

## Chapter 7 – Human Resources

### AP 7123 Recruitment and Hiring – Confidential Employees

#### References:

Education Code Sections 87100 et seq. 87400, and 88003; Accreditation Standard III.A

#### Preamble

Mt. San Antonio College will be inclusive of equity and ethnic diversity when hiring qualified confidential employees. The College's mission and goals, strategic planning documents, regional and national accreditation standards, and the College's Equal Employment Opportunity Plan will guide and inform this process.

#### Appointment and Assignment – Confidential Employees:

Position descriptions for confidential personnel shall be maintained in the Office of Human Resources.

#### Confidential Employee Selection Procedures:

The following provisions are applicable to the filling of all non-management regular confidential positions:

The Mt. San Antonio Community College District is committed to the principles of equal employment opportunity and will implement a comprehensive plan to put those principles into practice. It is the College's policy to ensure that all qualified applicants for employment and employees have full and equal access to employment opportunity and are not subjected to discrimination in any program or activity of the College on the basis of ethnic group identification, race, color, national origin, religion, age, gender, gender identity, gender expression, genetic information, disability, ancestry, sexual orientation, marital status, military and veteran status, medical condition, or on the basis of these perceived characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The College will strive to achieve a workforce that is welcoming to all persons to ensure the College provides an inclusive educational and employment environment. Such an environment fosters cooperation, acceptance, democracy and free expression of ideas. An Equal Employment Opportunity Plan will be maintained and reviewed on regular basis to ensure the implementation of equal employment opportunity principles that conform to federal and state laws.

- A. Vacancy – A Request to Fill Form for (new position or replacement) approved and signed by the appropriate Vice President or the College President/CEO shall be submitted to the Office of Human Resources. Such request shall be accompanied by a current job description for the position. The Vice President or College President/CEO will issue instructions to the Office of Human Resources regarding filling the open position after the budget for the position has been verified by Fiscal Services and approved by President's Cabinet.
- B. Recruitment – It is the policy of the College that all vacancies for full-time positions be advertised in and out of the District unless a reduction in force, a reorganization, or business necessity is determined by the College President/CEO. Job announcements will be prepared based on information contained in the job description and information provided by the hiring manager and distributed at the earliest possible date by the Office of Human Resources. Job announcements shall include the College's statement on their commitment to diversity and equity and shall also include student and employee demographics. Job announcements will be distributed electronically and/or to all work locations within two working days after the posting of the position. All positions will be advertised in accordance with the EEO Plan.
- C. Application – The application form is the document by which standard information about each applicant is obtained. In addition to the standard form, a supplemental application form may be used to gather specialized job-related information for use in the screening process. All applicants shall submit completed application forms. A resume, cover letter, letter(s) of recommendation, a complete and thorough response to the diversity and equity supplemental questions, and other pertinent information shall be included with the application, as required. All application materials shall be submitted to the Office of Human Resources and will become property of Mt. San Antonio College and will not be copied and/or returned. All application materials will be kept on file for three years.

Applications submitted by the initial screening deadline of the job posting shall be reviewed for complete documentation and screened for minimum qualifications by Human Resources. Human Resources shall review submitted transcripts to determine required degrees to meet minimum qualifications. Screening and Selection Committees shall not be provided with the transcripts as part of the application and supporting documents when screening to determine applicant selections for interviews.

- D. Training for Screening and Selection Committee Members – Persons serving on a Screening and Selection Committee will be required to participate in the EEO Screening and Selection Committee training session unless completed within two calendar years prior to the appointment on the Screening and Selection Committee. Individuals who have not received this training will not be allowed to serve on Screening and Selection Committees. Screening and Selection Committees cannot meet for orientation until all Committee members have been appointed and have participated in the EEO Screening and Selection Committee training session.

Screening and Selection Committee members who do not complete tasks assigned to the Committee or who fail to participate in scheduled meetings will be removed from the Committee.

- E. Equal Employment Opportunity (EEO) Representatives – EEO Representatives are required to have received specific training in the role of an EEO Representative within two calendar years prior to of the appointment on a Committee. EEO Representatives are required to participate in and monitor all phases of the recruitment process, including final interviews. EEO Representatives shall not be under the supervision of the area administrator or Committee chair.

Human Resources is responsible for providing the EEO Screening and Selection Committee training. The Campus Equity and Diversity Committee will conduct periodic reviews of the training programs.

Any organization or individual acting on behalf of the College, with regard to the recruitment and screening of personnel, is an agent of the College, and thereby, subject to the requirements, stipulations, and provisions of the EEO Plan.

