

## 200.1 Performance Management Tool

**Purpose** To assist Rensselaer leadership with managing and developing its human capital.

**Definitions** The Performance Management Tool (PMT) is a comprehensive document and represents a performance management system that includes the position description, goal setting, performance review, and individual performance improvement plans. The PMT includes the following components:

- Duties and Responsibilities
- Core Competencies
- Employee Goals
- Career Development or Performance Improvement Plan
- Performance Evaluation
- Position Minimum Qualifications and Essential Functions
- Position Working Conditions and Physical Demands
- Required Training for the Position

The Position Description refers to elements of the Performance Management Tool that includes Duties and Responsibilities, Core Competencies, Position Minimum Qualifications and Essential Functions.

The Career Development Plan is a planning tool designed to strengthen and develop employee skills.

Core Competencies refers to performance criteria based on behaviors.

Goals are objectives established to drive employee performance toward achievement of duties, responsibilities and initiatives.

The Performance Improvement Plan is a documented process specifically developed to address an individual's unsatisfactory performance, attendance or conduct.

**Policy** Rensselaer strives to maximize its human capital in order to achieve the mission, goals and initiatives outlined in the Rensselaer Plan. The Performance Management Tool is a critical element of this objective. Therefore, each supervisor is responsible for creating and updating the PMT, which includes the position description for review and approval by the Division of Human Resources. The Division of Human Resources is responsible for the final review and approval of all Performance Management Tools.

**Procedure** Basic Responsibilities and Requirements

Whenever a job vacancy occurs, the hiring manager is responsible for reviewing and, if necessary due to changes in duties, activities, or requirements, revising an existing or preparing a new PMT/ position description. Additionally, the Division of Human Resources periodically can request a manager's assistance in reviewing his/her department's or unit's PMTs to ensure that they are accurate, complete, and up-to-date. The Division of Human Resources is available to assist managers in preparing and reviewing PMTs or carrying out these periodic reviews. Whenever possible, the reviewing manager or Division of Human Resources should seek the input of a position's incumbent to ensure accuracy and completeness. The Division of Human Resources is responsible for reviewing and approving all new and revised Performance Management Tools, which includes the position descriptions, and for determining whether a job analysis of the position should be conducted to formally measure the position's requirements, activities, and responsibilities.

Periodic Reviews

The Division of Human Resources may, from time to time, conduct a review of the accuracy, currency and completeness of all Performance Management Tools for positions within the Institute. Managers and incumbent employees are expected to contribute to and cooperate with this review effort.

For information about staff performance evaluations, refer to Human Resources Policy #1600, *Staff Performance Evaluations*.

## 200.2 Position Approval for Staff Positions

**Purpose** To request approval to fill a staff position.

**Definitions** The Performance Management Tool (PMT) is a comprehensive document that represents a performance management system, including the position description, goal setting, performance review, and individual performance improvement plans. The PMT includes the following components:

- Duties and Responsibilities
- Core Competencies
- Employee Goals
- Career Development or Performance Improvement Plan
- Performance Evaluation
- Position Minimum Qualifications and Essential Functions
- Position Working Conditions and Physical Demands
- Required Training for the Position

The Position Description refers to elements of the Performance Management Tool, including Duties and Responsibilities, Core Competencies, Position Minimum Qualifications and Essential Functions, that are used in the job vacancy announcement for an approved vacancy.

An Approved Vacancy refers to a position that has been approved by the Divisions of Finance and Human Resources.

**Policy** Whether filling a newly created position or a vacancy created by an incumbent employee's resignation, retirement, or termination, the manager to whom the position reports must secure approvals from the Portfolio Owner, and the Divisions of Finance and Human Resources. The manager must also ensure that an accurate and up-to-date Performance Management Tool has been reviewed and approved by the Division of Human Resources. The approval process must include a position justification that may include a staffing analysis for like positions within the portfolio.

Failure to obtain appropriate approvals at any level may delay the recruitment and selection process.

**Procedure** As with all aspects of its recruitment and selection process, Rensselaer makes every effort to ensure equal employment opportunity (EEO) for all individuals and abides by the EEO and non-discrimination provisions of all applicable federal, state, and local laws and regulations.

Hiring Manager Responsibilities

The manager to whom the position reports must provide the Portfolio Owner with justification for the position. The justification should include a discussion of the position's impact on the Rensselaer Plan, the Portfolio's initiatives, revenue, compliance and the safety/security of the Institutes students, faculty, staff and property. The justification should also discuss alternatives for handling the functions of the position through other staff, technology or other means. The Portfolio Owner will send the request to the Vice Presidents for Human Resources and Finance, who may consult with other members of the President's cabinet at their discretion. Once requests are approved, the hiring manager must ensure that the Position Description is up-to-date, online, and approved by the Division of Human Resources. (See Human Resources Policy #200.1, *Performance Management Tool*.)

Approvals at every level indicate that the approver has reviewed the form for completeness and accuracy as well as confirmation that the position is authorized under the department's current budget.

It is the responsibility of the approver to ensure that the appropriate manager or portfolio leader is apprised of the intention to initiate a search or otherwise create and fill an approved vacancy.

Requests submitted to the Division of Human Resources to begin a recruitment process must include a **current** Position Description for the approved vacancy. (See Human Resources Policy #200.1, *Performance Management Tool*).

Contingent Approvals

At times, it is necessary to initiate recruitment before final funding is approved. This must be noted clearly by the Originator. Prior to making an invitation for employment, the Originator must ensure that the funding is identified and has been approved by the Division of Finance.

Post-Approval Procedures

The Division of Human Resources is responsible for notifying the hiring Portfolio Owner and hiring manager of the approval of the position for recruitment, the final position description, and initiating recruitment activities.

### **200.3 Posting for Staff Positions**

**Purpose** To identify the process for posting a staff position.

**Definition** An Approved Vacancy refers to a position that has been approved by the Divisions of Finance and Human Resources.

A Competitive Recruitment and Selection Process refers to the steps taken to ensure that positions are filled competitively.

Equal Employment Opportunity (EEO) means that Rensselaer will base all of its employment-related decisions on job-related criteria and that the Institute is committed to abiding by the non-discrimination provisions of all applicable federal, state and local laws and regulations.

Affirmative Action Placement Rate Goals refer to quantitative metrics established for the purpose of assisting the Institute with making good faith efforts towards ensuring that its workforce reflects the relevant labor market with regard to women, under-represented minorities, individuals with disabilities and veterans.

**Policy** It is the policy of Rensselaer that vacant staff positions will be advertised and filled competitively.

**Procedure** Before an approved vacancy can be posted, a request to post the position along with a current Performance Management Tool, which includes the Position Description, must be submitted to and approved by the Division of Human Resources. (See Human Resources Policy #200.1, *Performance Management Tool* and #200.2, *Position Approval for Staff Positions*.)

Current Staff

Current staff may apply for a posted vacant position based on the following conditions:

- (1) They meet the minimum qualifications included in the Performance Management Tool and the vacancy announcement;
- (2) They have been in their present position at least six (6) months unless an exception is granted by the Division of Human Resources;
- (3) They are not currently in the progressive disciplinary action process; and,
- (4) They are not on a current performance improvement plan.

Employees may contact the Division of Human Resources to determine if they are eligible to apply for a posting.

