BGSU Search and Screen Protocols

SCREEN 1

Welcome to the “BGSU Search and Screen Protocols” training modules. We hope that these modules will be of assistance to you in your work as a member of a BGSU search committee.

Before we begin, there are several important considerations that we want to point out relating to our general EEO obligations when conducting searches. First, there is the obvious legal component. As an employer, BGSU has an obligation to ensure fairness and equity in every search process. Next, open and broad-based searches help to achieve the most diverse applicant pools. Sometimes individuals or hiring units may not want to conduct a search, or they may only want to conduct a very narrow or limited search. They may feel that they already have a candidate in mind and there is no reason to search because they won’t find anyone as qualified or better. Yet experience has shown us that when a full and open search is conducted, individuals do surface who are not only qualified but who bring new and valuable perspectives to the workplace. And finally, open searches are important to our demonstration that diversity is an educational value. This is something that we ascribe to as a University and full, fair and open searches help us to achieve that goal.

SCREEN 2

These search and screen protocols are divided into five distinct modules that can be viewed collectively or individually. It is our hope that Search and Screen Committee members will review each module in its entirety prior to the launch of the search.

The “Search Process” module is intended as a general guide to the selection and appointment process as monitored by BGSU’s Office of Equity and Diversity. It addresses the search process as it relates to the search committee and applicant screening. The “Quick Tips – Guidelines for Pre-employment Inquiries” module provides information about the do’s and don’ts as they relate to the formal interview as well as informal discussions with candidates. These tips are specifically directed towards gender and family matters, age, national origin and citizenship, disabilities, and other characteristics. The module on “Hiring with the Americans with Disabilities Act Amendments Act in Mind”, also known as the ADAAA, speaks to affirmative and negative phrases regarding disabilities, provides general tips about the appropriate manner in which to interact with people living with a disability, and provides guidelines for communicating with individuals with various disabiling conditions. And lastly, “Rater Errors” will focus on the biases that we bring and attribute to individuals as we engage in the search and screen process.
The Search Process

SCREEN 1

BGSU is committed to achieving equal opportunity in education, professional training, career advancement and university employment. As an employer, BGSU has an obligation to ensure fairness and equity in every search process. Open and broad-based searches not only help to achieve the most diverse applicant pools, but are also important in our demonstration that diversity is an educational value. This is something that we ascribe to as a University and full, fair and open searches help us to achieve that goal. This module will help you understand the steps necessary to achieve these goals.

SCREEN 2

This process includes establishing a search committee and communicating the charge, conducting appropriate interviews, and making the best selection decision possible.

SCREEN 3

Every search process begins with the formation of a search committee which should be diverse – this committee should reflect the diversity of the institution that serves the broader community. In order to provide a variety of perspectives as well as sensitivity to equal opportunity, the composition of the search committee should be diverse in gender, ethnicity, and other characteristics as appropriate. We often hear comments like – “but we don’t have any staff or faculty of color in our department”. We challenge you to seek out women and people of color campus-wide, within the broader community, in other constituent and affinity groups such as the Black Faculty & Staff Council, the Latino Faculty and Staff Council, the LGBT Faculty & Staff Council, and the like.

Likewise, faculty within other University departments that may not be tenured in the discipline can make an assessment of an applicant’s administrative abilities and/or soft skills like leadership, teamwork, collaboration, verbal and written communication skills, ability to organize and prioritize, etc. While knowledge in the discipline is a major factor, it is not the only factor.

SCREEN 4

Once the membership of a search committee is identified, the race and gender of its members should be submitted to the Office of Equity and Diversity for review and approval. Upon approval, the Chair of the search committee should convene a kick-off meeting to provide the members with its charge. Responsibilities of a search committee should include, but are not limited to the following:

1. The Search Committee Chair establishes the job-related criteria and procedures for screening upon which all applicants will be reviewed.
2. The Search Committee is also responsible for reviewing and evaluating all candidates which will include reference checks for those under serious consideration.
3. All relevant search documents such as resumes, the assessment matrix, email communications and the like must be maintained for a period of five years.
4. The Search Committee will determine the best qualified candidates to be interviewed (phone screen, search committee, campus, etc.).
5. And finally, the Search Committee will make a recommendation of their candidate of choice to the hiring authority.