College employees are trained by Human Resources to assist Screening and Selection Committees in ensuring that all applicants receive fair and equitable treatment and to advise on matters related to compliance with Title 5 EEO Regulations. EEO Representatives provide guidelines and instructions regarding equal employment opportunity, and they attend all meetings of the Screening and Selection Committee to ensure that equal employment opportunity principles are applied at each step in the screening and selection processes. EEO Representatives shall be individuals who will most likely be viewed by all Committee members and applicants as neutral, free of personal motivations and conflicts of interests, and shall be free from influence in relation to the particular vacant position. EEO Representatives are non-voting members of the Screening and Selection Committees and are appointed by Human Resources.

- F. Screening and Selection Committee Process – For each confidential position to be filled, the College Compliance Officer or designee shall authorize the appointment of an advisory Screening and Selection Committee inclusive of campus organizational units. Screening and Selection Committees shall include a diverse membership, within the limits allowed by California Community College Chancellor's Office, to ensure a variety of perspectives to assess applicants' qualifications. The Committee shall be diverse and will foster equity-enriched practices by establishing a diverse Committee membership. Options to achieve a balanced Screening and Selection Committee may include any of the following: ethnic group identification, race, color, national origin, religion, age, gender, disability, ancestry, sexual orientation, language, accent, citizenship status, marital status, economic status, military and veteran status, and medical condition. The Committee shall provide the College Compliance Officer or designee with a written statement summarizing how their Committee is diverse based on the diversity options listed above. The Committee shall be constituted as follows:

- Manager of position to be filled, or management designee;
- One confidential staff within the department appointed by hiring manager, if available; the hiring manager shall select a confidential staff member from the confidential group at large if there is no internal confidential staff;
- One confidential staff selected by the Confidential Meet and Confer group;
- Optional: Additional member(s) recommended by the Screening and Selection Committee to the College President/CEO for approval; and
- One member appointed by the Office of Human Resources as non-voting EEO Representative.

The College Compliance Officer or designee, will approve the makeup of each Screening and Selection Committee. In the case where the College Compliance Officer has not affirmed the initially proposed composition of the Screening and Selection Committee, the College Compliance Officer shall work with the applicable constituent group(s) to remedy the composition of the Committee in accordance with EEO guidelines and applicable provisions of the College's administrative procedures.

Any Screening and Selection Committee members found by Human Resources to be in violation of this AP or Mt. SAC's Equal Employment Opportunity Plan shall be removed from the Committee and replaced by Human Resources in consultation with the appropriate appointing body.

- G. Applicant Screening – All screening and interview materials (screening criteria, interview questions, writing assignments, specific testing relevant to the job presentations, etc.) are developed by the Screening and Selection Committee with assistance, as needed, from the Office of Human Resources, and are designed to solicit job-related information pertaining to the skills, attitudes, and knowledge of the applicants.

The Office of Human Resources shall review the aggregate data, and if the pool is not diverse, Human Resources shall extend the recruitment posting and advertise to draw more diversity. Human Resources shall provide a written explanation for the extension. Human Resources shall provide the Screening and Selection Committee with aggregate demographic data for the applicants who meet minimum qualifications as part of their consideration for the Committee's overall review. The Screening Committee shall include at least one diversity and one equity minded screening criteria as part of their evaluation for each applicant. Screening Committee members should reference the application for answers to the supplemental questions on diversity and equity mindedness to evaluate the screening criteria. Screening Committees may also reference other sections of the application packet as part of their evaluation on diversity and equity mindedness.

All screening materials must be approved by the College Compliance Officer or designee for compliance with equal employment opportunity laws and principles. All screening or selection techniques will:

1. Ensure that meaningful consideration is given to the extent to which applicants demonstrate a sensitivity to and understanding of the diverse backgrounds of community college students, including: ethnic group identification, race, color, national origin, religion, age, gender, gender identity, gender expression, genetic information, disability, ancestry, sexual orientation, marital status, military and veteran status, and medical condition;
2. Ensure that meaningful consideration is given to the extent to which applicants demonstrate knowledge of multi-culturalism, training in cultural proficiency, and knowledge of the history and culture of underrepresented groups and groups that have experienced discrimination in ways relevant to the specific position;
3. Be based solely on job-related criteria; and
4. Be monitored by means consistent with this section to detect and address adverse impact which does occur for any protected group.

Through the screening process, the Screening and Selection Committee will select a group of candidates, making every effort to achieve a balanced pool of gender and ethnic representation.

Screening and Selection Committee members shall only evaluate the application and supporting documentation submitted by the applicant by the initial screening deadline. Committee members are prohibited from utilizing any information outside of the application and supporting documentation to evaluate the applicant as part of the screening and selection process.

