



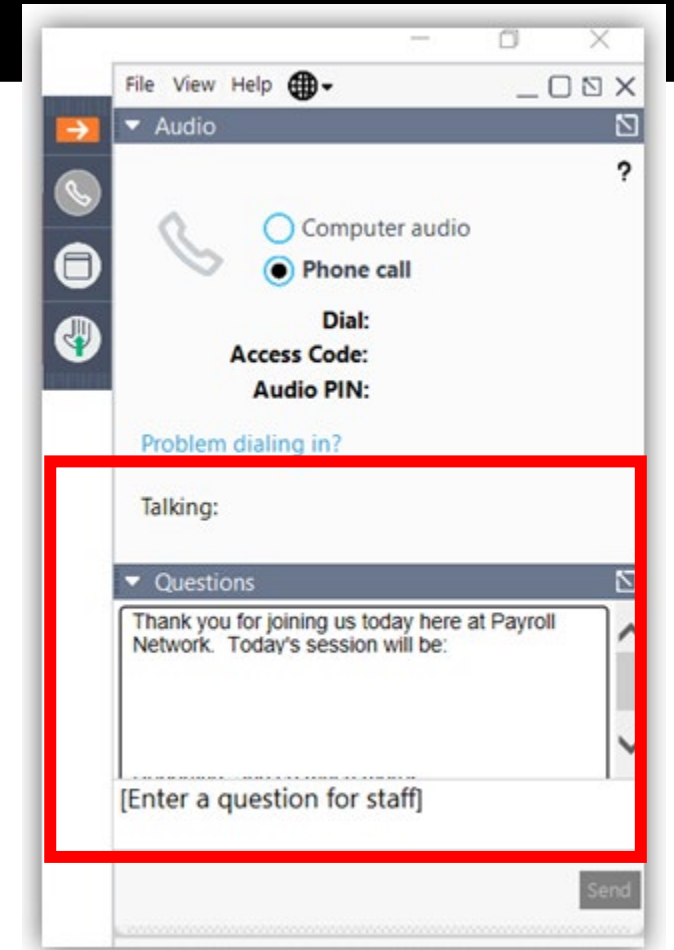
Hiring and Recruitment Best Practices

An HR Advisor Resource on Best Practices in your Hiring Processes



For Today's Session

- Webinar will be recorded
- All Attendees will be placed on mute
- Questions may be input into the Questions Box within the GOTOWEBINAR
- Handouts are available
- Survey will be sent after the webinar



Your Presenter's Today



Amy Miller

- VP of Training
- Payroll Network/GovConPay



Kyle Wade

- VP of HR Services
- Payroll Network/GovConPay



Disclaimer

- The information provided by Payroll Network is for general information and educational purposes only, and is not a substitute for legal advice.

Topics Today

- ✓ Fair employment laws and company policy
- ✓ Writing and using job descriptions
- ✓ Composing unbiased job advertisements
- ✓ Conducting nondiscriminatory interviews
- ✓ Choosing appropriate preemployment tests
- ✓ Checking and documenting references





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Polling Question

My company has experienced a heavier amount of turnover this year?

Why This Matters...

#1

Hiring decisions are extremely important

#2

Good hiring practices reduce risks and promote organizational success

#3

Ill-advised decisions increase risks and hurt the organization

#4

Poor choices could expose you to lawsuits

Major Fair Employment Laws

- Title VII of the Civil Rights Act of 1964
- Age Discrimination in Employment Act (ADEA)
- Equal Pay Act
- Americans with Disabilities Act (ADA)



Major Fair Employment Laws (con't)

Executive Order 11246

Pregnancy Discrimination Act

Immigration Reform and Control Act (IRCA)

Uniformed Services Employment and
Reemployment Rights Act (USERRA)



Enforcement

EEOC

State EEO agencies

State and federal courts



Know Your Rights Poster

Revised 10/20/2022



Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.

What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding.

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

Submit an inquiry through the EEOC's public portal:
<https://publicportal.eeoc.gov/Portal/Login.aspx>

Call 1-800-669-4000 (toll free)
1-800-669-6820 (TTY)
1-844-234-5122 (ASL video phone)

Visit the EEOC field office for information at



Company Policy

Equal Employment Opportunity

Our goal: To hire the best candidates for each job solely on the basis of qualifications



EEO Statement

(Employer Name) is an Equal Opportunity / Affirmative Action employer committed to diversity in the workplace. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, age, national origin, disability, protected veteran status, gender identity or any other factor protected by applicable federal, state, or local laws.