### Former Employees

Former employees are eligible to apply for posted positions in accordance with the provisions of Human Resources Policy #500.2, *Rehire Policy.*)

### EEO and Affirmative Action Placement Rate Goals

As with all aspects of its recruitment and selection process, Rensselaer makes every effort to ensure that the Institute: makes all of its employment-related decisions based on job-related criteria; complies with the non-discrimination provisions of all applicable federal, state and local laws and regulations; and implements its Affirmative Action Placement Rate Goals in accordance with federal and state laws and regulations.

## 200.4 Recruitment for Staff Positions

**Purpose** To identify the process to recruit for staff positions.

**Definitions** Recruitment is defined as the process to ensure that positions are filled competitively within the principles of Equal Employment Opportunity.

An Approved Vacancy refers to a position that has been approved by the Divisions of Finance and Human Resources.

Equal Employment Opportunity (EEO) means that Rensselaer will base all of its employment-related decision on job-related criteria and that the Institute is committed to abiding by non-discrimination provisions of all applicable federal, state and local laws and regulations.

Affirmative Action Placement Rate Goals refers to numerical objectives established for the purpose of assisting the Institute with making good faith efforts towards ensuring that its workforce reflects the labor market with regard to women, under-represented minorities, individuals with disabilities and veterans.

**Policy** The Division of Human Resources will administer the recruitment and selection process to assist Institute leaders with the development of a recruitment strategy to attract candidates aligned with initiatives of the Rensselaer Plan, the core functions of each Portfolio and the principles of Equal Employment Opportunity.

**Procedure** Internal Recruitment Efforts

An internal search process will be conducted either prior to or concurrently with external searches for an approved vacancy. (See Human Resources Policy #200.3, *Posting for Staff Positions*.)

External Advertisements

If an external search is approved, and in consultation with the Hiring Manager, the Division of Human Resources will approve and place advertisements in local newspapers and, where appropriate, in other out-of-area publications, selected trade or professional journals and on appropriate on-line professional or job search websites. If necessary, advertisements may be repeated.

The Division of Human Resources manages the central advertising budget. Therefore, requests to advertise that exceed the typical advertising budget may be considered contingent upon support from the hiring Department's budget.

NOTE: There may be situations where a competitive recruitment and selection process is not required to fill an approved vacancy. See Human Resources Policy #200.8, *Exclusions to the Search Process* for more information.

#### Applications and Resumes

All individuals who wish to be considered for staff positions must submit all requested employment application materials. Inaccurate or false information provided by the applicant on employment application materials may result in the elimination of the candidate from further consideration in the recruitment and selection process.

NOTE: Candidates for leadership positions (such as Vice Presidents, Associate/Assistant Vice Presidents, Deans and Directors) should follow the application instructions included on the job vacancy announcement.

The Division of Human Resources acknowledges receipt of all resumes and applications submitted for approved vacancies. The Division of Human Resources conducts an initial screening of all applicants and sends appropriate application materials to the hiring department. The Division of Human Resources notifies all applicants, whether interviewed or not interviewed, if they have not been selected for the position for which they have applied.

#### Employment Agencies/Search Firms

Depending on the requirements and level of the approved vacancy, the Division of Human Resources may, at its discretion, utilize a state employment agency, private employment agency or search firms/consultants to identify and screen potential candidates for certain executive, managerial, and professional positions. The fees charged by these consultants are charged back to the hiring department's budget.

#### Interviewing

All interviews will be conducted in accordance with the principles of non-discrimination and equal employment opportunity. Contact the Division of Human Resources for information about *Interviewing Procedures*.

#### EEO and Affirmative Action Placement Rate Goals

All of Rensselaer's recruitment efforts must emphasize that the Institute is an "Equal Opportunity Employer." As with all aspects of its recruitment and selection process, Rensselaer makes every effort to ensure that the Institute: makes all of its employment-related decisions based on job-related criteria; complies with the non-discrimination provisions of all applicable federal, state and local laws and regulations; and implements its Affirmative Action Placement Rate Goals in accordance with federal and state laws and regulations.

## 200.5 Hiring for Staff Positions

**Purpose** To identify the process for making appointments to staff positions.

**Definitions** An Approved Vacancy refers to a position that has been approved by the Divisions of Finance and Human Resources.

A Competitive Recruitment and Selection Process refers to the steps taken to ensure that positions are filled competitively.

Hiring Proposal refers to the recommendation of the Portfolio Owner to the Division of Human Resources to appoint a candidate to an approved vacant position.

The Employment Transaction Form (ETF) refers to the document that is used to submit requests to change the status and update the employment records of faculty and staff.

Equal Employment Opportunity (EEO) means that Rensselaer will base all of its employment-related decision on job-related criteria and that the Institute is committed to abiding by non-discrimination provisions of all applicable federal, state and local laws and regulations.

Affirmative Action Placement Rate Goals refers to numerical objectives established for the purpose of assisting the Institute with making good faith efforts towards ensuring that its workforce reflects the labor market with regard to women, under-represented minorities, individuals with disabilities and veterans.

**Policy** Rensselaer will appoint individuals to staff positions consistent with the initiatives of the Rensselaer Plan, the core functions of each Portfolio and the principles of Equal Employment Opportunity.

**Procedure** Reference and Background Checks

As part of evaluating internal and external applicants' qualifications and determining their suitability for open positions, Rensselaer requires all applicants to participate in reference and background checks in accordance with the provisions of HR Policy #200.12, *Reference and Background Checks*.

The Hiring Proposal

Once a finalist has been recommended for an approved vacancy, the hiring manager is expected to complete at least three (3) reference checks and a Hiring Proposal, which will include the recommended starting salary and a summary of the applicant pool demographic information. When submitting the Hiring Proposal, the hiring manager will attach three (3) reference checks, the application

materials for the selected candidate and the application materials for the interviewed candidates. If non-Caucasian, disabled or covered veteran candidates applied and were not selected for the approved vacancy, the hiring manager must attach an explanation. Similarly, if female candidate(s) applied in a job group where they are underutilized and were not selected for the position, the hiring manager must attach an explanation. These explanations must be substantive in nature and use only job-related criteria.

The hiring proposal must be reviewed and approved by the originating supervisor, and the department head and School Dean, Vice President or Provost, and then submitted to the Division of Human Resources for final approval.

The Division of Human Resources is responsible for the review and approval of all salary recommendations submitted in the hiring proposal. Where the salary recommendation exceeds the originally approved budgeted amount, the recommendation must be approved by the Division of Finance prior to being submitted to the Division of Human Resources. Similarly, hiring proposals for positions that were advertised contingent on budget approval must be approved by the Division of Finance prior to being submitted to the Division of Human Resources.

The Division of Human Resources notifies the hiring manager when the hiring proposal has been approved. The Division of Human Resources coordinates the verbal Invitation of Employment to the candidate with regard to salary, duties, start date and other relevant information. If the verbal invitation is accepted, the hiring manager ensures that an Employment Transaction Form is completed, and approved by the Portfolio owner. Upon receipt of the approved Employment Transaction Form, the Division of Human Resources creates a written invitation of employment, which must include the position title, start date, pay rate, effective starting date and effective end date (if applicable). New hires are required to provide a written acknowledgement confirming receipt of the Invitation of Employment letter.

Both the verbal and written invitation of employment are conditional invitations based upon the successful completion of the background and reference checking processes, the candidate's successful completion of any post-invitation and pre-employment medical examinations required by Rensselaer, and the submission of satisfactory employment-eligibility documentation as required by federal law.

Only invitations of employment to staff issued by the Division of Human Resources shall be considered valid.

Hiring managers must ensure that employees report to the Division of Human Resources on or before the first day of employment.

