

DAVIDSON COUNTY COMMUNITY COLLEGE

Human Resources

EMPLOYMENT

PROCEDURE 3.1.2.1

I. DEFINITIONS

- A.** Full-time Regular Employee – any individual who occupies a College designated full-time regular position working forty (40) hours per week for at least nine (9) months per year. All full-time regular positions are classified as either full-time curriculum or full-time non-curriculum and exempt or non-exempt. Full-time regular curriculum employees receive a contract.
- B.** Part-Time Regular Employee with Benefits– any individual who is employed for thirty to thirty-nine (30 – 39) hours per week for at least nine (9) months per year. All part-time regular employees with benefits positions are classified as either part-time curriculum or part-time non-curriculum.
- C.** Part-time Employee – any individual who is employed 27 hours or less per week. All part-time positions are classified as either part-time curriculum (adjunct) or part-time non-curriculum. As a general rule, part-time employees should not work more than 27 hours per week. A supervisor must obtain approval from his/her area Vice President prior to assigning work beyond 27 hours per week through documentation on the ACA Exception Form. Area Vice Presidents will forward the form to the Director of Human Resources.
- D.** Full-time, Temporary Employee – any individual who is employed in a full-time position (i.e., 40 hours or more per week) but the job is temporary (i.e., less than one (1) year except in extraordinary situations). All full-time, temporary employees are classified as exempt or non-exempt. For purposes of the Affordable Care Act, any full-time, temporary employee who is anticipated at the date of hire to work in excess of three (3) months during the academic year is considered a full-time employee for purposes of an offer of health insurance.
- E.** Part-time, Temporary Employee – any individual who is employed in a part-time position (i.e., less than 27 hours per week) but the job is temporary (i.e., less than one (1) year except in extraordinary situations).

II. PROCEDURES

The College shall use the following employment procedures when hiring new employees and creating new employment positions. Part-time curriculum (adjunct), continuing and

adult education instructors are excluded from these procedures, and shall be employed based on the recommendation of the Coordinators and Directors and approved by the appropriate academic administrator.

A. Verifying Staffing Needs and Employment Positions

1. **Verifying Staffing Needs.** Verifying the need for new positions or the need to fill vacant positions will precede filling any position. To meet the College's needs, the President may transfer, promote, reassign or demote any College employee. Reclassifying and/or reassigning position responsibilities may be the most appropriate method in a particular situation to satisfy the College's staffing needs. A reclassified and/or reassigned position does not necessarily constitute a position vacancy.
2. **Employment Positions.** All employment positions shall be included in the preliminary budget. During the school year, any new positions (or need to fill a vacant position) shall be approved by the President.

B. Employment Positions

1. **Position Descriptions.** All positions must have a position description which describes and communicates reporting relationships, position classification, and major parameters of the position, including responsibilities and associated tasks. The position description must also specify education and experience requirements. Experience in lieu of education may be used as a viable option for some positions as approved by the appropriate administrator. The salary range for each position will be determined according to the College's approved salary scale. Position descriptions shall be reviewed periodically and updated to reflect changes and adjustments in duties and responsibilities.
2. **Position Vacancy Announcement.** Upon determining that a vacancy exists, the administrator of a division shall complete an *Authorization of Position Form*, inclusive of the position description, and obtain the appropriate signatures. The administrator shall then review these documents with the Director of Human Resources.

An announcement of an open position may be generated for each position advertised by the College and posted internally and/or externally.

In order to attract qualified applicants and ensure applicant pools meet EEO requirements and reflect the College's hiring goals, position announcements will be widely distributed.

3. Advertising Positions. Full-time curriculum and non-curriculum and part-time non-curriculum vacancies may be advertised internally and externally depending on the President's authorization. The President has the discretion to skip the advertising process in situations of urgency. Vacancies shall be advertised and filled contingent upon need and funding.

C. Application Process

1. Application. Applicants will be required to submit a completed College Application for Employment and any other documentation specified in the position vacancy announcement through the college's applicant tracking system. Applications will be archived to document the applicant pool and a database shall be maintained to provide affirmative action records for each position announcement.

Applications for employment are only accepted through the college's applicant tracking system and only during the advertised period. Unsolicited resumes should not be received and/or maintained by any department (excluding those for Continuing and Adult Education and part-time curriculum instructors); these applications should be forwarded to the Human Resource Services Department so that a response may be sent to the applicant. Applications which are incomplete or those on which the applicant has written "see resume" shall not be considered.