Through the screening process, the Screening and Selection Committee will select a group of candidates that are highly qualified and reflects diversity as listed in G.(1) above.

Recruiting, screening, interview, evaluation, and rating procedures and selection procedures may not be modified without approval by the College Compliance Officer or designee.

- H. Interviews - After the Screening and Selection Committee has reviewed, evaluated, and determined the applicants moving forward for interviews, the Office of Human Resources will make the necessary arrangements for all interviews. The Office of Human Resources shall review the aggregate data of the applicant pool submitted by the Screening and Selection Committee. If the pool is not diverse, Human Resources shall discuss with the Screening and Selection Committee options to include additional diverse applicants for interviews. The established College interview procedures shall be used in all interviews. Interview questions and related interview assignments are developed by the Screening and Selection Committee with assistance from an Office of Human Resources representative. The interview questions and related interview assignments (writing assignments, specific testing relevant to the job, presentations, etc.) are designed to solicit job-related information relative to the skills, attitudes, and knowledge of the applicants. Interview questions should be developed to assess the applicant's understanding of and commitment to diversity, equity mindedness, and their level of cultural proficiency, specifically interview questions addressing an applicant's soft skills (i.e., effective communication skills, teamwork, dependability, adaptability, conflict resolution, flexibility, leadership, problem-solving). Interview questions and writing related interview assignments will be approved by the College Compliance Officer or designee. The time frame for notification should be at least 14 calendar days to allow applicants time to make necessary arrangements.

The Screening and Selection Committee will be notified of the time and place of the interview by the Office of Human Resources. The hiring manager, with assistance from a representative of the Office of Human Resources or the EEO Representative, will moderate the Screening and Selection Committee. The Office of Human Resources representative or the EEO Representative will be available during the interview for any questions or concerns. Members of the Screening and Selection Committee have the professional responsibility of maintaining the confidentiality of all discussions, recommendations, evaluations, rating, and decisions of the Committee.

Committee members may provide letters of recommendations or being used as a reference for applicants applying for the position(s) for which they are serving as members. In the event that a Committee member provided a letter prior to being selected as a Committee member, the Committee member may elect to remove themselves from the Committee.

Committee members who write letters of recommendations shall not discuss the contents of their letter with other Committee members.

- I. Final Recommendation – It will be the Committee's task to recommend three or more applicants for interview by the appropriate administrator and their designee(s). A recommendation of fewer than three candidates must be accompanied by a written explanation from the hiring manager or designee. The hiring manager from first level interviews may participate at second level interviews along with a secondary administrator/manager providing that it aligns with maintaining a diverse Committee at final interviews. Human Resources shall require the appropriate secondary administrator/manager to add or replace the first level manager to fulfill the requirement of a diverse Committee. The appropriate secondary administrator/manager will have the responsibility and authority for final selection after concluding the final interviews and full review of reference checks. The EEO Representative shall participate in all final interviews. The EEO Representative shall not be under the supervision of the secondary administrator/manager. The Office of Human Resources shall provide the Final Interview Committee with aggregate demographic data for the applicants who were selected for final interviews.
- J. Reference Check – The hiring manager or designee will conduct reference checks on each finalist on a form provided by the Office of Human Resources. Reference checks must include at least one question addressing diversity and equity. Reference checks shall be completed prior to final interviews or approval from Human Resources, prior to an offer of employment is made to the finalist.
- K. Record Collection – When the offer of employment has been made by the administrator/manager and accepted by finalist(s), all recruitment materials will be collected and turned over to the Office of Human Resources representative. Hiring administrator/manager shall defer the finalist to Human Resources for salary discussions. All salary range and step placement shall be handled by Human Resources in accordance with state and federal requirements. It shall be the authority and responsibility of the Office of Human Resources to notify all applicants regarding the selection decisions.

All recruitment records shall be maintained in the Office of Human Resources for a period of 3 years (or as indicated by current state/federal laws) after the closing of the recruitment.

- L. Board Approval – The College President's/CEO's Office will submit the selected applicant's name to the Board of Trustees for final approval. In the event that the College President/CEO decides to not recommend any of the final candidates to the Board of Trustees, they shall inform the Committee. In such case, the Committee will reconvene to determine if it will recommend two or more additional candidates from the interview list, recommend additional applicants for interview, or recommend recruitment for additional applicants.

#### College Duties and Responsibilities:

Confidential employees shall familiarize themselves with their College duties and provisions of the handbooks, Board Policies, Administrative Procedures, and respective collective bargaining agreements.

Approved: January 13, 2021