NOTE: Employee health and retirement benefits are not negotiable. Questions regarding employee benefits should be referred to the Division of Human Resources.

Notification of Unsuccessful Candidates

Once the recommended candidate has accepted an employment invitation, the Division of Human Resources, or the hiring manager in coordination with the Division of Human Resources, is responsible for notifying unsuccessful candidates that they are no longer being considered for the position because it has been filled. The Division of Human Resources is responsible for compiling and maintaining all legally required documentation relating to Rensselaer's recruitment and selection process.

EEO and Affirmative Action Placement Rate Goals

As with all aspects of its recruitment and selection process, Rensselaer makes every effort to ensure that the Institute: makes all of its employment-related decisions based on job-related criteria; complies with the non-discrimination provisions of all applicable federal, state and local laws and regulations; and implements its Affirmative Action Placement Rate Goals in accordance with federal and state laws and regulations.

NOTE: There may be situations where a competitive recruitment and selection process is not required to fill an approved vacancy. See Human Resources Policy #200.8, *Exclusions to the Search Process* for more information.

## 200.6 Recruitment and Selection for Faculty Positions

**Purpose** To identify the process to recruit and make appointments to faculty positions.

**Definitions** An Approved Vacancy in this policy refers to a faculty position that has been approved as part of the annual Faculty Hiring Plan.

A Competitive Recruitment and Selection Process refers to the steps taken to ensure that positions are filled competitively.

The Employment Transaction Form (ETF) refers to the document that is used to submit requests to change the status and update the employment records of faculty and staff.

Equal Employment Opportunity (EEO) means that Rensselaer will base all of its employment-related decisions on job-related criteria and that the Institute is committed to abiding by non-discrimination provisions of all applicable federal, state and local laws and regulations.

Affirmative Action Placement Rate Goals refers to numerical objectives established for the purpose of assisting the Institute with making good faith efforts towards ensuring that its workforce reflects the labor market with regard to women, under-represented minorities, individuals with disabilities and veterans.

A Foreign National is defined as any worker who is neither a citizen nor a lawful permanent resident of the United States.

**Policy** Rensselaer will appoint individuals to faculty positions consistent with the initiatives of the Rensselaer Plan, the core functions of each Portfolio and the principles of Equal Employment Opportunity.

**Procedure** Beginning a Search

A request to post must be submitted in order to initiate the recruitment and selection process for an approved vacant faculty position. The request to post is prepared by the Department, submitted to the Dean, submitted to the Office of the Provost, who then submits the request to the Division of Finance for budget approval. The Division of Finance submits the request to post to the Division of Human Resources to initiate the recruitment and selection process.

These approvals indicate that:

- the position is authorized;
- a budget has been allocated;

- appropriate management approval has been obtained; and
- the department and school are aware of the principles of equal employment opportunity and Rensselaer's affirmative action placement rate goals.

#### External Advertising

Approved vacant faculty positions may be posted on the Division of Human Resources web site, the School website, and/or the Division of Human Resources may work with the hiring department or search committee to place advertisements in publications, trade or professional journals and job search web sites.

The Division of Human Resources approves the wording of all advertising and all advertising must be written in accordance with Rensselaer's Equal Employment Opportunity policy.

The Division of Human Resources manages the central advertising budget. Therefore, requests to advertise that exceed the typical advertising budget may be considered contingent upon support from the hiring Department's budget.

NOTE: There may be situations where a search is not required. (See Human Resources Policy #200.8, *Exclusions to the Search Process*.)

#### Screening

Departments may receive application materials, resumes and curriculum vitae's (CVs) directly. Departments and/or search committees screen CVs and application materials, and select applicants to be interviewed. The Division of Human Resources and the departments are responsible for maintaining a list of applicants, and are responsible for collecting demographic data of the applicant pool. Such data is to be collected and maintained apart from the applications.

#### Interviewing

All interviews will be conducted in accordance with the principles of non-discrimination and equal employment opportunity. Contact the Division of Human Resources for information about *Interviewing Procedures*.

#### The Hiring Proposal

The department submits a hiring proposal to the Office of the Dean along with supporting materials in accordance with the Faculty Handbook, which includes the following:

- the recommended salary;
- any "start up" information;
- proposed invitation of employment letters;
- the number of individuals interviewed;

- a list of applicants and demographic data of the applicant and interview pools;
- the lawful, job related reasons why the recommended candidate was selected as opposed to each of the other candidates who were not selected;
- the curriculum vitae of the selected candidate; and
- in cases when the department placed its own advertisement, a copy of the advertisement.

The Office of the Dean submits the hiring proposal to the Office of the Provost for review. The Office of the Provost is responsible for obtaining budget approval from the Division of Finance. Once budget approval has been obtained, The Office of the Provost is responsible for ensuring that:

- the chosen candidate meets the qualifications and job duties as advertised;
- all women, minorities, persons with disabilities, and covered veterans have been fully considered;
- the proposed salary is within the approved budget; and,
- the approved salary range has been considered.

#### The Invitation of Employment

The Office of Provost is responsible for ensuring that a formal invitation of employment letter from the Provost and Dean are prepared and include the position title, start date, pay rate, and pay dates. Once the invitation of employment letters has been prepared, the Office of the Provost then submits the hiring proposal to the Division of Human Resources.

Once the Division of Human Resources has completed its review of the hiring proposal, the Office of the Provost is notified to inform the hiring department that a verbal invitation of employment may be made. After an invitation has been extended and accepted, the hiring department should:

- advise the Office of the Provost when the employment invitation is accepted and the proposed start date; and,
- initiate the Employment Transaction Form (ETF).

The department is responsible for submitting a completed ETF to the Office of the Provost, who will then forward the ETF, the signed offer letters and other documents from the hiring proposal to the Division of Human Resources for final processing.

New hires are required to return a signed Invitation of Employment letter to the Institute.

If the candidate is a foreign national, Rensselaer is responsible for

determining whether an export control license will be required with regard to the release of any controlled “technology” or “technical data” to the foreign national.

#### Employee Benefits

Employee benefits are not negotiable. Questions regarding employee benefits should be referred to the Division of Human Resources.

#### Record Keeping

CVs and application materials are to be retained by the department for **three (3) years** following the appointment date, unless longer retention is required for the purpose of documenting an immigration or employee relations file.

#### EEO and Affirmative Action Placement Rate Goals

All of Rensselaer’s recruitment efforts must emphasize that the Institute is an “Equal Opportunity Employer.” As with all aspects of its recruitment and selection process, Rensselaer makes every effort to ensure that the Institute: makes all of its employment-related decisions based on job-related criteria; complies with the non-discrimination provisions of all applicable federal, state and local laws and regulations; and implements its Affirmative Action Placement Rate Goals in accordance with federal and state laws and regulations.

## 200.7 Postdoctoral Research Appointments

**Purpose** To identify the process to fill Postdoctoral Research positions.

**Definitions** Postdoctoral Research Associate

- The primary objective of the appointee is the attainment of the Principal Investigator's goals on the grant; and
- The appointee was recently awarded a Ph.D. or equivalent doctorate (e.g., D.Eng., Sc.D., M.D.) in an appropriate field; and
- The appointment is fixed term; and
- The appointment involves substantially full-time research or scholarship; and
- The appointment is viewed as preparatory for a full-time academic and/or research career; and
- The appointee works under the supervision of a faculty member or principal investigator; and
- The appointee has the freedom, and is expected, to publish the results of his or her research or scholarship during the period of the appointment.
- The appointee is not primarily working to complete a period of training; and
- The appointee is paid a salary, not a stipend, in return for duties performed to meet the goals for which the funds were awarded and is an employee of the University; and
- Funding for the position is usually from research or start up funds.

