

40-3 Recruitment and Hiring

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1. **Purpose.** The purpose of this policy and procedures is to set forth the philosophy, goals and the recruiting and hiring practices at Eastern New Mexico University System (the System).
2. **Policy.** The policies that define recruiting and hiring practices at the System are as follows:
 - A. **General.** The System is committed to ensuring equal employment opportunity and fair hiring practices.
 - B. **Diversity.** The System is committed to taking steps to create a workforce reflecting the diversity of our population, free of discrimination based on age, race/color, sex, national origin, religion, disability, or any other category protected by law. It is the System's position that a diverse workforce enhances its ability to fulfill its missions.
 - C. **Objectives.** The goal of the System's recruiting and hiring process is to achieve an excellent, balanced and effective workforce with representation from diverse sectors of our society. The primary objectives of the process are:
 - (1) Recruitment of the best qualified candidates, matching qualifications of the candidates to the needs and expectations of the hiring units;
 - (2) Expeditious placement of qualified candidates into vacant positions;
 - (3) Participation of qualified candidates from underrepresented groups in applicant pools and
 - (4) Fair, equitable and unbiased treatment of all candidates in the recruitment and hiring process.
 - D. **Confidentiality.** All involved in the personnel recruitment process within the System shall keep confidential the identity of applicants and the deliberations of those responsible for screening applicants except where law or specific System policies provide otherwise.
 - (1) This confidentiality policy covers not only those with a designated search role but also any other employee of the System who may become aware of the identity of applicants or details of the deliberations.
 - (2) Once the System has focused on an applicant for outside contact or interview, the System may release certain information about the applicant or respond to requests under the New Mexico Inspection of Public Records Act (IPRA).

The foregoing purpose and policy are implemented by the following.

Procedures

3. **Administration.** Except where otherwise explicitly stated, this policy and procedures shall be administered by the ENMU System director of Human Resources (SDHR), with oversight by the ENMU System chief financial officer (CFO).
4. **Confidentiality.** The following procedures shall be followed to maintain confidentiality regarding applicants for System positions.
 - A. **Public Announcements.** The director of Human Resources, in consultation with hiring supervisor, shall determine what information shall be made public.
 - B. **Open Records Statement.** All System Position Vacancy Announcements shall include a statement that New Mexico is an open records state. It is the policy of the System to reveal to the public, upon request, the identities of the applicants for whom outside inquiries have been made or for whom on-campus interviews are scheduled after first notifying the applicants of the intent to do so.
 - C. **Withdrawal of Applicants.** Applicants who withdraw from the search before outside inquiries are made about them may, upon request, have their application materials removed from any requests.
 - D. **Handling Requests.** All requests that information be made public shall be referred to the Records Custodian.
 - E. **After Search Completion.** Once a search has been completed, the members of the search committee shall return all documents relating to the search to OHR. All documents relating to the application process (i.e., interview notes, candidate assessments, reference checks of finalists and online disposition of each candidate) must be maintained for three (3) years. Departments should be aware that these documents may be released to the public under the New Mexico Inspection of Public Records Act (IPRA).
5. **Types of Recruitment and Hiring Procedures.** There are three (3) types of recruitment procedures:
 - A. **Type A Recruitment.** Type A recruitments normally include national search strategies and are typically reserved for faculty, at will administrators and head coaches. Search committees assist the hiring officer, recruit and evaluate potential candidates and provide the hiring authority with various perspectives of the candidate's credentials.
 - B. **Type B Recruitment.** Type B recruitments are used to recruit professional staff and normally do not include national search strategies. Search committees are used in the same manner as in Type A recruitments, but typically consist of smaller committees.
 - C. **Type C Recruitment.** Type C recruitments are used to recruit support staff and do not involve national search strategies. Search committees may be used but are not required.
6. **Search Committee Membership.** Search committee members shall be appointed by the hiring authority. The membership of search committees should reflect the diversity of the work force.
7. **Recruitment.**
 - A. **Requisition for Employment.** To begin the recruitment and hiring process, the hiring authority must first secure permission from the executive administrator and complete a requisition for employment through OHR.

