

New York University

UNIVERSITY POLICIES

Title: Recruiting and Hiring Policy and Procedure for Administrators and Staff – New York, District of Columbia, and California
Effective Date: February 13, 2020
Supersedes: January 18, 2019
Issuing Authority: Executive Vice President
Responsible Officer: Human Resources

Statement of Policy

This Policy governs the recruiting and hiring process for Administrators and Staff, as set forth below.

To Whom the Policy Applies

New York. This Policy applies to the recruiting and hiring process for the following positions at New York University in New York: (i) Administrators and Professionals, and (ii) positions covered under the collective bargaining agreements (“CBA”) between the University and Local 1, 30, 153, 810, and 3882 (hereinafter, “Bargaining Unit Positions”).

- ***For Bargaining Unit Positions,*** please also refer to the applicable CBA for any provisions concerning job openings and hiring. Should this Policy conflict with any of the provisions in a CBA, the CBA shall apply.
- ***For current University employees*** seeking a transfer or promotion, please also refer to the [Promotions and Transfers Policy](#). Should this Policy conflict with any of the provisions in the Promotions and Transfers Policy, the Promotions and Transfers Policy shall apply.

Washington, D.C. & California. This Policy also applies to the recruiting and hiring process for Administrators and Professionals at New York University in Washington, D.C. and California.

Note: This Policy does ***not*** cover: (i) temporary employment opportunities or (ii) unpaid internship or volunteer opportunities. For these opportunities, please refer to the [Temporary Employee Policy](#), and [Unpaid Internship and Volunteer Policy](#), respectively.

Policy and Procedures

I. RECRUITING PROCESS

A. Job Openings

Before a School or Unit seeks to create a new position or fill a vacant position, it should first consider its organizational, staffing, and budgetary needs. If the School or Unit decides to move forward, it shall then consult with, and receive the necessary approvals from, the appropriate HR Officer/HR Business Partner (“HRO”) and Fiscal Officer (“FO”).

Once the necessary approvals are in place, the HRO shall create or edit the job description in Workday, as appropriate. The job description should set forth the essential functions of the job, including, as appropriate, a summary of the position; required and/or preferred education, experience, and skills, knowledge and abilities; and any additional information.

The HRO also shall follow any necessary steps for position management in Workday. These steps can vary depending on whether the position is new or vacant, or an Administrator/Professional or Bargaining Unit Position, and may require varying levels of budgetary and salary approval from the FO and University’s Office of Compensation.

B. Job Postings

Administrator and Professional Positions. Unless otherwise provided through a waiver,* the job description for an employment opening for an Administrator/Professional position shall be posted for at least five business days: (i) on the NYU Internal Careers site and (ii) on the [NYU External Careers site](#), if the School or Unit has decided to consider candidates for the position outside of NYU.

*Schools or Units may ask the appropriate HRO for a waiver of these posting requirements: (i) for certain executive and senior management positions (in accordance with applicable law), (ii) where recruitment has already occurred for an identical position within the past three months, (iii) on the occasion of an academic, scholarly, or business unit being incorporated into the University, (iv) where the search is being managed by an external search firm, or (v) as otherwise provided by applicable law. The HRO must complete the following waiver request form and submit it for approval to the AVP, Talent Learning and HR Services, or the AVP’s designee.

Bargaining Unit Positions. Unless otherwise provided by applicable law or CBA, the job description for an employment opening for a Bargaining Unit position shall be posted for at least five business days: (i) on the NYU Internal Careers site and (ii) on the NYU External Careers site, if the School or Unit has decided to consider candidates for the position outside of NYU. Depending on the CBA, the School or Unit also may have certain additional notice and posting obligations.

Assistance. For assistance with the process of posting job openings, please contact the appropriate HRO. In instances where the School or Unit may want to use a search firm to recruit for an open position, the HRO shall contact the AVP, Talent Learning and HR Services, or the AVP’s designee,

to obtain a list of approved search firms. The School or Unit may only engage a search firm from the list.

C. Affirmative Action Outreach and Equal Employment Opportunity

In accordance with applicable law and the University's [Affirmative Action and Equal Employment Opportunity Policy Statement](#), to assemble a qualified and diverse workforce, the University has made, and continues to make, the following outreach and recruitment efforts to attract qualified women, racial and ethnic minorities, persons of minority sexual orientation or gender identity, veterans, and individuals with a disability:

Outreach and Recruiting Efforts. Employment positions posted on the NYU External Careers site are posted with the local office of the state employment service and with a variety of other outlets on general career and/or industry-specific sites. In addition to widely publicizing the position in print and electronic media outlets, other outreach and recruitment efforts may include attending job fairs and career events, contacting professional associations and community-based organizations, and participating in mentoring programs.