The Postdoctoral Research Associate Affirmative Action Form is used to document the demographic composition (i.e., gender, race, ethnicity, individual with a disability and veteran status) of the applicant pool, interview pool and new hires.

Equal Employment Opportunity (EEO) means that Rensselaer will base all of its employment-related decisions on job-related criteria and that the Institute is committed to abiding by non-discrimination provisions of all applicable federal, state and local laws and regulations.

A Foreign National is defined as any worker who is neither a citizen nor a lawful permanent resident of the United States.

**Policy** All Postdoctoral Researchers are appointed to develop scholarly competence, while working under the mentorship of a full-time Rensselaer faculty or one of Rensselaer's Principal Investigators.

Postdoctoral Researchers fall into two broad classifications:

- A. Postdoctoral Research Scholar or Fellow – paid a stipend and not an employee.
- B. Postdoctoral Research Associate – appointed as an employee and is paid a salary.

Postdoctoral Research appointments, such as a Postdoctoral Research Associate, normally do not exceed 3 years, but can and sometimes do exceed that period if the Principal Investigator (PI) wishes to continue employing and continue seeking funding for the Postdoctoral appointee, and if the extension is approved by the Provost, Vice President for Research or School Dean. The PI is responsible for ensuring that all applicable appointment and/or employment requirements are fulfilled. When appointing a Postdoctoral Research Associate, the PI is responsible for compliance with applicable Affirmative Action search requirements, or for obtaining a Search Waiver approval by the Division of Human Resources.

**Procedure** Postdoctoral Research Associate Appointments

Postdoctoral Research Associates are employees, and as such are subject to equal employment opportunity (EEO), hiring, and other employment policies and procedures that govern all staff.

Procedures listed here are intended to streamline the process for the hiring of Postdoctoral Research Associates, but in no way are intended to circumvent regulatory compliance. Rensselaer makes every effort to ensure equal employment opportunity for all individuals and abides by the EEO and nondiscrimination provisions of all applicable federal, state and local laws and regulations.

The Principal Investigator (PI) or other sponsoring faculty member is responsible for the appointment process. This includes ensuring that applicable Affirmative Action guidelines are followed and the appropriate work authorization or visa status requirements are communicated to appointees.

**Postdoctoral Research Associate**

The PI is responsible for ensuring that Affirmative Action requirements are met by following one of two sets of procedures:

- A. Search Waiver

If the funder specifies a particular individual, or if the requirements for the position are specialized to the extent that the creation of a viable candidate pool would create an excessive delay, a

Postdoctoral Research Associate Search Waiver Request must be submitted to the Division of Human Resources.

The following information shall be included in the Search Waiver Request. (See Human Resources Policy #200.8, *Exclusions to the Search Process* for information about the search waiver process.)

- A copy of the appointment letter, including statement that the invitation is contingent upon documented work authorization;
- The Employment Transaction Form, approved by the Dean or Vice President for Research;
- A copy of at least three (3) completed reference checks; and
- A current curriculum vitae.

The Division of Human Resources will notify the Principal Investigator whether the Search Waiver is approved within 3 business days of receipt. Upon approval, the PI will contact the candidate to make a verbal invitation, and will send the approved invitation letter. The PI will immediately advise the Division of Human Resources when the invitation is made. The Division of Human Resources will contact the Postdoctoral Research Associate to schedule a New Employee Orientation and to arrange the collection of new hire paperwork and work authorization documents.

#### B. Search

Each academic department or research center may post a single continuous advertisement or recruitment posting for the purpose of collecting applications for Postdoctoral Research Associate positions. These recruitments can be renewed annually.

### **Recruitment for Postdoctoral Research Associates**

#### External Advertising

The PI is expected to identify and use recruiting channels that will ensure a diverse pool of qualified candidates. The PI may write advertisements for vacant Postdoctoral Research Associate positions. The Division of Human Resources must approve the wording of any advertisement before placement. All advertising must be in accordance with Rensselaer's equal employment opportunity policy.

At the request of the PI, the Division of Human Resources reviews requests to place classified and display advertisements for postdoctoral vacancies in selected trade or professional journals and on appropriate on-line professional or job search websites. If necessary, the advertisement may be repeated. The Division of Human Resources manages the central advertising budget. Requests to advertise that exceed the budget may be considered if they will be charged back to the hiring department's budget.

### Applicants and Interviewing

The PI shall receive applications and CVs, screen the applicants, and interview qualified candidates. Contact the Division of Human Resources for information about *Interviewing Procedures*.

Applications and resumes/CVs are to be retained by the department for two (2) years after the appointment date, unless longer retention is required for the purpose of documenting an immigration or employee relations file.

### Making an Invitation of Employment

When the PI has identified an appropriate candidate, a Postdoctoral Research Associate Affirmative Action Form must be submitted to the Division of Human Resources.

The following information must be included in the with the Affirmative Action form:

- A list of the applicants and their curriculum vitae;
- A summary of the gender and ethnicity of the candidate pool;
- A copy of the invitation of employment letter, including statement that the invitation is contingent upon documented work authorization;
- An Employment Transaction Form, approved by the Dean or Vice President for Research; and
- A copy of at least three (3) completed reference checks.

If the candidate is a foreign national, Rensselaer is responsible for determining whether an export control license will be required with regard to the release of any controlled "technology" or "technical data" to the foreign national.

The Division of Human Resources will notify the PI whether the Affirmative Action recommendation is approved. The PI will contact the Postdoctoral Research Associate, make a verbal invitation, and send the candidate the approved invitation letter. The PI will immediately advise HR when the invitation is made. HR will contact the Postdoctoral Research Associate to schedule a New Employee Orientation and to arrange for the collection of new hire paperwork and work authorization documents.

Postdoctoral Research Associates are to be appointed as fixed-term employees, whose eligibility for employee benefits is determined in accordance with Rensselaer's benefits plan documents.

Postdoctoral Research Associate appointments are made to academic departments or research centers.

The end date of postdoctoral research associate appointments is defined in the appointment letter. If it is necessary to terminate a Postdoctoral Research Associate sooner because of reduced

funding, changes in the nature and scope of the work, or for other operational reasons, it is recommended, but not required, that the Principal Investigator provide at least a 30 day notice of termination.

A renewal must be in writing and is at Rensselaer's discretion. Factors that will be considered include continued satisfactory performance, but also the existing financial, programmatic, and other organizational needs of Rensselaer.

#### Termination

The Division of Human Resources **must be** consulted prior to any terminations of any Postdoctoral Research Associate.

#### EEO and Affirmative Action Placement Rate Goals

All of Rensselaer's recruitment efforts must emphasize that the Institute is an "Equal Opportunity Employer." As with all aspects of its recruitment and selection process, Rensselaer makes every effort to ensure that the Institute: makes all of its employment-related decisions based on job-related criteria; complies with the non-discrimination provisions of all applicable federal, state and local laws and regulations; and implements its Affirmative Action Placement Rate Goals in accordance with federal and state laws and regulations.

## **200.8 Exclusions to the Recruitment and Selection Process**

**Purpose** To establish the circumstances where the Institute can fill approved vacancies without adhering to the competitive recruitment and selection processes as set forth in Policies 200.3, 200.4, 200.5, 200.6 and 200.7.

**Definitions** A Competitive Recruitment and Selection Process refers to the steps taken to ensure that positions are filled competitively.