(Employer Name) is committed to working with and providing reasonable accommodations to individuals with disabilities. If you need a reasonable accommodation because of a disability for any part of the employment process, please call ###-###-#### or send an e-mail to email@email.com and let us know the nature of your request and your contact information.

Job Descriptions

- ✓ Write a job description for each position
- ✓ Focus on qualifications
- ✓ Specify essential job functions
- ✓ Set reasonable educational and experience requirements
- ✓ Be careful of physical requirements



Writing Job Postings

- Sell the job – it should be engaging, upbeat
- Make it shorter than a job description
- Include images or video
- Create links to Glassdoor or LinkedIn

Legal importance:

- Pay attention to your wording
 - **Repairman vs. Repair Person**
- Focus on job skills and responsibilities
- Be careful with educational requirements.



Create templates for consistency.



Polling Question

Do you have a Job Application form in place today?

The Job Application

- What you can include:
 - ✓ Availability
 - ✓ Job History
 - ✓ Education / Professional Designations
 - ✓ References
 - ✓ Attestations
 - ✓ At-Will Statement
 - ✓ EEO Statement
 - ✓ State Specific Notice Requirements

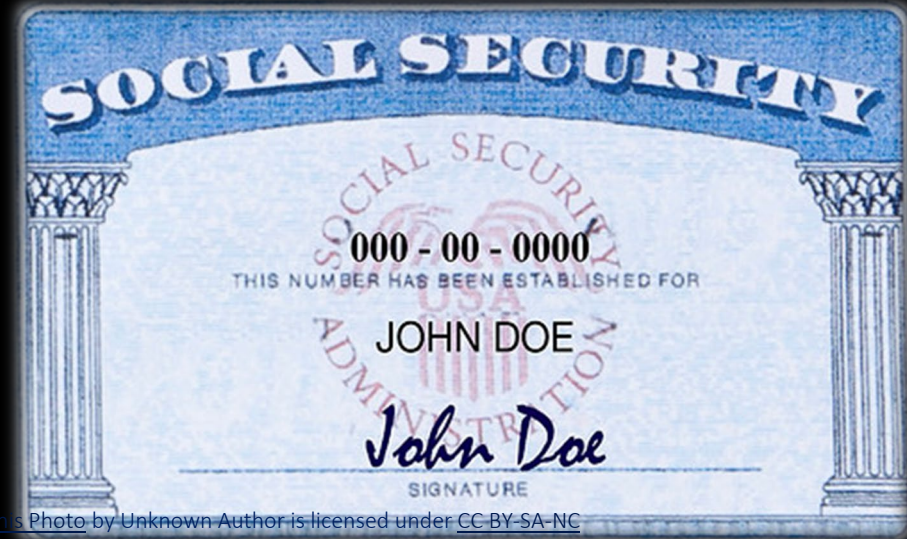
The Job Application

- **The employment application should request only information directly related to an applicant's ability to perform a specific job.**
- Avoid:
 - Religion
 - Disabled or has a medical condition
 - Arrest Records, without appropriate disclaimers
 - Year of Graduation from High School / College
 - SSN *
 - Marital or Familial Status
 - Citizenship / Country of Origin
 - Salary History
 - Photograph
 - Childcare Status
 - Putting a background check acknowledgement on the employment application.

** Can at the time background check, when completing a Form W-4 or when enrolling the employee in a benefits plan.*

Social Security Numbers

- Federal Law does not prohibit this
- Reasons of
 - Identity Theft
 - Privacy Concerns
- Some states have privacy laws around Social Security Numbers



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Criminal Conviction Inquiries

- Several State and Local jurisdictions prohibit asking
 - Ban the Box (Fair Chance Act)
- Must wait until after a conditional offer of employment has been made

*EEOC recommends avoiding asking



**BAN
THE
BOX**

FCRA Notice

- Fair Credit Reporting Act (FCRA)
- Written consent to a background check before you can initiate such a check
 - Inform the candidate that they intend to run the background check
 - Get the candidate's permission

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

Interview Compliance



Nondiscriminatory Interviews

All applicants should have a similar experience.