EEO Tagline. In accordance with applicable law, all job postings shall include the following tagline: ***EOE/AA/Minorities/Females/Vet/Disabled/Sexual Orientation/Gender Identity.***

Postings also may include the University's broader EEO statement found on NYU's External Careers site:

NYU is an Equal Opportunity Employer and is committed to a policy of equal treatment and opportunity in every aspect of its recruitment and hiring process without regard to age, alienage, caregiver status, childbirth, citizenship status, color, creed, disability, domestic violence victim status, ethnicity, familial status, gender and/or gender identity or expression, marital status, military status, national origin, parental status, partnership status, predisposing genetic characteristics, pregnancy, race, religion, reproductive health decision making, sex, sexual orientation, unemployment status, veteran status, or any other legally protected basis. Women, racial and ethnic minorities, persons of minority sexual orientation or gender identity, individuals with disabilities, and veterans are encouraged to apply for vacant positions at all levels.

Assistance. Schools and Units should consult with the appropriate HRO or the Office of Equal Opportunity ("OEO") for assistance with outreach and recruiting.

II. JOB APPLICATION PROCESS

Unless otherwise provided by applicable law or CBA, or unless the recruitment is being handled by an external search firm, all applicants for employment openings covered under this Policy must apply through iCIMS, NYU's Administrator and Staff Applicant Tracking System. As part of this process, the applicant will be required to complete an application form and attest to the accuracy of its contents.

In addition, in accordance with applicable law, the applicant will be asked to voluntarily self-identify his or her race, ethnicity, gender, disability status, and veteran status through iCIMS. *Submission of this information is voluntary and refusal to provide it will not subject the applicant to any adverse treatment. Responses will remain confidential within University Human Resources (HR), OEO, and Institutional Research, as applicable, and will be used only for purposes of the University's affirmative action planning and to satisfy reporting requirements. When reported in the aggregate, data will not identify any specific individuals.*

III. APPLICATION REVIEW & PHONE SCREENS

An HR recruiter and/or representative from the School or Unit should conduct an initial review of the pool of applications (including attached cover letters and resumes) to determine which of the applicants meet the minimum qualifications of the position. Where necessary and appropriate, the initial review also may include a phone screen to confirm whether the applicant meets the minimum qualifications of the position, as well as to establish a first impression, clarify an applicant's credentials, confirm salary expectations, determine the applicant's availability, and allow the applicant to ask questions about the position. Inquiries made during phone screens should comply with the guidelines discussed in the Interview Process section, below.

IV. INTERVIEW PROCESS

An HR recruiter and/or representative from the School or Unit may schedule interviews with selected candidates. For Bargaining Unit Positions, please refer to the applicable CBA for any specific provisions concerning interviews for open positions.

Interview questions should be job-related, without any reference to protected status (as that term is defined in the EEO statement above). Below are some examples of acceptable and unacceptable interview inquiries:

- **Age—Unacceptable:** Questions about age, date of birth, or dates of attendance or completion of school. **Acceptable:** A statement that age will be verified for legal age requirements (*e.g.*, are you at least 18 years of age? If not, can you submit a work permit upon hire?)
- **Birthplace or Citizenship—Unacceptable:** Questions about the birthplace or citizenship of an applicant, or regarding the applicant's parents, spouse, or other relatives. **Acceptable:** Are you authorized to work in the United States?
- **Caregiver Status—Unacceptable:** Questions regarding child care, the care of a relative with a disability, or the care of any other person with a disability who lives with the applicant.
- **Color or Race—Unacceptable:** Questions about the race of the applicant or color of his or her skin.
- **Credit Standing or Criminal Record—Unacceptable:** Asking the applicant about his or her credit standing or criminal record.