An Acting Appointment is defined as a temporary appointment of an existing employee while a competitive recruitment and selection process is being conducted, or when a portfolio or department is being reorganized to improve organizational or operational efficiency.

An Interim Appointment is defined as a temporary appointment of an externally-hired employee while a competitive recruitment and selection process is being conducted, or when a portfolio or department is being reorganized to improve organizational or operational efficiency.

A Fixed-Term Employee is defined as an employee who is hired by Rensselaer to work for the duration of a specific project or assignment that generally does not extend beyond a 12-month period.

A Temporary Employee is defined as an employee who is hired by Rensselaer to work for the duration of specific projects or assignments that generally does not extend beyond a six-month period.

Affirmative Action Placement Rate Goals refers to numerical objectives established for the purpose of assisting the Institute with making good faith efforts towards ensuring that its workforce reflects the labor market with regard to women, under-represented minorities, individuals with disabilities and veterans.

**Policy** Rensselaer reserves the right to deviate from the competitive recruitment and selection process based on the business and operational needs of the Portfolio or the Institute. Such exclusions required the approval of the Vice President for Human Resources or designee.

**Procedure** Positions that are not required to adhere to the competitive recruitment and selection process include the following:

- Fixed-term and temporary faculty, staff, research and instructional employees with cumulative appointments of less than 12 months.
- Certain highly-placed positions when, in the discretion of the Vice President for Human Resources, posting of the position will compromise compliance, security, confidentiality, or other standards of professionalism.

Additional exceptions to the competitive recruitment and selection process include the following:

- A position need not be advertised more than once every 90 days.
- Should a vacancy occur in the same title in the same department within 90 days of the date of the original job posting, it may be filled by a candidate who applied for the original position with approval from the Division of Human Resources, without the need for further posting or competitive recruitment and selection processes.

#### Workforce Optimization/Reorganization

Assignments that are the result of a re-organization that realigns responsibilities within a department or division are excluded from the competitive recruitment and selection process. Reorganizations must be approved by the relevant cabinet member and the Vice President for Human Resources.

#### Acting and Interim Appointments

Acting and Interim appointments are excluded from the competitive recruitment and selection process.

The appropriate cabinet member may choose to appoint a current employee to an Acting Appointment while a competitive search is conducted or when a portfolio or department is being reorganized to improve organizational or operational efficiency. The current employee in the Acting Appointment may be compensated at a higher salary at the discretion of, and with the approval of, the Portfolio Owner **and** the Vice President for Human Resources.

The Portfolio Owner may also choose to hire an external candidate to an Interim Appointment while a competitive search is conducted or when a portfolio or department is being reorganized to improve organizational or operational efficiency.

All Acting and Interim appointments must be approved by the Portfolio Owner **and** the Vice President for Human Resources.

If a competitive search is being conducted for an approved vacancy, individuals with Acting or Interim appointments may apply for the

position.

#### Internal Filling of Vacancies

An approved vacancy may be filled without going through a competitive recruitment and selection process in the following circumstances:

- The appointment is to fill a special project need. Normally, a special project is defined as an assignment that will not exceed one year.
- The appointment is to fill a position based on the business and operational needs of the Portfolio or the Institute, such as a re-organization.
- When Rensselaer has an obligation to provide a position to a person who has returned from a special assignment or an approved leave of absence;
- When, through job re-evaluation, the job title and/or level of a position is changed to properly reflect the duties of the position;
- When temporary jobs are filled; and
- The decision to fill a position without a competitive search is made in accordance with Rensselaer's Affirmative Action Placement Rate Goals consistent with federal regulations.

#### Search Waiver Process

Departments may request a waiver from the competitive recruitment and selection process by submitting a request for a Search Waiver to the Division of Human Resources. The request must include the reason for the waiver (such as the business necessity or operational needs of the Portfolio) and a statement of the proposed candidate's qualifications. The Vice President for Human Resources or designee will review the request and notify the Department of its determination.

## 200.9 Nepotism and the Employment of Relatives

**Purpose** To minimize the perception of a conflict of interest based on biases or favoritism during the employment of faculty and staff.

**Definition** Nepotism is defined as the hiring, transfer or promotion of a family member into a position that will result in a supervisor/subordinate relationship between the family member and a staff or faculty member, or creates an actual or perceived conflict of interest between the family member and a staff or faculty member because of an auditing or control relationship between the family member and the staff or faculty member.

A Family Member is defined as a spouse, natural, step or adoptive parent, brother, sister, son, daughter, grandparent or in-law in the same identified relationships, or any individual with whom an employee or faculty member has a close personal relationship, such as a domestic partner, co-habitant, or significant other.

**Policy** Relatives of a currently employed worker generally are considered for employment on the basis of their qualifications and the business needs of the Institute. However, where the hiring or employment of a worker's relative would result in the types of prohibited employment relationships identified below, the Institute will not consider or accept such applications for employment.

Staff or faculty members are not to place themselves, or allow themselves to be placed, in a situation amounting to "academic nepotism," which is teaching or otherwise directing the credit study or research of a student who is also a relative as defined above. Additionally, students are not to take courses from relatives or engage in research for academic credit under the direction of relatives.

Staff and faculty members are required to complete a Financial Conflict of Interest and Commitment Disclosure within 30 days of a change in his/her personal relationships that will result in an actual or perceived violation of this Nepotism Policy.

The Board of Trustees, the President or the Vice President of Human Resources reserves the right to deviate from the policy based on the business needs of the Institute.

**Procedure** Prohibited Employment Relationships

The appointment through hiring, promotion or transfer of relatives is prohibited if the employment of such an individual would result in the creation of:

- A supervisor/subordinate relationship between a relative and a staff or faculty member. If a direct supervisory or managerial relationship would be established, relatives of a currently employed worker cannot be considered as applicants for an open position.
- An actual conflict of interest or appearance of a conflict of interest generally bars the employment or appointment through hiring, promotion or transfer of a staff or faculty member's relatives in any position that has an auditing or control relationship to the employee's job.

Marriages or Relationships Between Employees

Faculty and/or staff members who marry or establish a close personal relationship can continue in their current positions as long as a prohibited employment relationship is not created. If one of the prohibited situations does occur, attempts will be made to find another position within the Institute to whichever one of the employees who can transfer. All practical efforts will be made to arrange such a transfer at the earliest possible time. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

Covered Employment Classifications

This policy applies to hiring and employment decisions affecting all job classifications, including regular, fixed-term, temporary, part-time, agency and seasonal positions. These restrictions also are applicable when assigning, transferring, or promoting a faculty member or employee.

Enforcement of Policy

All questions and issues relating to nepotism and/or an employment of relatives situation or concern should be addressed to the Vice President for Human Resources or his/her designee. Faculty and employees who become subject to this policy's provisions due to marriage or commencement of a close personal relationship must inform their supervisor or the Vice President for Human Resources or designee, as soon as possible, but within 30 days of the status change. All decisions and personnel actions taken as a result of this policy must be reviewed and approved by the Vice President for Human Resources or designee.

## **200.10 Physical and Medical Examinations—Post Invitation/ Pre-Employment**

**Purpose** To establish the process for post invitation/pre-employment physical and medical examinations.

**Definitions** A Physical/Medical Examination is defined as an examination by Rensselaer’s medical contractor focused on assessing and evaluating those physical abilities and medical factors that may impact an individual’s ability to safely perform the essential functions of the position, with or without a reasonable accommodation.

Post Invitation/Pre-Employment refers to the point in the selection process where an individual has received an Invitation of Employment but before the actual first day of employment.