- B. Applicant Pool. It is critical to create as broad and diverse an applicant pool as practicable. All searches should include efforts to recruit individuals from protected classes, paying particular attention to individuals from underrepresented groups.
- C. Position Vacancy Announcement. The OHR generates the Position Vacancy Announcement (posting). The minimum recruitment period is five (5) days for Type C positions, seven (7) days for Type B positions and fourteen (14) days for Type A positions. The minimum recruitment period may be extended in all cases if the position is not filled.
 - (1) All advertisements for off-campus recruitment in newspapers and other publications must be approved in advance by the area executive administrator and the OHR.

8. Screening and Interviewing Applicants. The applicant pool includes all candidates making application.

- A. The search committee shall assist the hiring authority in screening applicants for minimum requirements, knowledge, skills and abilities and/or preferred qualifications. The hiring authority may request assistance from the OHR if they are unsure of a candidate's qualifications.
- B. The hiring officer or search committee is responsible for contacting references and scheduling interviews with the applicants.
- C. Generally, two (2) to five (5) qualified candidates shall be interviewed.
- D. Each applicant submitting a resume and selected for interview must complete all documents required to authorize the System to conduct reference and background checks.
- E. The same set of questions must be used in the interviews of all candidates, and the candidates' answers must be documented.

9. Testing. Candidates may not be formally tested unless the hiring authority has obtained a validated testing instrument approved in advance by the OHR. Testing is defined as any verbal or pen and paper tests (such as composition or writing) and skill tests (such as typing or word processing) that are scored. Informal evaluation of work samples is encouraged as long as the work is not scored.

10. Reference Checks. Prior to conducting reference checks, candidates must be asked for authorization to contact their references.

- A. At a minimum, references must be checked on the successful candidate. Checking references on other applicants may also be done.
- B. A written record of reference checks, which includes questions, responses and identities of individuals contacted, must be kept for the selected candidate and may be kept for all applicants interviewed.
- C. Finalists should clearly understand that the System will conduct a blind reference check.

- 11. Background Checks.** Prior to conducting background checks, candidates must be asked for authorization to conduct such checks. At a minimum, background checks must be conducted on the successful candidate. Background checks may also be conducted on other applicants. When deemed necessary by the hiring unit, student employees may also be subject to background checks as a condition of employment.
- 12. Selecting the Successful Candidate.** The hiring authority must provide written justification for the selection, including a comparison of the qualifications related to the job requirements of each finalist interviewed.
- A. When qualifications, abilities, interview performance, and past performance of candidates applying for the same position are substantially equal as determined by the hiring authority:
 - (1) System employees shall be given preference over outside applicants and Seniority in the System's employment shall be given weight when there are two (2) or more System employees.
 - (2) New Mexico residents shall be given preference over nonresidents,
 - (3) If applicants are in an underrepresented group they will have preference
 - B. Before extending an official offer, the hiring authority must obtain approval from the area executive administrator, Business Affairs, OHR, AAO, and the President. New hires above the position's salary range or budget must have presidential approval before the position can be offered.
 - C. Because one of the System's goals is to achieve representation within each job category equal to the availability of underrepresented individuals (based on gender and ethnicity) in the recruitment area workforce, the hiring officer should consider any underrepresentation for the position identified by the AAO.
- 13. Offer of Employment.** Prior to approval, tentative job discussions may be held with the selected applicant as long as it is clear that the job offer is contingent upon those approvals. A final offer may be made only after final approval from the President has been secured.
- 14. Closing the Process.** Once a candidate accepts an offer, OHR shall notify all other applicants of the results of the search.
- A. All original applications, screening and interview materials are forwarded to the OHR.
 - B. It is recommended that new employee paperwork (I-9, W-4, demographic form, payroll deposit authorization, etc.) be submitted in advance of the first day of employment. If this is not possible, the paperwork must be started on the employee's first day of work.
- 15. Temporary Services Program.** Departments may hire temporary employees to assist with temporary staffing needs. Temporary employees may be available for many clerical positions and some other positions.
- A. To request a temporary employee or applications from the temporary job posting, the hiring authority must contact the OHR after obtaining approval from their area executive administrator.

16. Time Off for Interviews. Regular full-time employees are granted reasonable time off with pay to attend job interviews on the campus when the interview has been scheduled during the employee's regular work hours.

