

33.99.01.H0.01 **Employment Practices**



Approved: August 2011
Revised: August 2014
Revised: November 2017
Revised: December 21, 2023
Revised: February 28, 2024
Next Scheduled Review: February 2029

Procedure Summary

Texas A&M University-Texarkana (A&M- Texarkana) is committed to following standard and consistent hiring practices in accordance with provisions of federal and state laws and Texas A&M University System (System) Regulations and Policies.

This procedure is adopted to supplement [System Regulation 33.99.01, *Employment Practices*](#) And establishes the hiring process for faculty and staff positions, excluding positions that require student status.

Procedures and Responsibilities

1. EQUAL OPPORTUNITY AND RECRUITING

In accordance with [System Policy 08.01, *Civil Rights Protections and Compliance*](#), the System provides equal opportunity for employment to all persons regardless of race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, gender identity or any other classification protected by federal, state or local law.

2. EMPLOYMENT SELECTION RECORDS RETENTION

As a member of the System, A&M-Texarkana must maintain, in accordance with the respective retention periods in The Texas A&M University System Records Retention Schedule, employment applications, employment selection records, and other records that document the selection process on all job applications.

3. POSITION DESCRIPTION

- 3.1 The process to fill a vacant position begins with an accurate position description. The hiring manager must review the position description and obtain required approval before a vacancy is posted or a position is revised.
- 3.2 Selection criteria used in the hiring process must be based on the content of the approved position description. Human Resources (HR) will consult with the

hiring manager to ensure the position description provides a logical and defensible basis for the hiring decision and is compliant with applicable state and federal law and System policies and regulations, and University rules and procedures, including appropriate requirements related to education, experience, salary, pay grades, qualifications, licensure, and physical requirements, as applicable.

- 3.3 Position descriptions are forwarded to the Human Resources Officer (HRO) or designee after being reviewed/revised by the hiring manager. The HRO reviews and assigns, as applicable, the appropriate System title, classification, pay grade, faculty rank, Fair Labor Standards Act (FLSA) status, and other considerations, including remote work and pay distribution periods.

4. REQUISITION

A vacancy may not be posted until the hiring manager completes the following steps:

- 4.1 Following the HRO review of the position description, the hiring manager or designee shall route a completed *Authorization to Fill New or Vacant Position* form (located in the HR section of A&M-Texarkana's web site), usually via DocuSign or other appropriate process/system as determined by the HRO or designee.
- 4.2 The hiring manager shall determine and secure adequate funding to cover the vacancy's potential salary range prior to submitting the form.
- 4.3 After the *Authorization to Fill New or Vacant Position* form is fully routed and approved, HR will prepare the job posting in Workday or other human capital management/applicant tracking system as determined by the System/HR. After the job posting routes for Workday approvals, HR will post the vacancy as requested.

5. JOB POSTING

- 5.1 All job postings adhere to the conditions stated in [System Regulation 33.99.01, *Employment Practices*](#).
- 5.2 The University may promote or transfer qualified internal candidates (employees from within the System) to fill positions without posting a vacancy in accordance with [System Regulation 33.99.04, *Promotions Transfers and Voluntary Moves*](#).
- 5.3 When qualified applicants are available within the System, the HRO or Chief Academic Officer (for faculty positions) may authorize limiting job postings internally within the University or internally within the System.
- 5.4 All other job postings for which external candidates (individuals who are not employed by the System or any of its members) are considered must be posted.

- 5.4.1 Job postings for nonfaculty budgeted positions must be posted for at least five (5) days.
- 5.4.2 A member may designate an open position as a military preference position and only accept applications for that position from individuals who are entitled to a military employment preference.
- 5.4.3 In accordance with federal and state law, if external candidates are considered for a budgeted or wage employment opening, the vacancy must be listed within the Texas Workforce Commission. Student positions are excluded from this requirement.
- 5.4.4 In addition, to ensure a broad applicant pool, members may post job postings on and off-site, list openings with professional associations and through journals, enter job postings on appropriate websites, and use other means to widely publicize the open positions.
- 5.5 The President/Chief Executive Officer (CEO) or designee must approve any waiver of normal posting and recruiting guidelines in Section 5. However, the posting requirements under Section 5.4.3 of this procedure cannot be waived.

6. RECRUITING

- 6.1 All postings that are listed with the University's online employment site are automatically posted with the Texas Workforce Commission as required by the State of Texas lab code. In addition, the System and other external job posting tools may be used.
- 6.2 Departments may advertise positions on additional advertising venues to increase the likelihood of a qualified applicant pool. Additional advertising for positions will be paid, as applicable, by the requesting department. Departments must work through HR regarding advertising positions on additional advertising venues.
- 6.3 Job postings listed on professional organization websites, journals, etc., must refer the applicant to the University's employment website to view the full job announcement and to apply online.
- 6.4 Applicants for a job posting shall apply through the University's online employment site. Other supporting materials such as resumes, vitas, transcripts, cover letters, or letters of reference may be required by the hiring department and attached electronically to the application by the applicant.
- 6.5 Applications and/or resumes/vitas will not be accepted for job postings after the position has been closed and removed from the employment website, nor for positions that do not have a vacancy (i.e. unsolicited applications).

