

## Handbook of Operating Procedures

### RECRUITMENT AND HIRING OF STAFF EMPLOYEES

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#### A. Purpose

The purpose of this policy is to ensure the recruitment, selection, and retention of highly qualified and productive employees at The University of Texas Rio Grande Valley (UTRGV) through processes that reflect a commitment to equal opportunity and affirmative action and that comply with applicable federal and state laws.

#### B. Persons Affected

This policy applies to the recruitment and hiring of classified employees and Administrative and Professional (A&P) employees, as defined in this policy. This policy does not apply to faculty positions or positions that require student status as a condition of employment.

#### C. Policy

UTRGV will maintain recruitment, selection, and appointment processes reflecting the institution's commitment to equal opportunity and affirmative action, and complying with all applicable federal and state laws and regulations. Discrimination by any UTRGV employee during recruitment, selection, or appointment processes, or during the operation of any UTRGV programs, activities, or services on the basis of race, religion, color, sex, disability, age, veteran status, national origin, gender identity or expression, genetic information or sexual orientation is prohibited. Further, to the extent permitted by applicable law, UTRGV shall make good faith efforts to implement its Affirmative Action Plan. In pursuit of these objectives, all regular positions must be filled using one of these defined processes: external recruitment or internal recruitment. The hiring official, in coordination with Human Resources, will determine the process most appropriate for filling the vacant position. All employees involved in recruitment, selection, or appointment processes are expected to comply with all applicable UTRGV or University of Texas System policies and with all applicable federal and state laws and regulations.

#### D. Procedures

##### 1. *External Recruitment or Internal Recruitment*

In coordination with Human Resources, the administrative unit head is responsible for determining whether to fill a vacant position through an internal recruitment or an external recruitment. The administrative unit head shall coordinate the posting of any vacant position with Human Resources.

- a. The hiring official is responsible for:
  - i. Selecting the best candidate from the approved applicant pool by giving equal consideration to all qualified candidates and by selecting qualified applicants for interview based on job-related criteria;
  - ii. Ensuring all qualified applicants selected for interview have submitted a UTRGV application for employment with Human Resources;
  - iii. Ensuring all applicants selected for interview meet all minimum qualifications stated in the job posting and official UTRGV job description;
  - iv. Checking the selected candidate's references before an offer of employment is extended;
    - i.i For candidates prior work experience at The University of Texas at Brownsville/Texas Southmost College (UTB/TSC), The University of Texas-Pan American (UTPA), or UTRGV, this will include contacting the prior supervisor or a person who can reasonably be assumed to have experience with the work performance of the candidate.
    - i.ii Should the candidate have identified within the application that they have previously been dismissed from UTB/TSC, UTPA or UTRGV, the hiring official will need to contact Human Resources to verify that it is in the best interest of the institution to hire the candidate.
  - v. Ensuring all equal employment opportunity (EEO) guidance has been followed throughout the recruitment, interview and selection process;
  - vi. Completing the Recruitment Selection documentation along with all required approvals for designated salary rate and forwarding that documentation to Human Resources for review and compliance, prior to the extension of an offer of employment;
  - vii. Completing and submitting all employment documentation to Human Resources prior to the selected candidate's start date;
  - viii. Verifying throughout the recruitment process that all applicable law, rules, or policies regarding nepotism are followed. The hiring official is responsible for notifying the Chief Human Resources Officer of any nepotism issues related to the selected candidate, and for ensuring that (in coordination with the Chief Human Resources Officer or designee) an effective management plan is established and documented; and
  - ix. Maintaining all documentation related to the selection process in accordance with the UTRGV Records Retention Schedule so that the documentation is readily accessible to Human Resources or other university officials who may need to access this information.

- b. The Office of Human Resources is responsible for:
  - i. Posting the vacancy through the Applicant Tracking System established at UTRGV and establishing qualifying criteria for each applicant;
  - ii. Approving all staff job advertisements to be placed in newspapers, journals, etc., and ensuring that advertisements identify UTRGV as an Equal Opportunity/Affirmative Action Employer;
  - iii. Screening all applicants and providing to the hiring official an applicant pool that meets all stated requirements for the vacant position;
  - iv. Verifying qualifications of selected candidates;
  - v. Coordinating all required background checks, including criminal background checks;
  - vi. Reviewing hiring decisions for EEO compliance by conducting self-analyses to determine whether current employment practices disadvantage certain applicants;
  - vii. Providing training and guidance to hiring officials to ensure EEO compliance; and
  - viii. Extending all official job offers of employment to selected candidates.
  
