Southwestern University

Human Resources Department

Staff Search Interviewing Tips

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Focus on Recruitment and Selection

Outline

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   A. Major Federal Discrimination Laws (table)
   B. Major Discrimination Theories

III. Update Job Description
   A. Essential and Secondary Functions of Position
   B. Requirements and Preferred Requirements of Position

IV. Interviewing Basics
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   B. Conducting the Interview
      1. Legal/Illegal Questions
   C. Post-interview Tasks
      1. Notes from Interview
      2. Complete Candidate Evaluation Form

V. Search Process
   A. Determine Selection Criteria (refer to job description primary and secondary requirements)
   B. Develop Interview Format and Candidate Evaluation Form (see examples)
   C. Review Applications Individually – Rank Order
   D. Review Applications as a Committee – Rank Order
   E. Select Candidates to be Interviewed (telephone, on-campus)
   F. Conduct On-Campus Interviews
   G. Meet to Review Interview Evaluations, Select Final Candidate
   H. Conduct Reference Checks
   I. Make Offer

VI. Develop On-Campus Interview Formats for Positions – Discussion/Work Session

VII. Conclusion and Question/Answer Session
Update Job Description

1st: Prepare the Job Analysis (see example)

2nd: Prepare the Job Description (see example)

- Define purpose of position (1-2 sentences)

- Identify Duties and Responsibilities:
  - Primary or Essential Duties
  - Secondary Duties

- Identify Job Qualifications:
  - Required Qualifications (Bona Fide Occupational Qualification “BFOQ”)
  - Preferred Qualifications

The Hiring Manager/Search Chair should complete a Request To Fill form and send it to the HR office, which will route the request for approval and then prepare the job posting. The salary range is determined at this time (if the position is grant-related, the Business Office accounting staff will review and approve the targeted salary; otherwise, the AVP for HR will determine the salary range for regular staff positions).
Interviewing Basics

Pre-Interview Preparation:

Schedule a time and location

Choose a quiet area (no interruptions)

Set a time-frame

Let others know that you are interviewing (no interruptions)

Clear the table/desk

Present a relaxed setting

Study the materials

Make notes

Review the job description

Develop a list of interview questions (for consistency, use same questions for each interview)
Interviewing Basics
Conducting the Interview:

Develop a rapport and set the tone

Tell the person about:

- the position (review primary duties of the job from job description)
- the interview process
- when a decision is likely to be made
- process after an offer has been made (appointment letter, background check, etc.)
- organizational structure of the university

Gather information: Use a variety of questions

- legal and discriminatory questions
- informational questions
- situational questions
- behavioral-based questions
- open-ended questions

Close the Interview – ask candidate if they have any questions, review next-steps
### Legal and Discriminatory Employment Interview Questions

<table>
<thead>
<tr>
<th>Discriminatory Questions</th>
<th>Legal Questions</th>
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<tbody>
<tr>
<td>1.) Do you have children or have to care for other family members which may require you to be absent from or tardy to work on a regular basis?</td>
<td>1.) Do you have responsibilities outside of work which may conflict with this position, maintaining regular attendance, or interfere with travel which may be required?</td>
</tr>
<tr>
<td>2.) Do you attend church? If so, which one and how long have you been attending?</td>
<td>2.) Same as question #1 above.</td>
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<tr>
<td>3.) What is your birthdate?</td>
<td>3.) If you are hired, can you offer legitimate documents to prove that you are at least 18 years old?</td>
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<tr>
<td>4.) Have you ever been arrested? If so, please tell me what you were arrested for and when.</td>
<td>4.) Have you ever been convicted of a crime? If so, will this conviction have any affect on your ability to perform the essential functions of the job? Please note that this information will be considered in your recruitment process only as it relates to your fitness to perform the job being considered.</td>
</tr>
<tr>
<td>5.) Are you a U.S. citizen?</td>
<td>5.) If you are hired, can you show proof of your eligibility to work in the United States?</td>
</tr>
<tr>
<td>6.) What is the medical prognosis of your disability?</td>
<td>6.) If hired, would you be able to perform the essential functions of the position with or without accommodation?</td>
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## Other Do’s and Don’ts Regarding the Interview