7. SELECTION

7.1 Applicant Review

- 7.3.1 The hiring manager must complete the required training before receiving access to candidates/applicants in Workday. HR assigns training to hiring managers and search committee members as required.
- 7.3.2 HR will develop online screening questions from the position description that are asked of all applicants to determine if the applicant possesses the minimum requirements of the posted vacancy. It is the responsibility of the hiring manager/search committee to review the application materials and confirm that the applicant meets the minimum requirements. Applicants who do not attest to possessing the posted minimum requirements will be notified of their non-qualification by an automatic electronic notification.
- 7.3.3 Selection criteria used in the hiring selection process must be based on qualifications outlined in the job posting and the content of the approved position description. The hiring manager/search committee is responsible for the consistent application of established criteria in the review of the applicants' qualifications.
- 7.3.4 Throughout the selection process, the hiring manager/search committee chairperson or other assigned individual(s) should work with HR to update the status of the applications in the online system. For each qualified applicant removed from further consideration, a valid, job-related reason for non-selection must be selected from the list of acceptable reasons for non-selection. If none of the reasons are applicable, the person(s) should contact HR to record the appropriate reason for non-selection.
- 7.3.5 Per [System Regulation 33.99.01, *Employment Practices*](#), an individual who qualifies for a military or former foster child's employment preference under Texas Government Code, Chapters 657 and 672 respectively, is entitled to a preference in employment over other applicants for the same position who do not have a greater qualification. With respect to administering the military employment preference, one or more applicants qualified for military employment preference must be interviewed, depending on the number of interviewees, unless no one who qualifies for military employment preference applies for the position.

7.2 Interviews

- 7.3.1 After reviewing all qualified applicants, the hiring manager/search committee will identify the best qualified applicant(s). HR will review the applicants selected for interviews and approve or contact the hiring manager/search committee chair to discuss. Scheduling interviews is the responsibility of the hiring manager/search committee.

7.3.2 The hiring manager/search committee chair should contact Human Resources for assistance in developing interview questions. All questions must be job-related and of a non-discriminatory nature. A list of questions must be developed in advance and asked of all applicants. Relevant follow-up questions not on the original list may be asked if job related. Responses should be documented and evaluated to determine the best qualified candidate for the position.

7.3 Search Committee

7.3.1 A search committee must be formed for positions at director level and above, including executive directors, head coaches, chief positions, positions that are excluded from the pay grade and tenure-track and non-tenure-track faculty positions.

7.3.2 Search committees are not required for non-exempt positions. The lack of a search committee does not preclude the hiring manager from seeking input from other faculty, staff, and students as appropriate.

7.3.3 The search committee is typically tasked with evaluating candidate/applicant qualifications, interviewing applicants, checking references, and submitting a list of recommendations to the hiring manager who is responsible for making the final selection.

7.3.4 The chairperson of the search committee shall schedule a first meeting for all members, including the hiring manager, to discuss search committee deliverables and other requirements as determined by the hiring manager. The hiring manager/search committee chair should establish the hiring timeline, including a due date for completing the search. The search committee chairperson establishes, in consultation with search committee members, meeting, application review, and interview schedules and requirements for campus visits, as applicable. A member of HR must attend the first meeting to discuss all pertinent policies and procedures regarding the hiring process.

7.3.5 The hiring manager outlines the source of support services provided to the search committee, as applicable, and what those support services will provide to the search committee (administrative/clerical support, travel arrangements, search consultant assistance, etc.).

7.3.6 The composition of a search committee should include members of campus groups most closely associated with the position. Search committee members may be retirees, community members, support staff, direct reports, or students. The hiring manager generally selects the search committee chairperson followed by the selection of others to serve. Search committee membership must be reported to HR.

7.3.7 All search committee members must have successfully completed *Effective Hiring Practices* via TrainTraq within the past two (2) years. Search committee members must also review and sign confidentiality and conflict of interest forms. HR will assign search committee training and manage the required confidentiality and conflict of interest forms.

7.3.8 The search committee chairperson will use the *Search Committee Duties* (provided by HR to search committees and located in a shared folder for A&M-Texarkana hiring managers) or similar document to monitor progress and tasks performed by the search committee.

