MEMORANDUM

TO: Hiring Officials
FROM: Kieffer Gaddis
       Director of Staff Employment
SUBJECT: Instructions for the Employment of SPA Staff

1. Applicant List ([http://jobs.uncc.edu/hr](http://jobs.uncc.edu/hr))

Enclosed is a list of the applicants determined to be ‘best qualified’ for the subject position vacancy. This list includes currently employed (permanent, probationary, or time-limited) internal candidates (if qualified applications were received), and off-campus applicants (if requested and received). Employment applications and resumes for off-campus applicants and on-campus applicants are included. Personnel records of internal applicants are available for review by the hiring official (in the Human Resources office).

2. Interviewing Applicants

The hiring official is expected to offer an opportunity to interview to the ‘best qualified’ among the referred candidates and is expected to conduct no less than three formal interviews. Exceptions to this requirement may be discussed on a case-by-case basis with either the Director of Staff Employment or Staff Employment Coordinator. Please assure that selection criteria for evaluating job applicants are clearly established prior to further screening of the referral group, as well as, conducting interviews. Such criteria must be based on the knowledge, skills, abilities, and competencies necessary to perform the essential duties of the position.

Once referred applicants have been identified as potential candidates for interview, the hiring official is responsible for contacting the applicants to arrange a mutually agreeable time and date for formal interview. Additionally, the hiring official must obtain a completed Criminal Background Check Disclosure and Authorization statement from each candidate at the time of formal interview.

3. Consideration of Special Factors in Compliance with Federal and State Law

The hiring official is responsible for assuring that referred applicants receive the necessary consideration for veteran’s status, promotional priority of current state employees, and affirmative action goals. The Director of Staff Employment or Staff Employment Coordinator is responsible for providing advice and assistance to the hiring official in consideration of these matters. The following is a brief explanation of the special considerations that may arise during the selection process. Failure to offer appropriate consideration of these factors may result in a legal challenge.
a. Priority Consideration for Current State Employees

A promotional priority consideration must be provided to all current state employees who have achieved 'permanent' status, as that term is defined by statute. The Director of Staff Employment or Staff Employment Coordinator identifies eligible applicants. The nature of the priority is as follows: If a current state employee applies, and is qualified, for another state position of a **higher level**, and possesses substantially equal qualifications compared to those of the highest ranking applicant who is not a state employee, the state employee will receive the job offer.

"Qualifications" within the meaning of this definition includes education and training, years of related work experiences, and other knowledge, skill, abilities, and competencies demonstrated in the selection process—bearing a reasonable functional relationship to the requirements of the position. "Substantially equal qualifications" are present when the hiring official cannot make a reasonable determination that the job-related qualifications held by one applicant are significantly better suited for the position than the job-related qualifications held by another applicant.

b. Veterans' Priority Rights in Hiring

In appreciation for service to the state and country in time of war, and in recognition of the time and advantage lost toward the pursuit of a civilian career, veterans have been granted a preference in state employment by the General Assembly. (Note: This preference applies to all employment decisions including: initial employment, subsequent employment, promotions, reassignments, horizontal transfers, and reduction-in-force situations). Persons eligible for veteran's preference have served in the Armed Forces of the United States on active duty, for reasons other than training, during periods of war, with discharge under other than dishonorable conditions.

This preference includes all disabled veterans. Also eligible are spouses of disabled veterans and the surviving spouse or dependent of a veteran who died on active duty during periods of war either directly or indirectly as a result of such service.

In applying this preference, the qualified veteran shall be hired when his/her overall qualifications are substantially equal to those of the best qualified non-veteran in the applicant pool. Substantially equal qualifications are present when the hiring official cannot make a reasonable determination that the qualifications held by one or more applicants are significantly better suited for the position than the qualifications held by another applicant.

The Director of Staff Employment or Staff Employment Coordinator has reviewed the information about veteran's status on all employment applications and has noted an applicant's eligibility for this preference on the applicant list.

