
EPA Recruitment Compliance Review Process Regulation

Interim

REG06.05.01 Current Version

Authority: Chancellor

History: Revised March 2014 (Previously revised 10/15/2004, 10/15/07, 3/21/2007, 3/1/2008)

Related Policies: [ECU Equal Employment Opportunity Plan](#)

[Notice of Nondiscrimination Policy](#)

[EPA Recruitment Compliance Review Process Standard Operating Practice](#)

[ECU Faculty Criminal Background Check Policy and Procedures](#)

[ECU Criminal Background Checks for SPA/CSS and SAAO/Non-faculty EPA Employees](#)

[UNC Policy Manual, Employment of Related Persons \(Anti-Nepotism\) Policy](#)

[UNC Policy Manual, Regulation on Recruitment of Employees from Other Campuses within the University of North Carolina](#)

[Code of the University of North Carolina, Section 103](#)

Additional Resources: [Executive Order 11246, as amended](#)

[Title 41: Public Contracts and Property Management, CFR Part 60-1 Obligations of Contractors and Subcontractors](#)

[Title 41 CFR Part 60-2 Affirmative Action Programs](#)

[Title 41 CFR Part 60-741 Affirmative Action and Nondiscrimination Obligations of Federal Contractors and Subcontractors Regarding Individuals with Disabilities](#)

[Title 41 CFR Part 60-300 Affirmative Action and Nondiscrimination Obligations of Federal Contractors and Subcontractors Regarding Disabled Veterans](#)

[Recently Separated Veterans, Active Duty Wartime or Campaign Badge Veterans, and Armed Forces Service Medal Veterans](#)

[Faculty Spousal and Domestic Partner Hire SOP](#)

[Recruitment resources and strategies for affirmative recruitment](#)

[ECU Faculty Manual, Part IX, Section IV](#)

[UNC Records Retention General Schedule](#)

Contact Information: Associate Provost for Equity and Diversity, Office for Equity and Diversity, Phone: 252-328-6804; Assistant Vice Chancellor for EPA Personnel, Department of Human Resources, Phone: 252-328-9882; Director of Immigration Services, Phone: 737-4769 [for U.S. Department of Labor (DOL) recruitment requirements guidance]

1. Introduction

Described in this Regulation are recruitment, outreach and record keeping requirements necessary to fill any position classified as exempt from the state personnel act (EPA). The purpose of this Regulation is to ensure compliance with Equal Employment Opportunity/Affirmative Action laws and policies and to provide consistency in the recruitment and selection process across the University.

2. Covered Positions

This Regulation applies to hiring for any EPA position, including positions filled from within or outside the University (i.e., both internal searches and external searches), regardless of whether it is full-time or part-time, permanent or short-term. Such positions include EPA senior academic and administrative officer (SAAO) positions (i.e., Vice Chancellors, Assistant Vice Chancellors, Deans, Assistant Deans, etc.); EPA non-faculty instructional, research, and public service positions (i.e., Directors, Academic Advisors, Counselors, Program Specialists, etc.); and EPA faculty positions including fixed-term, probationary term (tenure track), and tenured. The Department of Human Resources EPA Personnel Administration and the appropriate Division Office should be consulted prior to changes in a position's responsibilities (i.e. reclassifications, title changes, promotions, and reassignments, etc.).

3. Recruitment Requirements

3.1 Recruitment procedures and applicable exceptions, as outlined in the Standard Operating Practice (SOP) implementing this Regulation (found at [http://www.ecu.edu/es-ecu/mr/customers/uploadedDocs/EPA_Recruitment_Compliance_Review_Process_SOP_\(REVISED_OCTOBER_2014\).pdf](http://www.ecu.edu/es-ecu/mr/customers/uploadedDocs/EPA_Recruitment_Compliance_Review_Process_SOP_(REVISED_OCTOBER_2014).pdf)) must be followed in order to fill all EPA positions in which the appointment's duration will be greater than three days and that are filled on or after July 1, 2014. This Regulation applies to all EPA positions lasting more than three days except for some limited circumstances as stipulated in the SOP and based on the following exceptions permitted by applicable law:

3.1.1 Positions filled from within the University, where the successful candidate was previously hired as a result of a search and where no applicant external to the University has been considered for the position; and

3.1.2 Positions at the director level or higher, with managerial roles, that supervise two or more staff, have the authority to hire, fire or promote employees or provide recommendations for those actions, and exercise discretionary powers with department or University-wide policy making/decision authority (SAAO's).

Additional information regarding these exceptions may be found in the implementing SOP. Information about the process for hiring employees into positions with a duration of three days or less may be obtained from the appropriate Division Office or the Department of Human Resources.

3.2 Only the Associate Provost for Equity and Diversity and the Chancellor have authority to waive EPA recruitment requirements.

3.3 In order to comply with federal equal opportunity laws, search committees and hiring authorities must strategically plan how the position will be advertised to best ensure recruitment/outreach efforts will generate a well-populated, diverse, pool of qualified applicants (including females, racial/ethnic minorities, veterans and individuals with a disability) and ensure those efforts are documented in accordance with the SOP implementing this Regulation.

4. Nondiscrimination

4.1 All selection decisions must meet the nondiscriminatory requirements as stated in the University's Notice of Nondiscrimination policy and Equal Employment Opportunity Plan. Standards and criteria must be objective, job-related and consistent with business necessity. Position descriptions and qualifications may not include biased or unlawful discriminatory language based on any of the University's protected classes as outlined in the ECU Notice of Nondiscrimination. Units with positions that will require medical examinations as a contingency of employment must consult with the OED at the initiation of the search process to ensure compliance with applicable provisions regarding medical examinations and confidentiality of such information.

5. Recruitment Record Keeping Requirements

5.1 Units are required by law to maintain all documentation of their efforts to implement equal opportunity recruitment procedures for all EPA positions. Search files must contain all search materials as appropriate, and be retained by the hiring department pursuant to the University's record retention schedule. Units that have received notice that a complaint of discrimination has been filed must maintain all relevant search and personnel records until one year after final disposition of the complaint or, if requested by the Office of University Counsel, a longer period as so requested.

5.2 Requests for accommodations and/or any medical records or information about an applicant must be kept separate from any other personnel information and maintained in a confidential medical personnel file separate from the search file.

6. Implementing Rulemaking Authority

The Associate Provost for Equity and Diversity has the authority to issue and shall be responsible for approving and implementing University wide rules and/or standard operating practices necessary to carry out the requirements of this Regulation.

