

DOCUMENTATION OF SEARCH PROCESS

In accordance with the Upstate Medical University Affirmative Action Program and Equal Employment Opportunity laws and regulations, the result of each search and selection effort for professional staff positions must be documented. The “search” process begins when the position is posted on the Jobs at Upstate/Job Opportunities of the SUNY Upstate web site. The Documentation of Search process ensures that all qualified applicants and employees receive equal opportunity for recruitment, selection, and advancement.

Diversity Recruitment

Diversity recruitment is affirmative action to expand outreach and increase the diversity of applicant pools. At the onset of the recruitment process, the Office of Diversity and Inclusion notifies the department and the recruitment staff if underutilization exists via email.

Underutilization exists if women and minorities are not being employed at a rate to be expected given their availability in the relevant labor pool.

Diversity recruiting is an essential component of affirmative action. The Affirmative Action Officer and the Human Resources Recruitment and Appointments staff are well versed in providing diversity advertising options to departments. Refer to the “Diversity Recruitment Resources Directory” on the ODI website.

Gender/Ethnicity Documentation

Federal law requires employers to maintain and summarize sex and ethnic information related to each search and selection process. This information is utilized for affirmative action tracking purposes only. This information is confidential and should not be used in any way during the selection process for filling the position.

Search Committees

Search committees are strongly recommended for the selection of candidates at all levels of professional service. SUNY Upstate is less vulnerable to potential discrimination lawsuits if the screening and selection process includes a search committee, each of whom independently screen and evaluate each candidate.

The first committee meeting is the most appropriate time to request to meet with the Affirmative Action Officer. The Affirmative Action Officer will explain affirmative action and equal employment opportunity as outlined by law and will provide a thorough understanding of the committee’s compliance obligations in terms of utilization goals, recruitment options, advertising sources for expanded outreach, applicant screening and interview documentation, permissible and illegal interview questions, and selection documentation and approval process.

For additional information relating to the search committees, please refer to the Human Resources “Hiring Procedures Step 2 – Selection.”

The Process for Documenting a Search

There are four steps involved in documenting a search. Upon completion of the search, each of these documents must be submitted to the Office of Diversity and Inclusion. The four documents are listed below with a brief description and example of each. Documenting these four steps allows for consistency in the search process and assists a department in providing equal opportunity to all applicants throughout each phase/step of the search process.

- 1. Applicant Screening Tool** – The applicant screening tool explains the method used to determine which candidates of those meeting the minimum qualifications are invited for an interview. Screening criteria must be job related. The screening process can begin as soon as applications are received. (See attached sample form.)
- 2. Interview Questions** – All interviewees should be asked the same core questions, keeping in mind that in-depth questioning may vary slightly depending on the interviewee’s background. All interview questions must be job-related and must pertain to the position being recruited. Federal and State laws prohibit certain questions that are used to find out personal information. For guidance on interview questions, please see the Lawful and Unlawful Interviewing Questions included in this packet or call the Office of Diversity and *Inclusion* for assistance.
- 3. Interview Evaluation Tool** – It is best to evaluate a candidate right after the interview while the results of the interview are fresh in one’s mind. Some hiring managers rate each interview question, while others use an evaluation similar to the sample below. An Interview Rating Tool assists a hiring manager in determining which candidates had the best experience and qualifications related to the requirements for the position. (See attached sample form.)
- 4. Justification** – A detailed explanation of why the selected candidate is being recommended for hire over other qualified candidates must be supplied. It is important to complete this section of the Documentation of Search process, as it supports the decision for the recommendation for hire. This explanation should indicate any specific skills and/or experiences that the recommended candidate possesses that other candidates do not.

Explanatory Report Example

Although two other candidates (of the five interviewed) had similar skills/experience as Ms. X, Ms. X excelled above all other candidates in demonstrating the necessary supervisory skills needed for this position. Additionally, although a preferred qualification, Ms. X has experience in an acute care setting, which none of the other candidates possess.

Records Retention

Federal law requires applicant records to be maintained for at least two years from the date of the making of the record or the personnel action involved, whichever is later. It is the responsibility of the hiring official to maintain search and selection documentation for this period. In the event that the Office of Federal Contract Compliance Programs conducts a compliance review, these records may be requested from the hiring official.

Confidentiality

It is critical that confidentiality is maintained throughout the entire Search process. The essence of good recruitment and personnel practice is that candidates are assured privacy.

Reference Checking

Hiring managers are encouraged to check references on all finalists. Reference checking confirms that a candidate has achieved what is indicated on the resume or discussed at the interview. A general guideline is to request three references, preferably from past and present employers. Please refer to the HR website for further information:

www.upstate.edu/hr/intra/managers_toolbox/hiring_process/

Submission of Documentation of Search Materials (DOS) to the Affirmative Action Officer

The following must be submitted to the Office of Diversity and Inclusion for Affirmative Action approval:

- Resumes of those interviewed
- Applicant Screening Tool
- Interview questions
- Interview Evaluation Tool
- Detailed Justification:

Should candidates who are invited for an interview withdraw after the interview, please indicate this in your Justification.

Prior to submitting the Documentation of Search materials to the Affirmative Action Officer, and prior to any offer of employment, the hiring department or search committee must contact the Recruiter to review the selected candidate's credentials, qualifications, appropriate hiring level, and salary, as well as references.

Affirmative Action Review/Approval

The Affirmative Action Officer will review each of the above-mentioned documents to determine if affirmative action and equal employment opportunity were offered throughout the search and selection process. If questions arise during the review, the Affirmative Action Officer will contact the hiring department or a member of the search committee for clarification and additional information as may be warranted.

Once approved, the HR Recruiter will be notified via email and the recruiter will contact the hiring department.

WAIVER OF SEARCH PROCESS

In the rare instance where a Waiver of Search is requested, the hiring department must inform the Recruiter immediately in order to prevent the vacancy from being posted. As soon as the vacancy is posted, the search process begins. As a result, a request for Waiver of Search will not be approved if the position has been posted.

Once the hiring department has contacted the Recruiter, the Waiver of Search form must be submitted to the Affirmative Action Officer for review. There are several criteria that may be considered in determining if a waiver will be granted, including but not limited to:

1. The transfer of an employee from one funding source to another. (i.e. RF to State)
2. The reinstatement of an employee to a formerly held position.
3. Positions that are for a limited duration of one year or less.
4. Post-Doctoral Associate training positions.
5. Employee had prior relevant experience in another capacity in the same department.

The waiver of search form must be completed and submitted to support a waiver request, along with the candidate's resume and a detailed explanation for the request. Requests for a waiver of search are reviewed on a case-by-case basis.