Blood-Alcohol Test refers to alcohol screening and confirmation tests that are used to determine the concentration of alcohol in a person’s system.

Drug Test refers to a medical procedure that is used to determine the existence of illegal drugs or the inappropriate use of prescription drugs.

Rensselaer’s Medical Contractor refers to the health care provider who has been contracted by the Institute to conduct medical and physical exams and tests on behalf of the Institute.

**Policy** For designated positions, Rensselaer or its designee will conduct a physical and medical examination, drug test and/or blood-alcohol test of an applicant who has been invited to accept a position. Once an invitation of employment has been extended, successful completion of the hiring process is contingent upon the individual successfully passing the physical and medical examination along with any drug or blood-alcohol tests that are conducted by Rensselaer’s Medical Contractor or designee.

The physical and medical examination, drug and/or blood-alcohol tests serve to achieve a variety of objectives, including:

- Ensuring that job candidates, at the post-invitation stage, have the necessary physical attributes to perform the essential functions of the position being appointed to in a safe and effective manner, with or without reasonable accommodations;
- Screen out current users of illegal drugs, individuals who are currently impaired by alcohol, and individuals who are using prescription drugs in an improper manner.

This Policy applies to all employees, including faculty, contingent

faculty, staff, student employees and members of the President's Cabinet.

**Procedure** In reviewing applicants' qualifications for certain positions, Rensselaer requires designated applicants who accept an invitation of employment by Rensselaer to undergo physical examinations, which can include drug and blood-alcohol tests. The general purpose of these examinations is to determine whether the individuals being tested are physically and medically able to perform the essential functions of the position being appointed to, with or without reasonable accommodations, without creating a significant threat to the safety or well-being of themselves, other employees, members of the public, property and/or equipment. All of these examinations and tests are conducted on a non-discriminatory basis and in conformance with the requirements of the Americans with Disabilities Act and other federal, state, and local laws guaranteeing fair treatment and equal employment opportunity to individuals with disabilities and members of other protected groups. All of these examinations and tests are also conducted in a manner that is consistent with laws regarding the confidentiality and use of medical information and test results.

#### Physical and Medical Examination Requirements for Job Applicants

Designated applicants who accept an invitation of employment are required to undergo a post-invitation physical examination that evaluates their fitness and ability to perform the essential functions of the positions for which they are being considered, with or without reasonable accommodations. Drug and blood-alcohol tests designed to detect current impairment by alcohol, the use of illegal drugs or the improper use of legal drugs are a standard part of these required examinations.

All conditional invitations of employment extended to candidates who are asked to undergo a physical examination, including drug and blood alcohol tests, are contingent on satisfactory completion of this requirement within the scheduled time period.

#### Physical and Medical Examinations and Test Procedures

All physical and medical examinations required by Rensselaer focus on measuring or evaluating those physical abilities and factors that are needed for an individual to safely perform the essential functions of the position, with or without reasonable accommodations. Rensselaer pays all costs of physical and medical examinations, including drug and blood-alcohol tests, required of applicants and employees. Rensselaer attempts to arrange for reasonable accommodations when an applicant or employee makes a request regarding his/her need to take a required physical or medical examination or test.

All examinations and tests are scheduled by the Division of Human Resources and conducted by physicians, medical or specially trained personnel, or testing laboratories selected by Rensselaer. Results of these examinations or tests are reported to Rensselaer's designated medical representative or the Vice President for Human Resources (or his/her designee).

The Vice President for Human Resources or his/her designee, in consultation with Rensselaer's designated medical representative, is responsible for determining whether an applicant has satisfactorily completed the required examinations or tests and whether the examination or test results demonstrate the individual's ability to perform the essential functions of the job safely, with or without a reasonable accommodation.

#### Consent and Release Forms

All applicants and employees who are required to undergo a physical or medical examination, including a drug and/or blood-alcohol test, are asked to sign a form consenting to the release to Rensselaer of all medical information from their examination or medical records that is related to their fitness or ability to perform the essential functions of the job in question.

#### Confidentiality of Medical Information and Test Results

Rensselaer takes all necessary steps to safeguard the confidentiality of all medical information, including physical or medical examinations and test results, relating to any applicant or employee required to submit to an employment-related physical or medical examination or drug or alcohol test. Any and all records containing medical information about an applicant, or current or former employees are maintained by the Division of Human Resources separate and apart from the organization's general personnel or human resources' files. Access to medical information in these separate files is granted by the Division of Human Resources only to individuals with a valid and documented legitimate business need to know. In such cases, the Division of Human Resources grants access to only as much information as is needed to satisfy the individual's specific need for information from the medical information file.

## 200.11 Physical and Medical Examinations—Current Employees

**Purpose** To establish the process for conducting physical and medical examinations for current employees.

**Definitions** A Physical/Medical Examination is defined as an examination by Rensselaer’s medical contractor focused on assessing and evaluating those physical abilities and medical factors that may impact an individual’s ability to safely perform the essential functions of the position occupied by the employee, with or without a reasonable accommodation.

Post Invitation/Pre-Employment refers to the point in the selection process where a current employee has received an Invitation of Employment but before the actual first day of appointment in a new position.

Blood-Alcohol Test refers to alcohol screening and confirmation tests that are used to determine the concentration of alcohol in a person’s system.

Drug Test refers to a medical procedure that is used to determine the existence of illegal drugs or the inappropriate use of prescription drugs.

Rensselaer’s Medical Contractor refers to the health care provider who has been contracted by the Institute to conduct medical and physical exams and test on behalf of the Institute.

**Policy** For designated positions, Rensselaer or its designee will conduct a physical and medical examination, drug test and/or blood-alcohol test of current employees who have been invited to accept a position. Once an invitation of employment has been extended to the current employee, successful completion of the hiring process is contingent upon the current employee successfully passing the physical and medical examination along with any drug or blood-alcohol tests that are conducted by Rensselaer’s Medical Contractor or designee.

The physical and medical examination, drug and/or blood-alcohol tests serve to achieve a variety of objectives, including:

- Ensuring that job candidates, at the post-invitation stage, have the necessary physical attributes to perform the job’s essential functions in a safe and effective manner, with or without reasonable accommodations;
- Screen out current users of illegal drugs, individuals who are currently impaired by alcohol and individuals who are using

prescription drugs in an improper manner.

Rensselaer also reserves the right to require medical examinations of current employees whose fitness for duty is called into question by reasonable evaluation of relevant factors. Such fitness for duty examinations may include, but are not limited to, drug and/or alcohol tests when appropriate.

This Policy applies to all employees, including faculty, contingent faculty, staff, student employees and members of the President's Cabinet.

**Procedure** In reviewing applicants' qualifications and/or fitness for certain positions, Rensselaer requires individuals who accept an invitation of employment for designated positions and employees in certain circumstances to undergo physical examinations, which can include drug and blood-alcohol tests. The general purpose of these examinations is to determine whether the individuals being tested are physically and medically able to perform the essential functions of the job in question, with or without reasonable accommodations, without posing a direct threat to the safety or well-being of themselves, other employees, members of the public, property or equipment. All of these examinations and tests are conducted on a non-discriminatory basis and in conformance with the requirements of the Americans with Disabilities Act, as amended, and other federal, state, and local laws guaranteeing fair treatment and equal employment opportunity to individuals with disabilities and members of other protected groups. All of these examinations and tests are also conducted in a manner that is consistent with laws regarding the confidentiality and use of medical information and test results.