SCREEN 5

Unlike cultural norms and rater errors, interviewers should ONLY ask job-related questions because allegations of disparate treatment can result from inappropriate questions. That is to say that interview questions should be preplanned, standardized and relevant. Inappropriate questions involving race, religion, gender, marital status, and the like must be avoided during the entire interview process. Refer to “Quick Tips – Guidelines for Pre-employment Inquiries” module for more information.

However, let’s not assume that just because you’re not sitting around a formal table that a particular conversation is not part of the interview process. Remember, as far as the applicant is concerned, the interview began upon arrival in town or at the airport, and will continue until they leave. It doesn’t matter that the setting is— a meeting on campus or socializing in someone's backyard at a barbecue – it is part of the interview.

Speaking of informal gatherings, you should always be careful when you introduce alcohol into a interview process, especially in social settings where people may tend to consume more. You don’t always know the tolerance level of the candidate or your colleagues, let alone the other people that may be invited to the gathering. If someone in that setting engages in impermissible conduct, or "loosens up" to the point that they make some harassing comments, BGSU could be held liable for the behavior even though it is occurring off campus. The only reason the applicant is here is because we invited them and as far as they are concerned, even relaxed conversations in an informal setting are a part of the official interview.

SCREEN 6

With all that said, when you are screening applications or applicants, be mindful to:

Peruse the applicants thoroughly and document all decisions made at each pivotal step during the screening process. This should take the form of a rating sheet or some type of evaluation/assessment tool.

Understand and be sensitive to rater errors and cultural norms. Each and every one of us should challenge the process if you sense the screening discussion is side-tracked. Committee members are your colleagues and you should be comfortable enough to push back if irrelevant discussions about a candidate occur.

Verify credentials and early and thoroughly check references. Make sure you are consistent with all candidates.
Over the years, we have had applicants and committee members raise questions about the practice of contacting individuals that are not on the applicant's reference list. The issue usually comes up when members on the committee know individuals at the institution where one of the applicants has studied or is employed. Because of this connection, the committee member decides to contact the person they know and ask for an opinion about this applicant. If this individual gives an opinion of the applicant that is unfavorable, it often undermines the applicant's potential in the eyes of the rest of the committee. Such a negative impact can happen even when the applicant's own references are very favorable and supportive. From an EEO perspective, there are a number of problems in soliciting information from individuals not on the reference list. First, it is fundamentally unfair to the applicant since the person has complied with our request to supply references. If you feel that an applicant's reference list is lacking some important people, you can ask for more information. For example, if the department chair or current supervisor is not listed, you may want to ask why. If the dissertation advisor or a major professor is absent from the list, you may ask why. But under most circumstances, the people on a reference list are expected to be those best positioned to comment on the applicant's potential as a future employee.

Another danger in soliciting opinions from personal contacts is that they may not have any formal responsibility for evaluating the applicant. They may have no way of knowing how the individual performs in the workplace. Moreover, there may be some hostility or bias coloring the opinion of the individual giving the opinion. Just because the contact has an office down the hall or sees the applicant occasionally on campus, or may have heard a student make a negative comment about the applicant, the committee member should not rely on such information for making an evaluative judgment. These practices can effectively sink a candidate! In fairness to the applicant, if you are faced with contradictions between how they appear on paper and information received from personal acquaintances or professional contacts, at a minimum, you should do some additional checking, do not automatically discount an applicant on the basis of unsubstantiated information. Evaluate and assess the process – particularly if the process is not yielding the desired outcomes. And while vacancies are undesirable, when the applicant pool is depleted—meaning your strongest candidates either withdrew or declined the offer, declare the search as failed and start over. If it is not your top or the “best and the brightest”, you may spend some time on the back-end working an exit strategy.

SCREEN 7

With every step of the recruitment process, perseverance, consistency and thoroughness are essential. Upon reflection of the search process, committee members should self-assess whether they have “leveled the playing field” by asking themselves individually and collectively if:

All applicants were given the same information about the position and the search process, and asked the same basic set of questions?

Was the interview site and process accessible to persons with disabilities?

Has comparable information been sought out about all candidates at each step of the screening and interview process such as reference checks?
And, have all interviewers been encouraged to examine their own biases during the entire search process as they relate to “rater errors” regarding “cultural norms”?

SCREEN 8

In accordance with federal regulations, once the search has concluded with an official acceptance of employment or is declared as “failed”, all search documentation must be maintained. BGSU’s Search and Screen Policy requires that documentation be maintained for a minimum period of five years from the date of the selection recommendation or the date the search is withdrawn from active status.