2. Screening Applicants. The designated search committee shall review and screen all full-time and part-time applications. Only qualified applicants, as defined in the position vacancy announcement, will be considered for an interview. In the event the announcement generates no qualified applicants, and/or no qualified minority applicants, the position description and the position vacancy announcement will be reviewed and the position will be re-advertised. For full-time regular and part-time regular positions, a screening and search committee ("Committee") of three to seven employees appointed by the President or his designee will review the pool of qualified applicants and select those to be interviewed. The Committee will give the names of candidates to be interviewed to the Human Resource Services Department for review. If it is determined the list of proposed interviewees is not representative of the pool, the Human Resource Services Department will recommend that the Committee review the applicants a second time.

For part-time and temporary positions, the hiring supervisor shall review the pool of qualified applicants and select those to be interviewed. The hiring supervisor will include other appropriate employees in the screening process.

3. Interviewing Candidates. Unless otherwise directed by the President, interviews shall be conducted by the Committee. For employment positions at the Director level or above, the President may chair the Committee or be involved in interviewing the top candidates. Interviews must be adequately planned and involve a diverse group of employees. Interviews for part-time non-curriculum positions will also be conducted by the part-time supervisor.

The College's Director of Human Resource Services will be responsible for informing the Committee members of their responsibility during the screening and review process, and appropriate interview procedures and expectations for conducting a non-discriminatory interview. The Chairperson of the Committee will be responsible for submitting required documentation related to the interview and recommendation process. Applicants typically have one interview with Committee but may be asked to interview with a second Committee, administrators, faculty and/or other groups.

Any applicant may be asked to respond to written questions or demonstrate certain skills necessary for the position.

D. Selecting and Hiring Candidates

Committee recommendations concerning qualifications and capabilities, including application data on all of the candidates interviewed for consideration, will be forwarded to the appropriate Vice President or the Vice President's designee, indicating the top candidates. The Chairperson of the Committee will conduct reference checks. The Human Resources Service Department will conduct background checks, verify transcripts and prepare an offer package for signature by the President. The President has the right to accept or decline the recommendation.

Upon the President's approval, the appropriate Vice President will make an offer of employment to the prospective employee. New employees will normally start their employment on the first day of the month following the employment offer. The Human Resource Services Department will conduct New Employee Benefit Orientation during the first three days of the employee's employment.

The Director of Human Resources, or designee, will ensure that the following actions are taken:

1. Transmit the official employee notification letter to the candidate outlining salary, terms of employment, etc.
2. Prepare letters of appointment for the President's signature.
3. Prepare and file the personnel folder in the Human Resource Services Department.
4. The Human Resource Services Department will assist new employees with completing necessary employment forms.

E. Duties and Responsibilities

1. Administrator/Supervisor Responsibilities:
 - a. Obtain or verify the position identification with the Human Resource Services Department and provide correct budget information needed to establish the position.
 - b. Review and/or recommend revisions to the official Position Description or develop a new position description if necessary.
 - c. Discuss with the Human Resource Services Department the employment process to determine if additional advertising is advisable.
 - d. Submit to Human Resource Services, names of recommended members for the Committee. Regarding the Committee: i) the supervisor typically is chair; ii) the Committee is made up of three to four additional members; and iii) the Committee includes a cross-section of College employees (full-time or part-time employees).
2. Committee Chair:
 - a. After obtaining approval of the Committee members, the chair shall contact the members acknowledging their participation on the Committee.
 - b. Establish the initial meeting date and time with the committee and the Director of Human Resources or designee to review applications and determine who they recommend as candidates to be interviewed.
 - c. Determine by consensus those applicants to be interviewed. For full-time curriculum positions, identify alternate applicants to be interviewed in case final review of credentials does not

meet specified minimum requirements. Also, please confirm the applicant meets 3.7.1 SACS COC guidelines.

- d.** Submit a list with names of candidates to be interviewed to Human Resource Services for review and approval. Qualified minorities or other appropriate applicants may be added to the interview list by the committee Chair based on feedback from Human Resource Services.
- e.** Submit a list of questions and teaching demonstration, if applicable, which will be asked of all candidates to Human Resource Services for review and approval.
- f.** Interview applicants using the approved list of questions and refrain from asking “non-job related” questions or questions that might be considered discriminatory. If, as a result of an improper question, the applicant shares information that could be construed as being discriminatory on the questioner’s part:
 - i.** Do not write the information down.
 - ii.** Do not pursue the subject.
 - iii.** Verbally reinforce that the questions and answer was not job related and cannot be used in considering the candidate for employment.
- g.** Establish with the appropriate Vice President’s office a date and time for an interview with the top candidate(s).
- h.** Once the appropriate Vice President has approved the candidate, the chair should notify the Director of Human Resources for a salary profile.
- i.** Conduct reference checks on the top candidate.
- j.** Notify all interviewed applicants of the outcome of the employment process.