In the event the applicant list includes both a qualified non-state employee veteran and a qualified current state employee who is seeking a promotional opportunity, the Director of Staff Employment or Staff Employment Coordinator will provide counsel to the hiring official on the relationship between those priorities.
c. Affirmative Action Consideration

The University's Affirmative Action Plan requires that hiring officials act affirmatively in minimizing and eliminating any demonstrated under-utilization of women and minorities in the University's work force. Each year, the University's Affirmative Action Officer distributes copies of the University's Plan to Vice Chancellors, Deans, Directors, and Department Chairs. If the Plan indicates that women and/or minorities are under-utilized in the job group in which the hiring official's vacant position occurs, then the hiring official will receive information about the applicants' ethnicity and/or gender, as applicable, and may take such information into account as one of the job-related factors in the selection process. Additionally, hiring officials may give consideration to ethnicity and/or gender where the department or office is particularly sensitive to issues of diversity as in areas that serve students. The Director of Staff Employment or Staff Employment Coordinator are available to assist the hiring official by providing advice and consultation about affirmative action considerations in the course of the selection process.

The University is required by state and federal law to take affirmative action to employ and provide employment advancement opportunities to qualified disabled individuals. Disabled applicants are encouraged to identify themselves as such; however, such information must be kept confidential except that supervisors may be informed regarding restrictions on the work or duties and necessary accommodations. On the "Referral of Applications", disabled persons who have identified themselves are indicated. Any disabled person "otherwise qualified" for the job must be considered equally with non-disabled individuals. Hiring officials must keep in mind that methods of accomplishing the job may have to be revised as a reasonable accommodation for a disabled person. The Director of Staff Employment, Staff Employment Coordinator, or Director of Employee Relations can provide more details, as necessary, and/or requested.

4. Reference Checks

The hiring official is responsible for conducting reference checks on referred applicants as deemed appropriate, but at least two work-related reference checks are required for the selected applicant. As feasible, a reference check should be done directly with the appropriate direct supervisor. However, the hiring official must coordinate closely with the applicant before making any reference check with a current employer. Reference checks are to be recorded on HR Form 202, Telephone Reference Check.

5. Questions Regarding Employee Benefits

To assist with answering applicant questions regarding University employee benefit options, a complete Benefits Summary is available at the following link: http://www.hr.uncc.edu/Employment/Benefits_Summary_08.pdf
6. Recommendation for Appointment and Salary Offers

Once all interviews have been completed, and a selection decision has been reached, a completed Recommendation for SPA Staff Appointment (HR Form 203) must be submitted to the Human Resources office together with the telephone reference checks, and a completed Criminal Background Check Disclosure and Authorization statement for the selected candidate (external candidates only). All required forms may be accessed by visiting the following link: [www.hr.uncc.edu/forms](http://www.hr.uncc.edu/forms) (password: supervisor).

When all selection documentation has been reviewed and determined to be in compliance with equal employment opportunity, affirmative action, veteran's preference, permanent State employee's preference, and criminal background check requirements, the Human Resources office will notify the hiring official via email or telephone that an offer of employment may be extended to the selected candidate.

**Please note that an official offer of employment, including salary, must not be extended to a selected applicant prior to the receipt of ‘authorization to proceed’ from either the Director of Staff Employment or Staff Employment Coordinator.**

Should a current University employee be selected, and a formal offer extended and accepted, the hiring official is responsible for contacting the employee’s current supervisor to negotiate a mutually agreeable transfer effective date. In most cases, a minimum of two weeks is reasonable.

Once an offer of employment has been either accepted or declined, the hiring official is responsible for communicating the results (salary offered, offer accepted or declined, and effective date of employment) to the Human Resources office.

Any questions during the recruitment and selection processes should be referred to the Director of Staff Employment at ext. #7-4272 or the Staff Employment Coordinator at ext. #7-2279.