The types of records that must be maintained include all written records of meetings, including emails; procedural decisions, departmental and committee votes, search and screen forms, advertising ads, budgets, selection criteria, dossiers, correspondences, notes and telephone conversations with candidates, letters of reference, candidate rosters and rankings, and interview questions, notes and schedules. Retention of these records should be delegated to the Committee Chair.

SCREEN 9

Although the spirit of equal opportunity and affirmative action cannot be legislated or regulated, these strategies and procedures are designed to provide fair treatment that contributes to the equality of opportunity and leveling the playing field.

As such, the Office of Equity and Diversity provides leadership and support toward developing a comprehensive and institutional-wide approach and sustaining a diverse and pluralistic community of students, faculty and staff.

SCREEN 10

Feeling a little overwhelmed? Well, we hope not! It's been our intention to assist you as you begin a critical venture.

There are few activities that we undertake that are as critical as recruiting and selecting employees. It's the employees, after all, that put the face on BGSU. How well searches are conducted directly affect the institution's ability to reach its goals and visions to be one of the best urban universities, recognized locally, nationally, and internationally for its achievements.

While we've pointed out the possible pitfalls and potholes along the way, we also hope you now feel better about the road to recruiting and hiring the best.

The contents of this presentation can be found on the Office of Equity and Diversity’s website.

As you proceed with this important work, please do not hesitate to contact our office should you ever have any questions.
You can reach the Office of Equity and Diversity by calling (419) 372-8476. Or you can go to our website which is located at http://www.bgsu.edu/offices/oed/index.html.

Or

You can reach the Office of the Provost regarding faculty hires (419) 372-2915. Or you can reach their website which is located at http://www.bgsu.edu/offices/provost/index.html.

Or

You can reach the BGSU Office of Human Resource by dialing (419) 372-8421. Or you can visit their website which is located at http://www.bgsu.edu/offices/ohr/.

Thank you for your time.
**Quick Tips**

SCREEN 1

This module is designed to provide search committee members with some guidelines for pre-employment inquiries when conducting telephone, video or in-person interviews.

SCREEN 2

At this point, we will briefly talk about some do’s and don’ts as they relate to the types of questions that are appropriate as well as inappropriate to ask candidates during the interview process. Specifically, questions as they relate to gender and family matters, age, national origin and citizenship, disabilities, and other characteristics.

SCREEN 3

Regarding gender and family matters, it is unlawful to ask someone if they are married, how many children they have, or make an inquiry about their child-care arrangements. It is equally unlawful to attempt to back-door a question such as if or when they plan on starting a family; or if there is a spouse that needs relocation assistance if they get the job.

However, it is okay to ask if they have ever used a different last name or if any responsibilities or commitments would prevent them from adhering to a specific work schedule.

SCREEN 4

Regarding age, it is unlawful to ask someone’s date of birth, the year they graduated from high school, or the age in which they plan to retire. It is okay to ask them if they are offered the job, could they provide proof that they meet the minimum legal age requirement. It is also okay to ask someone how long they plan on staying in the position should they be the successful candidate.

SCREEN 5

Regarding national origin and/or citizenship, it is unlawful to ask an applicant where they were born, the origin of their last name, or if they are a U.S. citizen. However, you can ask questions about someone’s legal authorization to work in the specific position as long as ALL the applicants are asked the same question such as – could you provide verification of your right to work in the U.S.

And while you cannot ask an applicant “what is your native language”, you can ask if they speak languages other than English that might be helpful in performing the job.

SCREEN 6

The Americans with Disabilities Act Amendments Act, also known as the ADAAA prohibits any pre-employment questions about a person’s disability. Before you make a job offer, you may ask questions about an applicant’s ability to perform specific job functions. You may not, however, inquire about the nature or severity of a disability, ask about limitations placed on an applicant, ask if they ever been
injured on the job, or ask if they ever filed a worker’s compensation claim. You cannot ask what medications they are currently taking, nor can you ask if they have ever been addicted to or treated for drugs and/or alcohol. And, you absolutely cannot ask an applicant if they have a disability or if they need an accommodation even if they show up in a wheelchair.