3. Human Resource Services Responsibility

- a.** Ensure that the position has been established and verify the budget information.
- b.** Determine the salary range from the official College salary plan.
- c.** Obtain the appropriate Vice President’s approval for recommended participants on the Committee.
- d.** Attend committee meetings and interviews, and obtain confidentiality statements from all Committee members. Review the hiring procedures with the Committee.
- e.** Review the list of questions to be asked in the interview.
- f.** Perform background checks.
- g.** Prepare the employment package for the President’s signatures.

- h.** Prepare *New Hire Letter* and appointment letters for the President's signature
- i.** Obtain appointment letters with employee signature
- j.** Facilitate "New Hire Benefits Orientation" for full-time employees.

F. Background Checks

The College uses background checks as an important part of the selection process for initial and continuing employment. These assessments are also useful in protecting college property, to ensure information security and to promote a safe environment for current and future students and employees. The type of information that may be collected includes, but is not limited to, criminal background checks, educational background information, employment history, motor vehicle record, credit report, drug and alcohol screening results, professional and personal references.

A conviction in a person's background will not be used as a blanket exclusion from employment or continued employment with the College.

The College will conduct criminal background checks on all individuals receiving a contingent offer of employment for all full-time and part-time positions. The Director of Human Resources, or designee, will ensure that the following actions are taken:

- 1.** The College complies with the federal Fair Credit Reporting Act (FCRA), federal and state equal opportunity laws, and all other applicable legal authority that affects the performing of employment background checks.
- 2.** In the instance where applicable background checks cannot be completed before employment begins, the candidate may be employed and permitted to begin work while the background check is in progress. Continued employment will be contingent upon completion of the background check(s) and acceptable results. The position supervisor and the Director of Human Resources will confer to determine whether a position lends itself to a contingency offer or is too sensitive for this approach.
- 3.** The selected candidate will be provided a "Consumer Reports Release Authorization" form to sign, which grants the College permission to obtain a background check from the College's authorized third-party consumer reporting agency. This form also notifies the selected candidate that the College might use information from the background check for decisions related to his/her employment. The Human Resources Service Department will then forward the signed form to the College's authorized third-party consumer reporting agency. Once the background results are received and

deemed satisfactory, The Human Resources Service Department will notify the hiring supervisor that the selected candidate is eligible for employment.

4. Current employees may be subject to criminal background checks if they seek to transfer or promote to another position, if there has been any break in service, or if other good cause exists to request it. A determination of whether good cause exists is in the sole discretion of the President. If a current employee is found to have falsified or withheld any information regarding conviction history he/she is subject to disciplinary action up to and including termination.
5. In cases when adverse or negative information is indicated on the background check, the Human Resource Services Department will review and make a preliminary determination of employability based on the totality of the candidate's qualifications and the results of the background check. Having adverse or negative information does not automatically preclude a candidate's eligibility for employment. In general, the relevance of a particular background check to a candidate's eligibility for employment is based on the following factors:
 - a. the nature of the job for which the applicant is being considered
 - b. the nature and gravity of any adverse or negative information
 - c. in the case of a criminal matter, the facts and context surrounding the matter are particularly relevant
 - d. the time elapsed since any adverse or negative information
 - e. the future likelihood of illegal activity by the selected candidate, as may be indicated by a pattern of criminal convictions
6. If the Human Resource Services Department makes a preliminary determination that a candidate may be disqualified in whole or in part due the results of the background check, it will notify the candidate and provide him/her with the following, in accordance with the Fair Credit Reporting Act (FCRA):
 - a. a notice that includes a copy of the background report
 - b. a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act" available at <http://www.ftc.gov/bcp/edu/pubs/consumer/credit/cre35.pdf>
 - c. The selected candidate shall be given ten (10) days after receipt of the above material to offer any written explanation or additional information regarding the items in question, or to challenge the accuracy of the background report to the Human Resources Services department.

7. If the applicant is found to have given false or misleading information about his/her criminal history or has withheld any information regarding conviction history, the applicant will not be considered for employment.

8. In accordance with the Federal Trade Commission's Disposal Rule the College shall appropriately dispose of all background reports and information derived from background reports.

Post-Employment Background Checks- the College may conduct post-employment background checks on employees as needed. As a condition of continued employment, employees must consent to any post-employment background check as determined necessary by the College.

Adopted: November, 2019