or disabled veteran in employment or in admission to or in the operation of its educational programs and activities as prescribed by Titles VI and VII of The Civil Rights Act of 1964, Title IX of The Education Amendments of 1972, Executive Order 11246 as amended, The Rehabilitation Act of 1973, The Vietnam Era Veterans Readjustment Assistance Act of 1974, The Age Discrimination Acts of 1974-75, The Immigration Reform and Control Act of 1986, The Civil Rights Restoration Act of 1988 and 1991, and The Americans with Disabilities Act of 1992. Inquiries concerning the application of these regulations to the University may be directed to the University Affirmative Action Officer or the Office for Civil Rights/Department of Education. Please direct equal employment opportunity inquiries to the Assistant to the President for Equity & Diversity Issues, Southeast Missouri State University, Academic Hall Room 302, One University Plaza MS 3375, Cape Girardeau, MO 63701-4799, (573) 651-2524.

3. The Vice President for Finance and Administration is responsible for developing operating procedures to implement this policy.



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OPERATING PROCEDURES

Hiring departments are encouraged to seek guidance and assistance from Human Resources and Equity & Diversity Issues during each phase of the employment process. The steps shown below must be completed as part of the University employment process. Failure to follow the procedures can invalidate the process.

The employment search process, from the initiation of the Personnel Requisition through and concluding with an offer and acceptance of employment, constitutes "the plan" of action for affecting the search and meeting the University's personnel needs. Where the job will be advertised, and the content of the advertisement as to the qualifications required and those preferred, can have significant impact, not only on the process and the institution's ability to fill positions, but likewise its compliance with pertinent law. Additionally, the actions of the persons carrying out the search and their consistency in applying the standards in that process is not only of great importance, it is paramount.

1. Requisition for Employee -

The Personnel Requisition form shall be used to initiate action to fill personnel vacancies. A number of approval signatures must be obtained before Human Resources can take action to fill the vacancy. The signatures and purposes are:

- A. Department Chair or Director - Authorizes the request at the department level and certifies that the position is within the authorized budget for the department.
- B. Dean or Administrative Director - Indicates approval of the request, agreement with the job description, and approval to proceed.
- C. Assistant to the President for Equity and Diversity Issues - Approves the wording of the advertisement, the recruitment sources, the advertising and review deadlines, the review of application process, all from a perspective of complying with equal employment opportunity and the furtherance of University Affirmative Action and Cultural Diversity efforts.
- D. Budget or Grants Officer - Certifies that the position is authorized and is funded.
- E. Vice President/Provost – Approves the intent to use the budget allocation and the intent to fill the position.



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F. Assistant Director of Human Resources - Certifies that all of the appropriate pre-advertisement procedures have been followed. Human Resources Office is the final internal check prior to advertisement being made.

2. Personnel Recruiting –

The Human Resources Office serves as the central point for all staff recruitment. If an applicant makes initial contact with another unit, the applicant should be directed to the Human Resources Office. Administrative and professional positions are advertised regionally or nationally, depending upon the scope of the position. Other positions are advertised locally. Regardless of the availability of a position, no commitment to hire may be made until all employment procedures have been completed and approved.

- A. Search costs for E&G funded positions are paid by a University account established for that purpose.
- B. All search costs for auxiliary funded positions must be paid by the auxiliary budget.
- C. Search costs associated with grant funded positions are to be paid by the grant unless such expenses are prohibited by the terms of the grant. In such cases, the principal investigator of the grant must determine in conjunction with the cognizant executive or Provost, the Director of Sponsored Programs, and the Director of Human Resources the source of the funds to pay the costs of the search.

3. Application -

Applications and resumes are accepted by mail, in person, or by email at the Human Resources Office.

- A. Crafts/Trades - Application only; letter and resume may be required
- B. Clerical, Technical, Service (CTS) - Application, letter, resume
- C. Administrative/Professional Staff - Letter, resume, references



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4. Screening -

For all applicants considered at each stage of the search, reasons must be identified and recorded for any applicant who is dropped from further consideration. These reasons must become part of the search file.

- A. Human Resources Screening: All applications initially will be screened by the Human Resources Office to determine if minimum required qualifications (degree received, application packet complete, etc. for the position are met. Only those applicants whose materials demonstrate that the required qualifications are met will be forwarded to the hiring department for further consideration.
 - i. Applicants will be given appropriate tests, if applicable to job requirements, to determine their proficiency in selected skills.
 - ii. The only applications forwarded to a department for consideration in a search will be those where the applicant has specifically applied for the vacancy. The University only accepts applications for specific job vacancies.
 - iii. In order to be hired, applicants must satisfy the qualifications as set forth in the job announcement.
- B. Departmental Screening: All evaluation and selection decisions must be consistent with Equity Issues procedures in Section 6.
 - i. For CTS positions, the unit hiring officer will evaluate all applicants and select from among qualified individuals to fill the vacancy. A search committee may be used.
 - ii. For administrative and professional positions, a search committee is frequently used; however, a hiring unit officer may elect to process the search without using a committee.