What you can ask is how they would go about performing the job, if they would be able to perform assignments in a safe manner, if they can meet the attendance requirements of the job, if they have the licenses and certifications required, or if they have ever used illegal drugs.

You can require a medical exam and/or ask health-related questions “post-offer, pre-hire” which is after you make a conditional job offer, but before an applicant starts work. But only if you require this for all candidates who receive conditional offers in the same job category.

SCREEN 7

When it comes to other characteristics regarding an applicant’s personal history and business, it is appropriate to ask if any record of criminal convictions and/or offenses exist, to inquire about degrees or equivalent experience, or to ask about professional organizations related to the position. It is also appropriate for the interviewer to describe the work schedule so that the applicant can determine if it conflicts with their personal religious beliefs or traditions. Remember that all candidates should be subject to the same inquiries.

SCREEN 8

However, we caution you to tread wisely when inquiring about some characteristics related to an applicant’s personal history and business. Specifically, it is inappropriate to make inquires about an applicant’s credit report, home ownership or garnishments; to make inquiries about membership in a specific political party; to make inquiries about memberships in professional organizations suggesting race, sex, religion, genetic information, national origin, disability, or sexual orientation; or to make comments about an applicant’s complexion, color of skin, height, weight, or sexual orientation. Also, it is not appropriate to inquire about a candidate’s arrest record. It is inappropriate to ask about an applicant’s religious preferences, affiliation or denomination.

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Thank you for your time.
HIRING WITH THE ADAAA IN MIND

SCREEN 1

As you proceed through the search and screen process, it is imperative that you understand your obligation to uphold BGSU’s EEO Policy as well as the legal standards regarding applicants with disabilities.

SCREEN 2

To aid you in this process, this module explains the ADA as well as the 2008 amendments; defines a disability; provides acceptable affirmative phrases when discussing disabilities; and outlines proper etiquette when engaging individuals with varying disabilities.

SCREEN 3

The Americans with Disabilities Act of 1990, also known as the ADA makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.

SCREEN 4

On September 25, 2008 the President signed the Americans with Disabilities Act Amendments Act of 2008 now referred to as the ADAAA. This Act emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis. Specifically,

1. It revises that portion of the regulations defining the term “substantially limits" by providing that a limitation need not “significantly" or “severely" restrict a major life activity in order to meet the standard.

2. It expands the definition of “major life activities" through two non-exhaustive lists that will be presented later in this module.

3. It provides that mitigating measures other than “ordinary eyeglasses or contact lenses" shall not be considered in assessing whether an individual has a “disability".

4. It provides that an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.
5. And finally, it provides that the definition of “regarded as” is changed so that it no longer requires a showing that the employer perceived the individual to be substantially limited in a major life activity, and instead provides that an applicant or employee who is subjected to an action prohibited by the ADA (that is, failure to hire, denial of promotion, or termination) because of an actual or perceived impairment will meet the “regarded as” definition of disability, unless the impairment is both transitory and minor.

SCREEN 5

The basic three-part definition of a disability is 1) a physical or mental impairment that substantially limits one or more major life activities; 2) a record of such an impairment; or 3) being regarded as having such an impairment. In addition, impairment need not prevent, or significantly or severely restrict, performance of a major life activity to be “substantially limiting.”

SCREEN 6

An individual’s ability to perform a major life activity is compared to “most people in the general population,” often using a common-sense analysis without scientific or medical evidence. Major Life Activities include “major bodily functions,” such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, circulatory, respiratory, endocrine, hemic, lymphatic, musculoskeletal, special sense organs and skin, genitourinary, and cardiovascular systems, as well as reproductive functions.

They also include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

SCREEN 7

Using affirmative language is the first-step in communicating well. When discussing disabilities it is sometimes hard to know how to communicate with people with disabilities. The disability shouldn’t be the focus. It is a condition the person has not how we define that person. People-first language puts emphasis on placing the individual before the disability.

When referring to individuals with disabilities, we recommend that you use affirmative phrases embraced by the disabled community. For example, persons with an intellectual, cognitive, or developmental disability should not be referred to as retarded, mentally defective or special. Terms such as “the disabled” or “handicapped” have been replaced with “person with a disability”. Moreover, a person who is hard of hearing or deaf should not be referred to as “suffers from a hearing loss” or “deaf and dumb”.
Although it may seem commonplace to use the term epileptic when referring to a person with epilepsy, it is more appropriate to use the term “person with a seizure disorder”. It would seem obvious that terms such as crippled, lame or deformed are inappropriate when describing people with a physical disability. Likewise, dumb or mute should not be used when referring to those who are unable to speak or use synthetic speech. And, it has never been appropriate to refer to a person with a psychiatric disability as crazy or nutty as a fruitcake.