- c. The applicant is responsible for:

Ensuring a complete application packet, including required supplemental documentation (official transcripts, certifications, etc.) is submitted to Human Resources when applying for a vacant position. The hiring official may request that resumes or standard submissions from national sources be accepted for purposes of preliminary screening and review before full packets are assembled. If an application packet remains incomplete and the applicant is selected for hire, a job offer will not be extended until after the applicant submits all pending materials to Human Resources. The hiring official may provide a deadline to the selected applicant for completion and submittal of all pending documentation. Failure to submit documentation by the deadline will remove the applicant from consideration.
  
- d. Interviewer(s) or search committee members are responsible for:
  - i. Ensuring all interview questions are job-related and relevant to the skills required for the position;
  - ii. Ensuring candidate ratings are based upon the job-related criteria as established by the job posting and any other objective selection matrix as set in place by the department; and
  - iii. Maintaining all documentation related to the selection process in accordance with the UTRGV Records Retention Schedule so that the documentation is readily accessible to Human Resources or other university officials who may need to access this information.

## 2. *Recruitment Process*

### a. Job Postings:

- i. All job announcements will be posted on the UTRGV Careers website for a minimum of three (3) calendar days unless justification is provided for a shorter posting and prior written approval is obtained from the Chief Human Resources Officer or designee.
- ii. At the discretion of the hiring official (in consultation with the Office of Human Resources) and with consideration of the position level and budgetary constraints, additional open recruitment advertisements in local, regional, national, or international publications may be placed. Job announcements for open recruitment must also be posted with the Texas Workforce Commission. The administrative unit is responsible for all expenses related to advertisements in selected publications. All advertisements should be coordinated and approved by the Office of Human Resources to ensure compliance with EEO/AA requirements.
- iii. Under extremely rare circumstances, the President (or designee) may approve the waiver of a posting and may appoint a qualified individual for an available UTRGV position.

### b. Application Process:

- i. The Office of Human Resources will screen all applications for compliance with the minimum required specifications of the job announcement. The applications meeting all minimum required criteria will then be forwarded to the appropriate hiring official, or designee, to begin the interview and selection process.
- ii. The Office of Human Resources will verify any academic degrees, with the exception of High School Diplomas or GED, claimed by the selected candidate as being conferred prior to the offer of employment, if a degree was a required qualification. The candidate is responsible for submitting documentation requested.
- iii. If an applicant inquires about or requests special accommodations for a disability or medical condition, the Office of Human Resources must be contacted immediately by the hiring official, to coordinate a response to the request or inquiry. Please refer to HOP ADM 03-200 Accommodations for Individuals with Disabilities policy.
- iv. The applicant is responsible for ensuring a complete application is submitted online through the applicant tracking system. It is also their responsibility to include required supplemental documentation. Failure to submit documentation will remove the applicant from consideration.
- v. A staff member who is currently serving a six (6) month probationary period is not eligible to apply for any other regular position until they have completed the six (6) month adjustment period in their current position. In order for the six (6) month probationary period to be waived, an employee may request an exception in writing

from their immediate supervisor. If approved, the employee may be considered for any open positions. If the immediate supervisor rejects the request, the employee may forward the request to the Chief Human Resources Officer or designee for final review.

- c. Interview and Selection Process:
    - i. All hiring officials and Search Committee Members must employ and adhere to the established guidelines for interview and selection of staff candidates as set by the Office of Human Resources. The guidelines are available through the HR website or by contacting the Office of Human Resources.
    - ii. Hiring officials are responsible for selecting the best candidate from the approved applicant pool by giving equal consideration to all qualified candidates and by selecting qualified applicants for interview based on job-related criteria. Additionally, the hiring official should ensure all applicants selected for interview meet all minimum qualifications stated in the job posting and official UTRGV job description. Please refer to HOP ADM 04-203 Employment Preferences for Veterans and Former Foster Children.
    - iii. For interview of Executive Administrators and Other Senior Administrators refer to [UTS 187](#).
3. *Employment Eligibility*
- a. Background Checks
    - i. Prior to extending an employment offer to the selected candidate, the hiring official must notify Human Resources of their choice so that the applicable background checks (including criminal background checks) can be performed in accordance with UTRGV and the University of Texas System policies. Should business necessities require extending an offer of employment before satisfactory completion of a required background check, the offer will be made in writing and will include the following statement: "This offer is contingent of the completion of a satisfactory criminal background check." Offer letters not containing this statement will not be considered valid.
  - b. Employment of Foreign Nationals
    - i. Employment of foreign nationals at UTRGV will comply with the requirements of federal law.

c. Drug and Alcohol Testing

All applicants in positions that involve duties or activities that require possession of a commercial driver's license or other positions as designated in the job descriptions, are subject to compliance with all applicable federal laws and regulations, including those requiring pre-employment drug or alcohol testing prior to appointment. The testing will be coordinated by the hiring department and Environmental Health Safety and Risk Management.

d. Pre-Placement Examination

A three-part examination may be required for designated positions, and this examination may consist of a drug screening, physical examination, or functional evaluation to test for strength and agility.

