

From: <http://sacs.nicholls.edu/admins/NSU> Policy and Procedure Manual.doc

## **5.2 Hiring Policies**

All authorized full-time vacancies shall be filled in accordance with hiring procedures that allow the University to employ the highest quality academic faculty, administrative faculty, and professional staff available. These procedures will fully comply with the University's obligations as an affirmative action/equal opportunity employer and with the University's obligations to standards set forth by Board of Supervisors policy and Nicholls State University faculty governance agreements.

Nicholls State University firmly supports the national policy of Affirmative Action/Equal Employment Opportunity as set forth in the University Affirmative Action Policy, the Americans with Disabilities Act of 1990, the Family and Medical Leave Act, and their state-law equivalents.

### **5.2.1 Affirmative Action/Equal Employment Opportunity**

The University has developed a set of specific policies and result-oriented procedures to indicate its commitment to equal employment opportunity. These policies and procedures and related documents comply with Titles VI and VII of the Civil Rights Act of 1964, Executive Orders 11246 and 11375, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967 as amended in 1978 and 1986, the Immigration and Reform Act of 1987, the Americans with Disabilities Act of 1990, and all Civil Rights Laws of the State of Louisiana.

The University fully embraces equality of opportunity for all employees by affirming that the University will take affirmative action to insure that all applicants receive fair consideration for employment and the employees are treated fairly during employment and in upgrading, demotion, transfer, promotion, recruitment, advertisement, layoffs, terminations, rates of pay or other forms of compensation, tenure selection for training, and other employment practices.

The University Compliance Officer (the Director of Human Resources) has been assigned responsibilities for

continuing development, implementation, and monitoring of the Affirmative Action Compliance Program (see [http://www.nicholls.edu/hr/hr\\_docs/AffirmativeActionProgram.doc](http://www.nicholls.edu/hr/hr_docs/AffirmativeActionProgram.doc)). The University Compliance Officer is also responsible for designing and implementing audit and reporting systems that will

- measure effectiveness of the University's Affirmative Action Compliance Program
- provide indications of need for remedial action
- determine the degree to which the University's goals and objectives have been attained.

Full cooperation and assistance is expected. Anyone having questions regarding the University's Affirmative Action/EEO Policy or its implementation should discuss the matter with the University Compliance Officer.

The University policy in the area of equal employment opportunity shall be administered without regard to race, color, religion, sex, sexual orientation, age, national origin, physical or mental disability, or a person's status as a disabled veteran or veteran of the Vietnam Era. The University policy also prohibits sexual and racial harassment in accordance with state and federal law and regulations. Additionally, the University policy allows for sick leave use for maternity and paternity reasons and treats such requests in a manner similar to leave requests for any other temporary disability. See also the Anti-discrimination policy (Section 5.3.2).

Execution of these policies requires vigorous efforts to identify and attract women and minority group applicants who meet the University's qualification standards and, where necessary, to maintain on file their applications in order to consider them with others as openings develop.

#### **5.2.1.1.1 Human Immunodeficiency Virus (AIDS)**

Board of Supervisors policy states that an employee who has tested positive for the AIDS virus, but is medically certified as able to function as an employee, is to be considered as any other employee.

## **5.2.2 Guidelines for Recruitment, Selection, and Hiring**

The following Human Resource policies and procedures describing recruitment, selection, and hiring of faculty and non-faculty are available online at

<http://www.nicholls.edu/hr/handbooks.htm>:

- [Procedures for Advertising for Position Announcements](#)
- [Search Policy & Procedures for Positions of Vice President, Dean & Athletic Director](#)
- [Search Policy & Procedures for Faculty](#)
- [Search Policy & Procedures for Unclassified Staff](#)
- [New Hire Procedures concerning Social Security](#)

### **5.2.2.1 Contract Positions**

All authorized full-time contract vacancies shall be filled in accordance with hiring procedures that allow the University to employ the highest quality academic faculty, administrative faculty, and professional staff available. These procedures will fully comply with the University's obligations as an affirmative action/equal opportunity employer and with the University's obligations to standards set forth by Board of Supervisors policy and Nicholls State University faculty governance agreements.

### **5.2.2.2 Continuing Education Teaching**

Contracts for teaching Continuing Education courses shall be issued in accordance with Board of Supervisors and University policies.

### **5.2.2.3 Interviewee Travel Reimbursement**

All faculty and staff, especially department heads, should be aware of the procedure to follow when individuals are being interviewed for positions on campus. The Request for Authorization of Official Travel form must be completed and routed on behalf of the interviewee before the interviewee comes to campus. Funds for reimbursement will be charged to the department where the vacant position exists.