Physical/Medical Examination Requirements for Current Employees

In certain situations, Rensselaer can require current employees to undergo a physical or medical examination, drug test, or blood-alcohol test that evaluates their fitness for duty and ability to perform the essential functions of their position, with or without reasonable accommodations.

Examples of the situations in which current employees might be asked to undergo a physical or medical examination, drug test and/or blood alcohol test include:

- a return to work after a work-related illness, injury or accident or following an extended medical leave of absence; or,
- involvement in a work-related illness, injury or accident that results in measurable or reportable damage or harm to persons or property; or,
- a transfer or promotion to a safety-sensitive or physically

demanding job; or

- a formal request by a supervisor or manager based on that individual's documented observation or reasonable suspicion of an impairment related to alcohol abuse, substance abuse or a medical condition, or a concern of an employee's ability to perform the essential functions of the job due to medical or physical limitations.

A failure to satisfactorily complete a required physical or medical examination, including any required drug test and/or blood-alcohol test, is grounds for discipline, up to and including termination of employment.

#### Physical and Medical Examinations and Test Procedures

All physical and medical examinations required by Rensselaer focus on measuring or evaluating those physical abilities and factors that are needed for an individual to safely perform the essential functions of the position, with or without reasonable accommodations. Rensselaer pays all costs of physical and medical examinations, including drug and blood-alcohol tests, required of applicants and employees. Rensselaer attempts to arrange for reasonable accommodations when an applicant or employee makes a request regarding his/her need to take a required physical or medical examination or test.

All examinations and tests are scheduled by the Division of Human Resources and conducted by physicians, medical or specially trained personnel, or testing laboratories selected by Rensselaer. Results of these examinations or tests are reported to Rensselaer's designated medical representative or the Vice President for Human Resources (or his/her designee).

The Vice President for Human Resources or his/her designee, in consultation with Rensselaer's designated medical representative, is responsible for determining whether an applicant has satisfactorily completed the required examinations or tests and whether the examination or test results demonstrate the individual's ability to perform the essential functions of the job safely, with or without a reasonable accommodation.

#### Consent and Release Forms

All applicants and employees who are required to undergo a physical or medical examination, including a drug and/or blood-alcohol test, are required to sign a form consenting to the release to Rensselaer's Vice President for Human Resources, or his/her designee, of all medical information from their examination or medical records that is related to their fitness or ability to perform the essential functions of the job in question.

#### Confidentiality of Medical Information and Test Results

Rensselaer takes all necessary steps to safeguard the confidentiality

of all medical information, including physical or medical examinations and test results, relating to any applicant or employee required to submit to an employment-related physical or medical examination or drug or alcohol test. Any and all records containing medical information about an applicant, or current or former employees are maintained by the Division of Human Resources separate and apart from the organization's general personnel or human resources' files. Access to medical information in these separate files is granted by the Division of Human Resources only to individuals with a valid and documented legitimate business need to know. In such cases, the Division of Human Resources grants access to only as much information as is needed to satisfy the individual's specific need for information from the medical information file.

## 200.12 Reference and Background Checks

**Purpose** To establish the process for using reference and background checks.

**Definitions** Reference Check refers to the process of obtaining the work history of a job applicant during the pre-employment phase of the recruitment and selection process.

A Background Check refers to the process of obtaining certain personal information about a job applicant during the pre-employment phase of the recruitment and selection process, such as criminal records, sex offender records, driving records, credit reports, school transcripts or educational credentials, license or other certifications, and employment histories.

Post Invitation/Pre-Employment refers to the point in the selection process where an individual has received an Invitation of Employment, but before the actual first day of appointment in a new position.

**Policy** Rensselaer Polytechnic Institute is committed to attracting and retaining the highest quality faculty and staff, and is also committed to the safety and security of our students, faculty and staff.

Rensselaer will use reference checks and credentials verifications to ensure the accuracy of information supplied by a candidate in an employment application, resume, or job interview.

Rensselaer will use criminal and financial background checks to make informed hiring decisions in appropriate situations, at the discretion of the Vice President for Human Resources, or his/her designee.

**Procedure** Credentials Verifications, Criminal Background and Credit Checks

Rensselaer requires criminal background checks to be conducted for all newly hired faculty, executives, administrators, and other staff, in regular, fixed-term and temporary appointments hired to work for one (1) semester or more, including any faculty and staff member who is rehired. In addition, driving records, credit histories and/or credentials verifications will be conducted for newly hired or rehired into certain positions that are security sensitive, financially based or have specific licensing or credential requirements, at the discretion of the Vice President for Human Resources, or his/her designee.

The Division of Human Resources may use an outside reporting agency to obtain information regarding criminal backgrounds and credit history or to prepare an investigative consumer report, where

appropriate.

In conducting such checks, Rensselaer complies with all notice, authorization, and other requirements of federal and state laws and maintains the strict confidentiality of all reports and records related to such investigations.

#### Employment and Academic Credentials Reference Checks

Verification of employment and educational background information provided by candidates on applications forms or resumes and in interviews is the responsibility of the Division of Human Resources.

All candidates for positions with Rensselaer must provide the names, addresses, telephone numbers and, where possible, the specific names of supervisors or other contact persons for prior places of employment. All job candidates will be made aware that Rensselaer's evaluation of their qualifications and suitability for employment normally includes contacting these employment references to verify information provided in application forms, interviews, or resumes. Finalists will be advised in advance that their references, current and former supervisors and/or colleagues may be contacted. These reference checks may be conducted by the Division of Human Resources, the hiring manager or his/her designee.

In evaluating each candidate's suitability for employment, Rensselaer also might contact schools and educational institutions listed by the applicant. Applicants should provide names, addresses and telephone numbers of educational institutions listed.

Information obtained from references is used only to: (1) verify the accuracy of employment or academic information provided by applicants; and (2) identify job-related accomplishments, skills, abilities, and characteristics that help establish the applicant's qualifications and suitability for the position in question.

#### Confidentiality of Reference and Background Information

All information obtained from any of the sources listed by job applicants is kept strictly confidential by Rensselaer. No employee, supervisor, or management official of Rensselaer has access to such information without demonstrating a clear and compelling need for the information and without the approval from the Vice President for Human Resources or designee.

#### Use of Outside Reporting Agencies

For certain jobs, such as those involving security responsibilities or significant financial accountability, Rensselaer can request a consumer reporting agency to prepare an investigative consumer report on the applicant. These reports typically include information about an individual's character, reputation, and mode of living. This information is obtained through personal interviews with the applicant's neighbors, acquaintances, associates, and friends. In

cases where an investigative report is requested, Rensselaer notifies the applicant within three days of requesting the report and honors requests from the applicant for additional information about the nature of the agency's investigation and report. Rensselaer complies with all requirements of the Fair Credit Reporting Act and other applicable federal and state laws and regulations regarding the use of consumer reporting agencies.

#### Use of Social Media in the Background Checking Process

In accordance with all applicable laws and regulations, the Division of Human Resources may, at its discretion, engage the services of an outside agency to evaluate social media and internet records for adherence to pre-defined job related standards. Hiring managers may not access candidate social media accounts for any purpose.

#### Signing of Release Forms

All applicants must sign various authorization and release forms authorizing the release of information by former employers, educational institutions or other organizations contacted by Rensselaer as part of the reference and background checking process. A refusal to sign such a release form normally eliminates the applicant from further consideration for employment.