<table>
<thead>
<tr>
<th>DO…</th>
<th>DON’T…</th>
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<tbody>
<tr>
<td>Ask all candidates a consistent set of “base” job-related questions.</td>
<td>Ask questions about any “protected” category as described in Title VII (sex, race, color, religion, age, disability, national or ethnic origin, veteran status), or prohibited by Southwestern’s internal policies (i.e. sexual orientation).</td>
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<tr>
<td>Ask questions regarding the candidate’s specific education and work experience and how it may be directly related to the position.</td>
<td>Ask questions about marital status or family planning topics.</td>
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<tr>
<td>Inform each candidate about the recruitment and selection process.</td>
<td>Ask questions regarding health status or disability status.</td>
</tr>
<tr>
<td>Answer questions the candidate has in a candid and forthright manner.</td>
<td>Ask questions about birthplace, family history, native language.</td>
</tr>
<tr>
<td>Provide each candidate who is selected for on-campus interviews a packet of materials containing items such as the catalog, faculty handbook, benefits information, University publications, etc.</td>
<td>Ask questions about criminal arrests, financial status, prior civil or criminal suits, etc.</td>
</tr>
<tr>
<td>Ask a variety of questions: situational, behavioral, yes/no, open-ended.</td>
<td>Ask questions about prior discrimination law suits against prior employers, workers compensation claims, other work-related legal actions.</td>
</tr>
<tr>
<td>Ask questions about areas the candidate feels he/she needs improvement.</td>
<td>Ask specifically about a candidate’s U.S. Citizenship or VISA status.</td>
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Interviewing Basics

Post-Interview Tasks:

Review your notes from the interview and fill-in any gaps

Complete an Interview Evaluation Form

Compile/Compare Evaluations (Committee)

Discuss/Determine Final Candidate (Committee)

Conduct Reference Checks (Normally conducted by Search Chair)

Make Offer

The Search Chair will collect all Search materials and return them to the HR office; prepare Personnel Action Form (PAR) and send to HR; once approved, HR will send appointment letter and if offer is accepted, will conduct the background check.

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<table>
<thead>
<tr>
<th>Name of Law</th>
<th>Threshold</th>
<th>What the Law Says</th>
<th>Enforcement</th>
<th>Potential Awards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Rights Act of 1964 (Title VII) and Civil Rights Act of 1991</td>
<td>15 or more employees</td>
<td>Prohibits employment discrimination in all employment actions based on race, sex, color, religion or national origin.</td>
<td>EEOC</td>
<td>Reinstatement, promotion, tenure, lost benefits, and back pay. If victorious, employee may receive attorneys fees and expenses. If intentional, compensatory damages for future monetary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, etc. If with malice or reckless indifference, punitive damages.</td>
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<tr>
<td>Equal Pay Act of 1963 (Part of Fair Labor Standards Act, FLSA, Ledbetter 2009))</td>
<td>Any employer engaged in interstate commerce</td>
<td>Prohibits employer from using gender as basis for paying employees. “Equal pay for equal work.”</td>
<td>EEOC</td>
<td>Up to double the amount of unpaid wages, attorneys fees, other relief.</td>
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<tr>
<td>Americans with Disabilities Act of 1990</td>
<td>Any employer in an industry affecting commerce</td>
<td>Affords disabled equal opportunities.</td>
<td>EEOC</td>
<td>Same as Title VII above.</td>
</tr>
<tr>
<td>Age Discrimination in Employment Act of 1967.</td>
<td>Any employer with 20 or more employees</td>
<td>Forbids employers from considering age as a factor in employment decisions of individuals who are at least 40 years old.</td>
<td>EEOC</td>
<td>Back-pay, benefits, reinstatement, retroactive seniority, attorneys fees. If willful, compensatory damages up to double the lost compensation.</td>
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**Other laws:**
- Rehabilitation Act of 1973
- Vietnam Era Veterans Readjustment Act
- Drug-Free Workplace Act
- Family and Medical Leave Act
- ERISA
- Occupational Safety and Health Act
- Fair Labor Standards Act
- Immigration Reform and Control Act
- Texas Payday Law

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Major Discrimination Theories

1.) Disparate Treatment: Most common type. 
   Candidate treated differently due 
   to protected class (i.e. race, sex, etc.)

2.) Disparate Impact: Employer makes decision based on 
   something that seems “natural” but 
   actually has a proportional negative 
   effect to a protected class.

3.) Mixed Motives: Decisions based on both discriminatory 
   and legitimate factors.

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