Reimbursement of travel expenses must be made on a Travel Reimbursement Claim form in accordance with State travel regulations, and all travel policies and procedures must be followed. All interviewees must make travel arrangements through the state-approved travel agency if travel arrangements are required.

All travel expenses must be paid by the interviewee and reimbursement shall be made upon the submission of proper reimbursement forms. In no case shall expenses be charged to Nicholls State University.

The interviewee and three (3) faculty/staff members shall be eligible for reimbursement of a special meal expense incurred as a result of the interviewee visit

where such a meal is used to provide direct contact between the interviewee and current employees.

There shall be no more than one special meal per interviewee visit. Reimbursement of special meals shall be limited to the meal reimbursement amounts within the City of Thibodaux.

### **5.2.3 Oath of Allegiance, Citizenship and Legal Status**

Any definition of academic freedom carries with it the idea of a multi-cultural, multi-national learning environment. Because of this, the University welcomes scholars and students with different cultural backgrounds and nationalities.

Louisiana law makes it the obligation of faculty members to provide ongoing status reports of citizenship and residency legal status where applicable. Under Louisiana law (L.R.S. 42:52), an Oath of Allegiance is still required of all employees at the time of initial appointment.

### **5.2.4 Nepotism**

As stipulated in Board of Supervisors policy, Nicholls State University permits the employment of "persons from the same economic unit or the same immediate family, although a separate economic unit, when their individual qualifications are such that they represent the best possible choice for the position. However, such employees may not be employed in a situation where one member may have direct administrative responsibility for the other."

According to the Code of Governmental Ethics for Public Officers and Employees, *immediate family*, as the term relates to public servant, means "his children, brothers, sisters, parents, spouse, and the parents of a spouse." *Relative* means any person within the first degree of sanguinity. *Dependent* means any person so defined in Section 152 of the Internal Revenue Code.

Nicholls State University abides by the statutes of the Code of Governmental Ethics for Public Officers and Employees.

### **5.2.5 Pre-Employment Screening Policy**

To protect the welfare and provide for the safety of the students, faculty, staff, visitors, and institutional resources of Nicholls State University, the University administration has implemented a pre-employment

screening process as part of its employment procedures. The NSU Office of Human Resources will conduct a criminal record search on new and rehired faculty and staff members including, but not limited to unclassified staff, faculty, classified staff, intermittent, graduate assistant, and adjunct staff through the University Police Department of Nicholls State University (NSUPD) at no cost to the departments. Personal criminal history information records maintained by the Department of Public Safety in care of the Louisiana State Police will be reviewed. The accuracy and completeness of prior law violations revealed in the employment process will be verified.

Convictions disclosed in the employment process and any additional convictions, which may exist on the criminal record, will be reviewed and may or may not disqualify an applicant from being considered for employment. Termination or rescission of job offers will be based upon one or more of the following:

1. Length of time since the conviction(s);
2. Circumstances of the offense(s);
3. Applicant's employment record since the offense(s);
4. Number of convictions;
5. Rehabilitation;
6. Nature of the job and job-relatedness of the convictions.

Failure to disclose a conviction or misrepresentation of a conviction is deemed falsification of an application and may result in termination or rescission of a job offer.

Applicants and employees who dispute the results of a criminal record search must submit, in writing, to the Office of Human resources, any and all information that can be considered to prove that a conviction does not exist. If it is found that an error was made and a conviction does not exist, the employee's or applicant's file will be amended.

See also Employee Drug Testing Policy (Section 5.3.7.2).

### **5.2.6 New Employee Orientation**

The Vice President of the appropriate administrative office shall have the primary responsibility for orientation of first-year appointees to the policies, regulations and procedures of the University, as well as to specific duties and responsibilities. For all faculty, that office is the Provost and Vice President of Academic Affairs. Such orientation shall include the staff members'

being given the online location of this *Manual* and an orientation packet that contains many of the personnel forms necessary for employment.

The Controller's Office has new employees complete insurance benefits forms. The Department of Human Resources has new employees complete W4 and L4 tax forms, retirement forms, the I-9 form, the drug-free workplace form, and the defensive driving form (if employees will be driving on state business).

Thereafter, employees are responsible for informing immediate supervisors or department heads of the need or desire for additional orientation.

### **5.2.7 Social Security Benefit Notice to Potential Hires**

Social Security Administration requires that all potential employees be made aware of the effects a government pension may have on their social security benefits. The procedures and forms are available on the Human Resources policies website at

<http://www.nicholls.edu/hr/handbooks.htm>.