#### Penalties for Inaccurate or Fraudulent Information

Any applicant or candidate for employment (internal or external) who provides a material misrepresentation or deliberate omission of a fact on an employment application form, resume or CV, or in a selection interview may be eliminated from further consideration for employment. Depending on the significance of the inaccurate information, the applicant might be offered an opportunity to explain or respond to the inaccurate information. The material misrepresentation or deliberate omission of a fact may also be justification for the refusal or rescission of an invitation of employment, or if employed, the termination of employment.

## 200.13 Employment Eligibility/Immigrations Requirements

**Purpose** To establish employment eligibility procedures for all new hires and current employees.

**Definitions** Export Control refers to federal laws and regulations that require federal agency approval before the export of controlled items, commodities, technology, software or information to restricted foreign countries, persons and entities (including universities).

A Foreign National is defined as any worker who is neither a citizen nor a lawful permanent resident of the United States.

Work Authorization refers to documentation that demonstrates that a foreign national is authorized to work in the United States.

**Policy** Rensselaer is committed to meeting its obligations under U.S. immigration law. Accordingly, Rensselaer neither hires nor continues to employ any individual who is not legally authorized to work in the United States. Moreover, Rensselaer does not discriminate on the basis of citizenship status or national origin in recruitment, hiring, or discharge. This policy applies to all employees, including staff, faculty, research professionals, and members of the President's Cabinet.

**Procedure** Employment Eligibility Verification Procedures

The Division of Human Resources is responsible for implementing, administering, and reviewing procedures necessary to comply with the employment eligibility verification and nondiscrimination requirements of the Immigration Reform and Control Act (IRCA), as amended. The Division of Human Resources requires that all new employees:

- Complete and sign the employee's portion of Form I-9, Employment Eligibility Verification; and
- Present original documentation supporting the employee's identity and employment eligibility.

Employees must complete the employee section of Form I-9 on or before the day they begin work.

If an employee is authorized to work, but is unable to provide the required document(s), the employee can, under certain circumstances as defined by the applicable regulating agency, present a Division of Human Resources representative with a receipt for an application for the necessary document(s).

- If the document was lost, stolen, or damaged, the individual must present a receipt for a replacement within three business

days of hire and present the actual replacement document within 90 days of hire or, in the case of re-verification, by the date that the employment authorization expires.

An employee's failure to produce required documentation within allotted time periods is grounds for immediate termination from employment. Resumption of employment can be considered only when the required documentation is furnished.

The Vice President for Human Resources arranges for a periodic audit of I-9 Forms on file to ensure that the employees of the Division of Human Resources are complying with employment eligibility verification requirements.

#### Expiration of Work Authorization

It is the responsibility of the Division of Human Resources to identify expiration dates. The Division of Human Resources notifies the employee of the need for the employee to show that his or her authorization to work in the United States has been renewed. The Division of Human Resources then must update an employee's Form I-9 to show the employee's renewed authorization to work and complete with appropriate signatures.

An employee's failure to provide proof of his or her renewed authorization to work prior to the expiration of the authorization documented on the employee's Form I-9 results in the employee's immediate termination of employment.

Upon the expiration of an Employment Authorization Document, the employee is not eligible to continue working until the new document (or receipt, where allowed by law) is obtained.

#### Export Control

The Institute complies with all federal export control regulations, such as: International Traffic in Arms Regulations (ITAR), implemented by the U.S. Department of State; the Export Administration Regulations (EAR), implemented by the U.S. Department of Commerce; and The Office of Foreign Asset Control (OFAC). For faculty and staff, who are foreign nationals conducting sponsored research, Rensselaer will follow the guidelines established in the Institute's Export Control Management and Compliance Plan.

#### Nondiscrimination

Division of Human Resources staff, supervisors, hiring personnel, and other employees and agents of Rensselaer are prohibited from discriminating against an applicant or employee based on national origin, citizenship status or status as a legal immigrant. Hiring personnel should never infer from an individual's appearance or accent that he or she is not authorized to work in the United States.

Division of Human Resources' representatives and any other employees involved in the hiring process are prohibited from asking

employees for any specific document; the employee must decide which document(s) to present from those listed on Form I-9 as acceptable for purposes of verifying an employee's identity and employment eligibility. Division of Human Resources' representatives and any other hiring personnel cannot refuse to honor tendered documents that, on their face, reasonably appear to be genuine and relate to the employee in question.

Any employee found to have engaged in illegal discrimination is subject to discipline, up to and including termination of employment.

#### Recordkeeping

A copy of each employee's I-9 Form is retained by the Division of Human Resources the entire time that each employee is employed by Rensselaer.

When an employee transfers within Rensselaer's organization to another physically separate location (e.g., Troy to Hartford or vice versa), the employee's I-9 Form and copies of supporting documentation must remain with the Division of Human Resources.

#### Reemployment

If a terminated employee is reemployed within three years of initially completing an I-9 Form, the Division of Human Resources is responsible for updating and verifying the information on the Form, in accordance with applicable regulations.

#### Invitations of Employment

All invitations of employment are contingent upon the employee obtaining and maintaining satisfactory authorization to work in the United States.

## 200.14 New Hire Orientation

**Purpose** To ensure that new hires are welcomed, engaged and provided with accurate information relevant to their employment at Rensselaer.

**Policy** All new benefits eligible Rensselaer employees are required to attend a new hire orientation program designed to make new hires: feel welcome and at ease in their new work environment; learn about Rensselaer's employment, benefits, and payroll requirements; learn about Rensselaer's value proposition; and complete other on-boarding activities.

**Procedure** General Objectives of Orientation Program

Rensselaer's orientation program is designed to help new hires feel welcome and inform them of what Rensselaer offers, and what performance and behavior standards it expects. It is also intended to assist new employees with becoming engaged with the Institute.

Scheduling New Employees for an Orientation

New employees should be scheduled for new employee orientation within two weeks of hire. The orientation date will be included in the invitation of employment letter. A copy of the invitation letter will be sent to the hiring manager. If the new employee has started work before the scheduled orientation date, it is the hiring manager's responsibility to make sure the employee attends the orientation program on the scheduled date.

General Orientation Procedures

Rensselaer's general orientation program is divided into three parts:

1. Introduction to the Rensselaer Community

New hires are provided with information on Rensselaer's history, values, services, customers, and other programs. Rensselaer's value proposition is highlighted and various orientation tools will be provided to new employees.

2. Human Resource Policies, Procedures and Benefits

Employees will receive their Employee Handbook, Benefit Guide and enrollment materials, and investment election packets. Information will be presented on each of these, and employees will have an opportunity to ask questions and complete all necessary forms. Rensselaer's strong commitment to equal employment opportunity is also emphasized.

3. Tour of Campus

Employees may be given a tour of the Rensselaer campus.

### Department Orientation

The new hire's supervisor is responsible for welcoming the employee to his/her area and explaining specific job or department duties, procedures and responsibilities. The Department Orientation Checklist may be used as a guide by supervisors.

### Orientation Program Responsibilities

Orientation responsibilities are shared between the new hire's supervisor and the Division of Human Resources.

### New Employee Responsibilities

On both the first and subsequent days of employment, newly hired employees are required to complete and turn in a number of employment-related forms and official documents. All new hires are expected to promptly and accurately complete these forms and records. Failure to meet required enrollment deadlines may result in ineligibility for certain benefits and/or delay in enrollment. Failure to complete certain mandated forms and/or provide documentation on a timely basis, may result in suspension of employment.

Throughout the orientation period, all new employees are encouraged to ask questions and seek guidance on any procedures, subjects, or issues affecting their job or employment relationships.