- A. In order to get time off with pay, employees interviewing for another position within the System must notify their supervisors in advance of interviews.
- B. If the needs of the department are such that time off cannot be granted at the time of the scheduled interview, the applicant's supervisor must notify the OHR promptly so other arrangements can be made.
- C. Time off for employees scheduled to interview for a non-ENMU position shall be either annual leave or leave without pay.

17. Alternative Appointment Procedures. The System recruits and hires through competitive processes. However, there may be circumstances in which an alternative appointment procedure is necessary to fill a position.

- A. Whenever an alternative appointment procedure is used to fill a position, the department must submit a Search Requirements Waiver Request form.
- B. By signing the form, the hiring authority certifies that the conditions of the appointment meet the criteria as defined in this policy.
- C. Requests to appoint staff under this policy are submitted directly to the AAO for review and to the campus president for approval. Requests to appoint faculty under this policy are submitted to the vice president for Academic Affairs, who shall then forward appropriate requests to the AAO for review and to the campus president for approval.
- D. If the alternative appointment does not fall within the circumstances set forth below, a competitive search may be required:
 - (1) **Voluntary Lateral Transfer (Faculty and Staff).** A hiring authority may fill a new or vacant position under the above alternative appointment procedures with an employee requesting a lateral transfer. A transfer is defined as a lateral move from one (1) job to another or one (1) geographical location to another in the same or similar classification within the same job grade. In most instances, the lateral transfer creates a vacancy that shall be filled through a competitive recruitment and hiring process.
 - (2) **Named in a Contract or Grant Award (Faculty and Staff).** A hiring authority may fill a new or vacant position under the above alternative appointment procedures with an individual specifically named in a contract or grant; that is, when a contract or grant is awarded based on the inclusion of a person with special skills or qualifications to perform the service proposed in the contract or grant.
 - (3) **Professional Staff Appointment—Not to Exceed Nine (9) months (Faculty and Staff).** Where there is a critical, immediate and temporary need for an individual to perform professional services, the following alternative appointment procedures may be used.
 - a. The professional service appointment shall last no longer than nine (9) months unless an extension is approved by the campus president.

- b. Individuals hired on nine (9) or fewer months professional appointments are classified as temporary employees.
 - c. During the alternative appointment, the hiring authority may start a competitive search or, with approval of the campus president, appoint the person holding the interim position to the position. The appointment of the interim to the position would require the appointee to complete a probationary term, like any other employee.
 - d. If a search is conducted for the position being filled by an interim, the person hired on an alternative appointment may compete for the longer-term position but may not be given greater consideration over other applicants just because he or she has been doing the job on a professional service appointment.
- (4) **Sole Source (Faculty and Staff).** A hiring authority may fill a new or vacant position under these alternative appointment procedures with an individual who has unique qualifications or skillsets needed for the position. Usually the position shall not exist unless a specific person can be hired; however, Athletic coaches may appoint individuals to assistant positions under this alternative appointment procedure. Where there is a question whether the person has truly unique qualifications, a competitive search should be undertaken to answer the question.
- (5) **Underrepresented and Underutilized Groups (Faculty and Staff).** A hiring authority may fill a new or vacant position under the above alternative appointment procedures with an individual who is a member of a group that is underutilized, both presently and historically, in the job group for which the person is being considered, and when another more qualified member of an underutilized group is unlikely to apply. Present and historical underrepresentation in the job group must be verified by the AAO.
- (6) **Short Duration for Fewer than Three (3) Months (Staff Only).** A hiring authority may fill a new or vacant position for fewer than three (3) months per calendar year under the above alternative appointment procedures with the consent of the director of Human Resources.
- a. This type of alternative appointment is typically used for full-time, part-time or occasional services.
 - b. Individuals hired for a short duration may compete for longer-term positions, but may not be given greater consideration than other applicants just because they have been hired under this alternative appointment procedure.
- (7) **Acting and Interim Appointments (Faculty and Staff) and Temporary Upgrades (Staff Only).**
- a. **Acting.** An employee is considered to be in an acting position while temporarily filling a position to which the regular incumbent is expected to return and no search is required.
 - b. **Interim.** An employee is considered to be in an interim position while filling a position for which a search is to be conducted. No search is required for the interim position.