4. *Extending an Offer of Employment*

a. Hiring officials

- i. Hiring officials are responsible for completing the disposition and workflow for all applicants. In doing so, the candidate(s) recommended for hire should be selected and a recommendation for hire should be submitted to Human Resources. Hiring officials are not authorized to extend offers of employment without prior approval through Human Resources.
- ii. The hiring officials' department must maintain all documentation obtained during the interview process, which supports the final hiring decision made in accordance with the Texas Records Retention Schedule. This documentation may need to be requested through Human Resources should any questions arise in regards to hiring decisions and/or hiring preference.
- iii. Hiring officials may offer moving expenses in alignment with Internal Revenue Service and UTRGV Guidelines. The Office of Human Resources will advise departments regarding positions eligible for this consideration. Refer to HOP [ADM 10-601](#) Moving Expense Policy for expense limits and exceptions.

b. Office of Human Resources

- i. The Office of Human Resources will review all recommended salaries in accordance with the current compensation plan. Should additional approvals be required, the hiring official will be notified.
- ii. The Office of Human Resources will extend all official job offers of employment to the selected candidates.

5. *Employment Eligibility Verification*

Employment eligibility verification of any person hired at UTRGV will be accomplished in compliance with the requirements of federal law. Employing administrative units may not allow a new hire to work without having received notice from Human Resources that the selected candidate has completed all employment verification documents and is eligible to work.

E. **Definitions**

1. Administrative Unit - For purposes of this policy, refers to a division, college, or department.
2. Administrative Unit Head - For purposes of this policy, refers to a divisional head, dean, director, or department head.
3. Administrative and Professional Employee (A&P) - An at-will employee who meets one of the criteria listed below:
  - a. Has primary responsibility for the management of multiple departments or operating units with the primary focus on strategic and tactical business planning and development; or
  - b. Has responsibility for the management and operation of a department or unit within a department and performs one or more of the following: development and administration of policies, programs and internal procedures; development and maintenance of fiscal systems and operations; strategic and tactical business planning and development; facilities planning; recruitment, supervision, and development of professional and support staff; or
  - c. Performs duties solely or predominantly of a recognized profession and/or state-licensed profession requiring an advanced degree such as lawyers, physicians, veterinarians, scientists and engineers; or
  - d. Has primary responsibility for the creation, development, implementation and maintenance of programs relating to various significant institutional endeavors; or
  - e. Holds a position such as that of a professional librarian, which is not considered a classified position.
4. Classified employee - An at-will employee who is not appointed as either a faculty employee or as an A&P employee.
5. External Recruitment - Recruitment conducted from a broad pool of qualified, diverse applicants from the open job market.
6. Hiring Official - The individual designated as the decision-maker who determines the ultimate selection of the candidate and holds the budget authority.

7. Internal Recruitment - A recruitment from a pool of qualified individuals who are currently employed by UTRGV regardless of administrative unit.
8. Probationary Period – six-month period of time used for observation and evaluation of a newly appointed classified employee’s work performance by the employee’s supervisor, for the purpose of ensuring the probationary employee’s performance, ability, willingness, and dependability merit continued employment at UTRGV.
9. Regular Employee - An employee appointed to work 20 hours or more per week for a period of four and one-half consecutive months or longer.
10. Regular Position - A position that entails at least 20 hours per week for a period of at least four and one-half (4½) continuous months.

**F. Related Statutes or Regulations, Rules, Policies, or Standards**

[Texas Government Code Chapter 656, Job Notices and Training](#)

[Texas Government Code Chapter 657, Veteran’s Employment Preferences](#)

[Texas Government Code Chapter 672, Employment Preference for Former Foster Children](#)

[Texas Records Retention Schedule, Section 3.1 – Employee](#)

[Texas Labor Code Chapter 21, Employment Discrimination](#)

[UTS 105, Sexual Orientation Nondiscrimination Policy](#)

[UTS 187, Interviews of Executive Administrators and Other Senior Administrators](#)

[University of Texas System Board of Regents’ Rules and Regulations Rule 30106, Nepotism](#)

[UTRGV HOP ADM 04-202 Employment Criminal Background Check](#)

[UTRGV HOP ADM 04-205 Hiring Foreign Nationals](#)

[UTRGV HOP ADM 04-305 Probationary Period for Classified Employees](#)

[UTRGV HOP ADM 10-601 Moving Expense Policy](#)

**G. Dates Reviewed or Amended**

Reviewed and amended – March 18, 2019.

Reviewed and amended (non-substantive) – March 3, 2022.