At this time, we will discuss disability etiquette as it relates to those who are blind or visually impaired, deaf or hard of hearing, individuals with speech or mobility impairments, as well as some general tips.

When approaching individuals who are blind or visually impaired, speak to him or her so that they are not caught off guard. When conversing in a group, remember to identify yourself and the person to whom you are speaking. Tell the individual when you are leaving. Do not attempt to lead the individual without first asking; allow the person to hold your arm and control his or her own movements. Never touch or distract a service dog without first asking the owner. Be descriptive when giving directions; verbally give the person information that would be visually obvious if they could see. For example, if you are approaching steps, mention how many steps. If you are offering a seat, gently place the individuals hand on the back or arm of the chair so that the person can locate the seat.

Before starting a conversation with a person, who is deaf or hard of hearing, gain the person’s attention first by tapping the person gently on the shoulder or arm. Look directly at the individual, face the light, speak clearly, in a normal tone of voice, and keep your hands away from your face. Use short, simple sentences. Avoid smoking or chewing gum. When an interpreter is in play, speak directly to the individual who is deaf or hard of hearing – not the interpreter.

You might find it challenging to have a conversation with an individual with speech impairment. If you do not understand something the individual says, do not pretend that you do. Ask the individual to repeat what he or she has said and then repeat it back. Try to ask questions that require only short answers or a nod of the head. Do not speak for the individual or attempt to finish his or her sentences. If you are having significant difficulty understanding the individual, consider writing as an alternative means of communication, but first ask the individual if this is acceptable.
Disability etiquette as it relates to mobility impairments includes placing yourself at eye-level, if possible. However, avoid leaning on wheelchairs or any assistive device. Never patronize people who use wheelchairs by patting them on the head or shoulder. Finally, do not assume the individual wants to be pushed without asking.

SCREEN 14

It is as important to offer the appropriate assistance when interacting with people with a disability as it is to use the appropriate phrases. Over-eager assistance can do more harm than good. If you offer assistance, wait until the offer is accepted, then listen to or ask for instructions. Don’t be afraid to ask questions when you’re unsure of what to do. Relax. Don’t be embarrassed if you happen to use common expressions that seem to relate to a person's disability such as “see you later” or “did you hear that”. It is appropriate to shake hands when introduced to a person with a disability. Remember, first impressions matter.

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Thank you for your time.
RATER ERRORS-BIASES

SCREEN 1

“Rater Errors” are described as our personal biases. As cultural norms influence our perceptions towards others, conscious and unconscious “rater errors” influence the manner in which we tend to screen and select candidates. Raters, or in this case, members of the search and screen committee may unintentionally distort an applicant’s qualities or qualifications based on several tendencies.

SCREEN 2

For example, the Halo Effect occurs when you allow an overall assessment of the applicant to influence your evaluation of that person on all of the traits being rated.

First Impressions speak for themselves – here’s where you allow your first impression to dictate your ratings on all areas during the interview.

Central Tendency occurs when you are reluctant to give good or bad ratings to applicants – even those deserving very high or very low ratings.

Leniency occurs when you give all applicants favorable ratings. Similar to central tendency except in this case, no one gets average or poor ratings, even those deserving.

And Tough Mindedness is the opposite of leniency in which there is a tendency to give unfavorable responses even when undeserved.

SCREEN 3

The tendency of a Random Assessment occurs by haphazardly assigning different ratings to applicants just to give the appearance of a thorough evaluation.

Logical Rating errors occur by giving a high rating to an applicant on one trait because you gave another applicant a high rating on a different trait.

A common rater error grounded in cultural norms is called the Similar to Me Effect where there is a tendency for people to be judged favorably when they are more similar, rather than dissimilar to the Rater in attitude, behaviors and background.

With the Contrast Effect the Rater has the tendency to evaluate the person relative to others, rather than on the extent to which the individual can fulfill the essential functions and requirements of the job.

In order to avoid these sorts of tendencies, we must know ourselves, who we are and what we like. Our own biases are hard to admit, but we have them.
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