- c. Temporary Upgrade. An employee is considered to have a temporary upgrade when assigned additional duties and responsibilities classified at a higher salary grade.

The additional assignment must be a significant portion of the position and must be performed for an extended period of time. A limited competitive process must be conducted if the appointment will involve a higher salary and greater scope of responsibilities. The limited recruitment must be documented by the hiring officer and must afford at a minimum all qualified and interested individuals in the department/unit where the vacancy exists the opportunity to be considered. Any exception to this limited process must be approved by the OHR and the AAO. Typically, an acting, interim or temporary upgrade appointment shall not exceed nine (9) months, unless approved by the campus president.

- (8) Internal Promotions. The System actively promotes the professional development and advancement opportunities for its current employees. A current employee may be promoted into a position for which the employee is qualified by training, experience and past performance, without a search, in accordance with the System's equal employment opportunity and affirmative action policy. However, whenever possible, an internal search should be conducted for the position to assure that other interested employees may apply. Promotions must be approved by the area executive administrator, the director of Human Resources, and the campus president.
- (9) Special Professional Distinction (Faculty Only). An individual with special professional distinction may be appointed under the above alternative appointment procedures.
 - a. Such an appointment is offered only when there is substantial evidence of outstanding achievements and significant contributions to the candidate's field.
 - b. All criteria for appointment or promotion to a professorship must be met, together with evidence of maturity and leadership in the candidate's field as ascertained by the endorsement of professional peers of national and international stature.
 - c. The individual is expected to bring unique scholarship and expertise to the System.
- (10) Spouse Hiring (Faculty and Staff). Given the significance of diversity to the System and the recognition of dual career families in today's workplace, spouses may be hired under these alternative appointment procedures to enhance and support the recruitment, hiring and retention of qualified faculty and executive administrators. Hiring of the spouse depends upon:
 - a. The qualifications of the spouse,
 - b. The availability of a suitable and acceptable position in each case and
 - c. The approval of the executive administrator of the department into which the spouse shall be hired.
- (11) Post-Doctoral Positions. The System may allow a limited competitive process for recruiting and hiring post-doctoral scholars.

- a. The process must be documented by the hiring authority and submitted to the AAO for approval.
 - b. This process only applies to those post-doctoral appointments not included in other alternative hiring procedures listed herein.
- (12) **Change in Employee Status (Faculty and Staff).** A retiree or former employee may be hired under these alternative appointment procedures to perform duties similar to the position he or she previously occupied, but may not be hired into a higher grade than previously assigned without going through a competitive hiring process.
- a. Retirees or former employees can be rehired into critical or difficult to fill occasional, temporary or regular positions where it would be beneficial to the System to have requisite skills, training and/or familiarity with unit operations or functions.
 - b. System retirees who are hired under this provision for more than .25 of an FTE must be certified as eligible to work under the state's Return to Work Program. These retirees must have completed the twelve (12) month lay-out period as described in NMSA 1978, § 22-11-25.1 and subsection A of 82.5.15 NMAC to be eligible to return to employment without suspending retirement benefits. At the System's discretion, these Return to Work eligible employees can be rehired non-competitively through this provision or considered through a competitive search process.
 - c. In cases of re-employment of both retirees and former employees, candidates must meet minimum qualifications for the position and salary rates must be approved in advance by the OHR for staff and the vice president for Academic Affairs for faculty.
- (13) **Specialty Service Provider (Occasional Only).** A hiring authority may fill a new or vacant specialty occasional position (such as interpreters, models, note-takers, translators, readers, simulated patients, simulated students and tutors) under the above alternative appointment procedures with an individual who is providing services that are considered specialized in nature. When hiring authorities have needs exceeding available specialty service providers, notices of the opportunity are posted.
- (14) **Competitively Chosen by Outside Entity (Faculty and Staff).** The System may fill a new or vacant position under the above alternative appointment procedures with an individual who has been competitively chosen by an outside entity according to pre-determined criteria. Examples of an acceptable external competitive process include a fellowship competition, or a process that, due to the nature of the work performed, must draw applicants from an identified group of candidates, such as teachers within a school district.
- a. The hiring authority must provide the OHR with a statement from the outside entity certifying that the individual was selected through an open, competitive process.
 - b. The hire is subject to review and approval by the OHR and the AAO for staff and the vice president for Academic Affairs and the AAO for faculty.

