

From Recruitment to On-Boarding

What it Entails to Recruit, Interview & Onboard

Lorraine Okada
&
Meredith Sayre
March 4, 2015





From Recruitment to Onboarding

What it Entails to Recruit, Interview & Onboard



Methodology

The Practice



The Law



Play for Prize



Recruitment Process

Legal Perspective

Vacancy

Recruitment
Position Title
Job Description
SKA Requirement
Minimum Qualifications

Job Announcement

Internal
Referrals
External
Advertisements
Social Media
Outreach

Employment Applications

Application Form
“Check the Box”
Applicant Log
Access to entry
Email
Website

Screening & Selection

Legal Perspective

Preliminary Screening

Applications
Resumes
Online

Background Check

Police Clearance
Court Clearance
Previous Employment
Education
Reference

Selection

Preparation
Interview
Do's and Don'ts
What you looking for?
Selection

On-boarding

Legal Perspective

Welcome Aboard!

The Pre - Offer

- Phone
- Email
- Letter
- Meeting

The Processing

- Orientation
- Handbook
- Compensation
- Benefits
- Other Promises

The Job

- Personnel File
- Job Description
- O-J-Training
- Performance

Recruitment Process

The Practice

TO DO LIST

Vacancy
Position Title
Job Description
SKA/EE Requirement
Minimum Qualifications

The Law

Employment Law

- **Job Description**
- **ADA – Essential Functions**
 - **Physical Mental**
- **Disparate Impact**
- **FLSA**

Recruitment Process

The Practice

Job Announcement

Internal

External

Referrals: family
& friends

Advertisement

Social Media

Outreach

The Law

- EEO Disclaimer
- Executive Order 11246
- Title VII
- Disparate Impact
- Rights of Privacy

Recruitment Process

The Practice

Employment Applications

Application Form
"Check the Box"
Applicant Log
Access to entry
Email
Website

The Law

- Form
- EEO Disclosure
- Inappropriate questions on form
- ADA
- ADEA
- TITLE VII
- Immigration

Discussion Question

What are two advantages of promoting from within?

What are the dangers of employee referrals as source of candidates?

Play for Prize



Screening & Selection

The Practice

Preliminary Screening

Applications

Resumes

Online

The Law

- Title VII
- ADA
- ADEA
- Permitted Discrimination
- BFOQ

Screening & Selection

The Practice

Background Check

Police Clearance
Court Clearance
Previous Employment
Education
Reference

The Law

- Check-the-Box
- Credit Check
- Reference Checks
- Negligent Hiring

Screening & Selection

The Practice

Selection

Preparation

Interview

Do's and Don'ts (Handout)

What you looking for?

Selection

The Law

- Testing – Pre-offer Caution
- Unlawful Inquiries
- Promises
- Script it!

Background Check

Due Diligence
Negligent Hiring



Discussion Question

Googling the job applicant
– what are the pros and
cons?

Play for Prize



Welcome Aboard!

On-Boarding

The Practice

The Pre - Offer

- Phone
- Email
- Letter
- Meeting

The Law

- Contract
- Employment At-Will
- At-Will Exceptions
- Equal Pay Act
- FLSA – Exempt or Non-exempt

Welcome Aboard!

On-Boarding

The Practice

The Processing

- Orientation
- Handbook
- Compensation
- Benefits
- Other Promises

The Law

- Payroll Data
- Benefits Info-COBRA, HIPPA
- Basic Data: Name, SSN, DOB,
- I-9
- Tax - W-4

Welcome Aboard!

On-Boarding

The Practice

The Job

- Personnel File
- Job Description
- O-J-Training
- Performance

The Law

- What to Keep
- How Long

Discussion Question

Which regulatory agency enforces:

- a) Title VII of Civil Rights Act**
- b) Title I of the Americans with Disabilities Act**
- c) The Immigration Reform & Control Act**

Play for Prize



Final Rule: EO 13672 April 8, 2015.

EO 13672 amended section 202 and section 203 of EO 11246, by substituting the phrase “**sex, sexual orientation, gender identity, or national origin**” for “sex or national origin.” This final rule implements EO 13672 by making the same substitution wherever the phrase “sex or national origin” appears in the regulations implementing EO 11246. DATES: Effective date: These regulations are effective April 8, 2015. Applicability date: **These regulations will apply to Federal contractors who hold contracts entered into or modified on or after April 8, 2015.**

The Practice, The Law, The Realities

To Attract and Retain

- Company Image
- HR Personable-ness
- HR Competence
- Values
- Goals
- Ideals
- Biases

The Applicant Perspective

- Applicants' judgments
- One bad recruiter, one bad impression

The Practice, The Law, The Realities & The Remedies

Discrimination Law Suits 2013



\$3.7 million – *Vasich, et al. v. City Of Chicago*

\$3.1 million – *Easterling, et al. v. State Of Connecticut, Department Of Correction*

\$1.3 million – *Monroe, et al. v. City Of New York*

\$7.5 million – *Cogdell, et al. v. The Wet Seal Inc*

Discussion Question

For job applicants, which of the following should be excluded and why?

- a) DOB**
- b) Citizenship**
- c) Information of past use of Workman's Comp**
- d) Disability Information**

Play for Prize





Thank You