- ***Disability or Predisposing Genetic Characteristics***—Unacceptable: Asking if the applicant has any mental or physical conditions, or other impairments; about the applicant’s general health; about any predisposing genetic characteristics, or if the applicant has ever received worker’s compensation benefits. **Acceptable:** Is the applicant able to perform the essential functions of the position for which he/she has applied with or without reasonable accommodation?
- ***Ethnicity or National Origin***—Unacceptable: Questions about the ethnicity or nationality of the applicant or the applicant’s spouse, parent, or other relatives; the applicant’s native tongue; how the applicant acquired the ability to read, write, or speak a foreign language. **Acceptable:** Asking the applicant about foreign languages the applicant reads, speaks or writes, if job-related.
- ***Familial, Marital, Parental, Partnership, or Pregnancy Status***—Unacceptable: Questions regarding the name of a spouse/domestic partner, parent, or child (unless otherwise provided below); concerning the number or ages of children or dependents; about reproductive health decision making, pregnancy, childbearing or birth control; whether the applicant is a victim of domestic violence. **Acceptable:** Statement of policy regarding work assignment of employees who are related. Asking for the names of the applicant’s relatives already employed by the University.
- ***Gender, Gender Identity, Sexual Orientation***—Unacceptable: Questions about an applicant’s gender, gender identity, or sexual orientation.
- ***Organizations***—Unacceptable: Asking the applicant identify all organizations, clubs, societies, and lodges to which he or she belongs. **Acceptable:** Asking about membership in organizations that the applicant considers relevant to his or her ability to perform the job.
- ***Prior Lawsuits***—Unacceptable: Asking if the applicant has filed a past lawsuit, complaint, or charge.
- ***Religion or Creed***—Unacceptable: Questions regarding the applicant’s religion, doctrine, or beliefs; religious days observed; if the applicant’s religion or creed prevents him or her from working weekends or holidays. **Acceptable:** A statement of regular days, hours, or shifts to be worked.
- ***Salary History***—Unacceptable: Inquiring about an applicant’s prior salary, benefits, or other compensation (collectively, “salary history”). **Acceptable:** Informing the applicant about the position’s proposed or anticipated salary or salary range; without inquiring about salary history, engaging in discussion with the applicant about his or her expectations with respect to salary, benefits and other compensation; inquiring into the objective measure of the applicant’s productivity such as revenue, sales, or other production reports; considering an applicant’s salary history where the applicant disclosed his or her salary history voluntarily and without prompting.

- ***Unemployment Status—Unacceptable:*** Asking if the applicant is currently unemployed. ***Acceptable:*** Asking if the applicant has a current and valid professional or occupational license; a certificate, registration, permit, or other credential; a minimum level of education or training; or a minimum level of professional, occupational, or field experience. Asking if the applicant is currently employed by the University.

V. SKILLS TESTING

HROs must confer with, and receive approval from, Talent Acquisition before requiring any pre-offer testing, which must be job-related, consistent with business necessity, and otherwise in accordance with applicable law and CBA. For jobs that require basic computer skills, Talent Acquisition has available software that tests proficiency in all basic office applications.

VI. REFERENCES

A HR recruiter and/or representative from the School or Unit may not check employment references until the applicant has completed the applicable authorization form (click here for the [authorization form for current or most recent employers](#) and click here for the [authorization form for previous employers](#)). Upon receiving the completed authorization form(s), the recruiter or representative may check references with the applicant's prior employers before making the applicant a conditional offer of employment. To check references with the applicant's current or most recent employer, the recruiter or representative must wait until after the applicant receives a conditional offer of employment, unless the applicant authorizes otherwise in the completed authorization form.

Please take note that, when checking references, the HR recruiter and/or representative shall not inquire into the applicant's salary history, unless the applicant has disclosed his or her salary history voluntarily and without prompting.

VII. OFFER AND ONBOARDING PROCESS

Approvals. After the School or Unit has determined the finalist for the position, it must obtain final approval from the HRO (and, if required, from the FO) to make the candidate a conditional offer of employment.

Offer/Appointment. Applicants offered a position will receive an offer/appointment letter setting forth the terms and conditions of their employment, including the start date for the position, compensation and benefits, any required and recommended training, and any contingencies upon which the offer is based.

Physical Examination (As Applicable). For certain job categories, the University may require the offeree to undergo a medical examination that is job-related and consistent with business necessity prior to the commencement of employment. Those categories currently include certain facilities and security positions and all positions at the David B. Kriser Dental Center and the University's Student Health Center.

Voluntary Self-Identification. All new hires will be asked to voluntarily self-identify their race, ethnicity, gender, disability status, and veteran status in Workday by the start of their employment, in accordance with applicable law and the standards set forth above.

I-9 Verification. All new hires are required to present original documentation that verifies their eligibility to work in the United States no later than the first day of employment. For more information, please review the Policy on [Employment Eligibility Verification \(I-9\)](#).

*Once the applicant has accepted the offer and the onboarding process is complete, all other applicants should be notified that the position has been filled.

VIII. RECORDKEEPING

For recordkeeping and data tracking purposes, all job seekers must be dispositioned in iCIMS through the appropriate “disposition code.” The School or Unit shall work in conjunction with the HRO and/or HR recruiter on the appropriate coding.