5. Background Information Review -

- A. References: All applicants for employment must provide a list of references which may be reviewed and checked in the course of applicant screening. Departments are strongly encouraged to check references of applicants prior to deciding who will be recommended for interview.
- B. Background Investigation: Employment is contingent upon a criminal background investigation for the selected applicant.



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The purpose of conducting a background investigation is to ascertain within legal and professional limits the qualifications and suitability of the candidate to be employed. The University desires to ensure that newly hired faculty and staff members are well-qualified, have a strong potential to be successful, and have honestly presented their background and qualifications.

The University will conduct a background check to determine or verify background information. Background checks will be limited to the confirmation of an individual's identity, review of an individual's criminal conviction record, if any, or verification of any license, certificate, or degree(s).

Having a criminal history or criminal conviction does not necessarily preclude an individual from employment. Review will occur on a case-by-case basis. The Division head, or, in the case of applicants for faculty positions, the Provost, in consultation with the Director of Human Resources, evaluates the relevance, according to guideline five.

Guidelines -

- i. Finalists will be required to complete a background check consent form before arriving on campus for an interview. Background checks apply to newly hired faculty and staff. The successful candidate will be subject to a background check. Employment will be contingent upon the results of the background check as stated in the written offer of employment.
- ii. Hiring units are responsible for verification of credentials (e.g., degrees and certifications) and for checking references.
- iii. Individuals are required to provide accurate and sufficient information necessary to conduct a thorough background check. A signed release form authorizing the background check and the release of information by former employers, educational institutions, or other organizations is part of the reference and background checking process. Refusal to sign such a release eliminates the applicant from further consideration for employment.
- iv. Human Resources coordinates the criminal background check which includes -
 - a. criminal history in the most recent three jurisdictions where the individual resides or resided, and
 - b. other kinds of verification checks may be added if a particular position warrants.



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- v. The background check will seek only serious (e.g., felony, repeated misdemeanor) convictions related to the position. The nature of the offense, the time elapsed since the occurrence of the offense and the relevance of the offense to the particular position will be considered in determining the applicant's fitness for the position.
- vi. Providing misleading, erroneous, or deceptive information in the application materials (vita, resume, etc.), or in an interview may be grounds for elimination from further consideration for employment or termination. Falsification of application materials, including failure to disclose criminal convictions, may be grounds for termination of employment or non-selection of an applicant.
- vii. Candidates for employment who are convicted of a felony after they have applied should contact Human Resources within five (5) days of the conviction.
- viii. In instances where the candidate disputes the accuracy of the information, the Director of Human Resources may authorize a second check to verify the accuracy of the information. The intended action is placed on "hold" until the disputed information is verified for accuracy.
- ix. Any Southeast employee who receives access to background check information is required to maintain confidentiality and only share information with authorized individuals. Failure to maintain confidentiality will result in disciplinary action.
- x. If a candidate has been convicted of a criminal offense involving drugs in the workplace, the University is required to make notification as referenced in the HR policy 03-03 – Alcohol and Drug-Free Workplace.
- xi. Human Resources serves as the Office of Record for information generated by background checks. The material will be maintained in accordance with the Missouri State Statute 610.120 and federal laws, as well as University policies and procedures.

6. Role of Equity Issues -

- A. The following procedures are designed to provide the highest quality assistance in the search process and to ensure its successful completion.
- B. The Assistant to the President for Equity and Diversity Issues may delegate review and approval authority in steps one, two, and three, but not step four, final approval.



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- C. To ensure that job advertisements reflect required qualifications, do not impose artificial barriers, and are published in a manner designed to promote and protect the University's interests, **all** job advertisements must be reviewed and approved by Equity Issues prior to being posted or published.
- D. Once an applicant pool has been developed, and prior to the file being released to the hiring department, Equity Issues will review the file to identify minority and protected class individuals.
- E. Before on-campus interviews can be scheduled, Equity Issues will review the reasons for selection/non-selection of applicants for interview to ensure that the search process meets applicable standards and is consistent with the University's interests in promoting diversity and equal employment opportunity. No interviews may be scheduled until Equity Issues provides its approval.
- F. Before a position may be offered, Equity Issues will review the selection process, including the results of the interview and the selection recommendation, and the reasons provided for such decisions. If, in the course of such a review, it is determined that procedures have not been followed or are not properly documented, the search file will be returned to the hiring department unapproved, an explanation and recommended solution(s). Before any offer of employment may be extended or discussions regarding terms and/or conditions of the offer of employment may be initiated, Equity Issues must approve the hire.