- (15) Academic Administrative Appointments (Faculty Only). Appointment of faculty to internal administrative positions such as assistant and associate dean, department chairs and assistant and associate department chairs may be made through a limited competitive process as documented by the hiring authority.
- a. The recruitment must afford all qualified and interested individuals in a given department/unit the opportunity to be considered for such positions.
 - b. Appointment of department chairs may also be made through a national search if approved by the vice president for Academic Affairs.
- (16) Visiting Faculty Not to Exceed Two (2) Academic Semesters or One (1) Year (Faculty Only). A hiring authority may appoint a visiting faculty member under the above alternative appointment procedures while a competitive search is being conducted.
- a. A visiting faculty member's appointment, when the faculty member is appointed in this manner, may not exceed two (2) academic semesters or one (1) year.
 - b. The three (3)-year maximum appointment otherwise allowed for visiting faculty positions, which are filled competitively, is not applicable for these appointments.
- (17) Emergency Hire (Faculty and Staff) – A hiring authority may hire a qualified individual into a position if there is an urgent need, without having to advertise the position. This shall be a rare occurrence and must be approved by the area executive administrator, the director of Human Resources, The AAO and the campus president.

18. Restrictions on Employment.

- A. Employment under Age 18. Normally, the System does not employ persons under eighteen (18) years of age with the exception of certain grant-funded programs.
- (1) Any exceptions for regular positions must be approved by the dean, director or department head of the hiring organization, the area executive administrator and the OHR.
 - (2) Applicable federal and state laws must be observed.
- B. Employment of Family Members. Hiring authorities may not hire a family member or a family member of a line supervisor without prior approval of the campus president. This applies to all categories of employees, including regular, temporary and occasional employees.
- (1) For the purposes of this policy, family members are defined as the following members of an employee's immediate family: spouse, child, grandchild, parent, grandparent, sibling and the same relatives created by marriage.
 - (2) If a change in an employee's family relationship results in a violation of this policy, the situation must be corrected within six (6) months through the transfer, resignation or discharge of one (1) or more of the related employees. Any exceptions must be approved by the president.

19. Probation. All new support employees, except police officers, hired into regular positions are

employed on a probationary basis for the first six (6) calendar months of their employment. Professional employees and police officers are on probationary status for twelve (12) calendar months.

- A. The probationary period may be extended on a day-to-day basis for full days not worked by the employee. This includes annual and sick leave as well as leave with or without pay. The immediate supervisor shall notify the employee in advance and in writing that she or he shall be extending the probationary period under this clause.
- B. Probationary periods may also be extended for other bona fide, job-related reasons with the advance approval of the director of Human Resources. The immediate supervisor shall notify the employee in advance and in writing that she or he shall be extending the probationary period under this clause.
- C. Promotion or transfer during an employee's probationary period is not permitted unless approved by the campus president.
- D. An employee may be released from employment during the probationary period with or without cause.
- E. Each employee promoted or transferred to a different position after completing a probationary period must serve another probationary period for his or her new position.
 - (1) Employees are permitted to return to their previous job, at their request, during the probationary period if the position is still available.
 - (2) In addition, if a supervisor determines that an employee is not performing his or her job satisfactorily, the supervisor may return the employee to his or her former position during the probationary period.
 - a. If the former position no longer exists or has been filled by a regular status employee, the returning employee is given two (2) weeks' notice to find another position.
 - b. If no other position is obtained within the two (2)-week period, the employee shall be laid off by the current department and shall be entitled to benefits available to employees who are laid off.

20. New Employee Orientation.

- A. Each new employee must attend the New Employee Orientation.
- B. Supervisors must complete a departmental orientation for each new employee.

21. Exceptions. Any exceptions to this policy must be approved in writing by the CFO. The CFO shall notify the campus president in writing of all exceptions granted.

Approved by the Board of Regents on March 24, 2017
Amendments approved by the Board of Regents, April 19, 2019.