7.3.9 HR will maintain all Search Committee documents at the conclusion of the search process.

8. JOB OFFERS

8.1 Offers of employment will be contingent on (1) the hiring department's compliance with employment policies and procedures and applicable federal and state laws and regulations; (2) the applicant's meeting at least the minimum qualifications for the vacant position and (3) receipt of acceptable criminal history record check.

8.2 Employment decisions that would be counter to this procedure will normally not occur. However, if exceptional situations exist, the hiring manager may request approval to hire through the appropriate division vice president to the HRO. The posting requirement under Section 1.3.3 of [System Regulation 33.99.01, *Employment Practices*](#) cannot be waived.

8.3 Non-faculty

8.3.1 All appropriate approvals to hire must be secured before an offer can be extended. Approval of offers for non-faculty positions proceed from the hiring manager through the department head to the appropriate vice president. If the position requires a joint appointment in different departments, approval must be secured by both the primary and secondary appointment authorities.

8.3.2 For non-faculty vacancies, a verbal offer may not be extended by the hiring manager until a *Salary Offer Checklist* (provided to hiring managers after a finalist has been selected) is routed and completed via DocuSign or similar system as determined by the HRO or designee.

8.3.3 To comply with system regulations and university procedures, certain disclosures and contingencies must be included in every required offer letter. In general, these disclosures and contingencies address, but may not be limited to, matters such as final administrative approval before the offer is effective, employment eligibility verification, criminal history check, degree verification and access to official transcripts.

- 8.3.4 Once a finalist has been selected, HR will generate the offer letter for all staff/non-faculty positions. The letter must contain position title, start date, annual salary, confirmation of at-will status, criminal history check, contingencies, and other information.
 - 8.3.5 After the prospective employee has agreed to the offer as indicated by signing the offer letter, HR shall arrange and administer all pre-employment activities.
 - 8.3.6 Executive and senior administrative positions are provisional until approved by the Texas A&M University System Board of Regents.
- 8.4 Faculty and Faculty Administrators
- 8.4.1 All appropriate approvals to hire must be secured before an offer can be extended. Approval of offers for faculty appointments proceeds from the department head as applicable to the dean, and from the dean to the provost. If the position requires a joint appointment in different departments, approval must be secured by both the primary and secondary appointment authorities.
 - 8.4.2 The Provost/CAO shall ensure that the appointment letters are worded with the appropriate disclosure and contingency language and that such language is used in every appointment letter to tenure-track and non-tenure-track faculty.
 - 8.4.3 The provost prepares and signs the official appointment letter which is sent to the finalist. This letter reaffirms the appointment and clearly indicates the precise terms of the appointment. If the appointment is of a tenure-accruing nature, the length of the period of probationary service at A&M-Texarkana is indicated, as well as credit for appropriate service. If any discrepancies exist between the verbal offer and the official appointment letter, the Provost/CAO appointment letter is considered the official document.
 - 8.4.4 The Provost's office will generate the appointment letter for faculty positions according to terms specified in System Policy 12.01, *Academic Freedom, Responsibility and Tenure*.

9. CRIMINAL HISTORY RECORD CHECK

- 9.1 After an offer is extended and accepted, HR will conduct a criminal history record check on the finalist in accordance with [System Regulation 33.99.14, Criminal History Record Information – Employees and Candidates for Employment](#). Hiring managers will only be notified if the criminal record check produces a negative result.
- 9.2 Every offer of employment shall be conditioned on receipt of an acceptable criminal history and record information check.

10. HIRING OF FOREIGN NATIONALS

- 10.1 A&M-Texarkana shall comply with requirements related to the hiring of foreign nationals as outlined in [System Regulation 33.99.09, *Employment of Foreign Nations*](#).

Related Statutes, Policies, or Requirements

[Texas Government Code, Chapter 656.001, State Agency Employment Opening](#)

[Texas Government Code, Chapter 657, Military Employment Preference](#)

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

[System Policy 08.01, *Civil Rights Protections and Compliance*](#)

[System Regulation 08.01.01, *Civil Rights Compliance*](#)

[University Rule 08.01.01.H1, *Civil Rights Compliance*](#)

[System Policy 12.01, *Academic Freedom, Responsibility and Tenure*](#)

[System Regulation 31.01.01, *Compensation Administration*](#)

[System Regulation 33.99.01, *Employment Practices*](#)

[System Regulation 33.99.14, *Criminal History Record Information-Employees and Applicants*](#)

[System Regulation 33.99.04, *Promotions, Transfers, and Voluntary Moves*](#)

[University Procedure 33.99.04.H0.01, *Nonfaculty Promotion, Transfer, Voluntary Moves, and Demotions*](#)

[System Regulation 33.99.09, *Employment of Foreign Nationals*](#)

[University Procedure 33.99.09.H0.01, *Employment of Foreign Nationals*](#)

Contact Office

Office of Human Resources
903.223.3012