7. Interviews -

Interviews provide the opportunity to fill in gaps in the applicant's written materials, to assess the applicant's grasp of issues, ideas and principles, and to assess the "face-to-face" skills necessary for success in the job. Additionally, the on-campus interview gives the University the opportunity to "sell" the campus and the community. Departments are encouraged to use telephone interviews prior to bringing applicants for on-campus interviews.

- A. Once approval to interview has been obtained, departments may choose to schedule their own interviews with applicants or may ask Human Resources to do so. Departments are reminded to consult the Business Policy and Procedure Manual (Travel) regarding permitted reimbursable travel, lodging and meal practices for applicants.
- B. On-campus interviewees:
 - i. CTS positions –



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- a. Normally no travel, meal or lodging expenses are paid for CTS positions.
- b. Departments may schedule, subject to Equity Issues approval, as many or as few on-campus interviews as they believe to best suit their needs.

ii. Professional positions -

- a. Normally, anywhere from two to three individuals are invited for on-campus interviews.
- b. All travel and payment of expenses must comply with University Travel procedures.
- c. Telephone interviews may be used by departments to identify their top candidates for on-campus interviews.

iii. Administrative positions -

- a. On-campus interviewees must be approved by Equity Issues. Human Resources must be notified of those who are being invited to campus prior to the interviews being scheduled so that budget considerations and travel arrangements can be made. Human Resources makes all travel arrangement for applicants.
- b. All travel and payment of expenses must comply with University travel procedures.
- c. Telephone interviews may be used by departments to identify their top candidates for on-campus interviews.

8. Selection -

- A. After all steps and interviews have been completed, the department and/or search committee will make a recommendation to hire. This recommendation is submitted to Human Resources along with the entire search file, all evaluation materials, and interview notes. Human Resources conducts salary analysis and forwards for appropriate Executive signatures and to Equity Issues for final approval.
- B. For the protection of the hiring agent and to assure compliance with Equal Employment Opportunity and Affirmative Action, no offer of employment may be made which does not have prior approval from the Assistant to the President for Equity and Diversity Issues.



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9. Employment -

When an employment decision has been approved, an offer of employment will be made by the hiring Department. The Human Resources Office will prepare the letter of offer for the appropriate executive's signature. The full terms and conditions of the offer of employment will be contained in the letter of offer issued by the cognizant executive.

10. Immigration Requirements -

It is the policy of Southeast Missouri State University, in accordance with the Immigration Reform and Control Act of 1986, to hire only those individuals who can legally work in the United States. Therefore, at the time of hire, all employees will be required to produce proof of employment eligibility and identification, and complete and sign the I-9 form designated by the Immigration and Naturalization Service for employment certification.

- A. All hires must complete the I-9 requirements no later than the start of their first day of work.
- B. The completion of this form and the verification of all documents can only be done in person. Mail-in forms are acceptable only if notarized.
- C. Human Resources Office will retain the completed Form I-9 along with copies of supporting documents as provided by the act.
- D. Failure to satisfy the requirements of the Act or failure to timely complete the I-9 form will delay the paycheck of the new employee and will result in suspension and/or termination of employment in accordance with the provisions of the Immigration Reform Control Act of 1986 (P.L. 99-603).

Note: Acceptable Documentation:

The following documents are acceptable to establish both identity and employment eligibility (must be submitted within 3 working days from date of hire):

- i. United States passport
- ii. Certificate of United States Citizenship, INS Form N-560 or N-561
- iii. Certificate of Naturalization, INS Form N-550 or N-570



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- iv. An unexpired foreign passport as defined by law
- v. Alien Registration Receipt Card, INS Form I-151, or Resident Alien, INS Form I-551, provided that it contains a photograph of the bearer
- vi. Temporary Resident Card, INS Form I-688A The following documents are acceptable to establish identity only and must be combined with a document that establishes employment eligibility:

For individuals 16 years of age or older:

- i. A state-issued driver's license or state-issued identification card containing a photograph
- ii. School identification card with a photograph
- iii. Voter's registration card
- iv. U.S. military card or draft record
- v. Identification card issued by federal, state, or local government agencies or entities
- vi. Military dependent's identification card
- vii. Native American tribal documents
- viii. United States Coast Guard Merchant Card
- ix. Driver's license issued by a Canadian government authority

The following are acceptable documents to establish employment authorization only and must be combined with a document that establishes identity:

- i. A social security number card other than one which has printed on its face "not valid for employment purposes"
- ii. An unexpired reentry permit, INS Form I-327



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- iii. An unexpired Refugee Travel Document, INS Form I-571
- iv. A Certification of Birth issued by the Department of State, Form FS-545
- v. A Certification of Birth Abroad issued by the Department of State, Form DS-1350
- vi. An original or certified copy of a birth certificate issued by a State, County, or Municipal authority bearing a seal
- vii. An employment authorization document issued by the Immigration and Naturalization Service
- viii. Native American tribal document
- ix. United States Citizen Identification Card, INS Form I-197
- x. Identification card for use of resident citizen in the United States, INS Form I-179