Write
down your
questions

Describe
the job
objectively

Ask similar
questions
of all
applicants

Focus on job
requirements
and company
policies

Avoid
stereotyping
applicants

Take notes of
the
conversation

isolved Attract and Hire

- Manage the Hiring process
- Job Posting templates
- Tracking applicants through the recruitment process
- Track candidate questions in interviews
 - Multiple interviewers can utilize question templates
- Post jobs on multiple job boards
- Kick off Onboarding into isolved
- Add-on features: Video Interviewing, background checks and drug screening
- Going Paperless – Electronic storage of applicant information

isolved Attract and Hire

	Name	Tags	Date	Job Title	Internal ID	Score	Met BQ	Avg Rating	Status
<input type="checkbox"/> 1.	Action Adams*, James - Manually Added		14-Jul-2021	Customer Success Manager			Yes	☆☆☆☆☆	Wedge Interview Scheduled
<input type="checkbox"/> 2.	Action Archer, Lemar **		23-Jul-2021	Senior Financial Analyst		0	Yes	☆☆☆☆☆	
<input type="checkbox"/> 3.	Action Johnson*, Steve* - Copied Application	Messages ✓ Score: 17 Cand: 99 eForm	28-Jun-2021	Bookkeeper		0	Yes	☆☆☆☆☆	Reviewed
<input type="checkbox"/> 4.	Action Anderson, Max		11-Jun-2021	Financial Analyst*	888	100	Yes	☆☆☆☆☆	Full Application Requested
<input type="checkbox"/> 5.	Action Delacruz, Kathy		15-May-2021	Human Resources Generalist			Yes	☆☆☆☆☆	Wedge Interview Complete
<input type="checkbox"/> 6.	Action Duren, Aven	✓ Score: 83 Cand:	14-May-2021	Credit and Collections Manager		85	Yes	☆☆☆☆☆	Reviewed
<input type="checkbox"/> 7.	Action Adams*, Mary*	Notes Background Messages eForm	10-May-2021	Financial Analyst*	888	85	Yes	☆☆☆☆☆	Interview Scheduled
<input type="checkbox"/> 8.	Action Morgan, Jason*	Background Messages ✓ References ✓ Interview ✓ Score: 100 Cand: eForm	22-Apr-2021	Financial Analyst*	888	90	Yes	☆☆☆☆☆	Position Offered
<input type="checkbox"/> 9.	Action Greene*, Tina*	Notes Background Messages ✓ References ✓ Score: 6 Cand: 42 ✓ Wedge ✓ eForm isolved ✓ Interview ✓ App Invite hot candidate	20-Apr-2021	Cashier*		0	Yes	☆☆☆☆☆	Reviewed
<input type="checkbox"/> 10.	Action Lucas*, Emma*	Notes Background Messages isolved ✓ Score: 1 Cand: 56 eForm	19-Apr-2021	Administrative Assistant*		0	Yes	☆☆☆☆☆	Interview Completed
<input type="checkbox"/> 11.	Action Gardner, Derek		17-Apr-2021	Cashier*		0	Yes	☆☆☆☆☆	Reviewed
<input type="checkbox"/> 12.	Action Teller, George	Notes Background Messages ✓ References ✓ App Invite ✓ eForm ✓ Score: 12 Cand: 14	24-Mar-2021	Human Resources Generalist	8247	0	Yes	☆☆☆☆☆	Interview Scheduled

Interview Notes

- Keep them factual
- No opinions or personal biases
- Job-related information only
- Keep notes on file for at least 1 year





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Polling Question

What is a question you cannot ask in an interview?

Questions You Can't Ask

- Age
- Marital status
- Family
- Sexual orientation
- Health



Questions You Can't Ask

- National origin
- Citizenship
- Disabilities
- Religion
- Criminal record



What You Can Say

- ✓ Legal right to work
- ✓ Language requirements
- ✓ Company policies
- ✓ Essential job duties
- ✓ Attendance expectations
- ✓ Military skills and experience



Reference Checks

- Inform the candidates upfront you check references
- Background checks must wait until after the offer is made to the candidate
- No job offer is made until references are checked
- Contact each reference given
- Document all information received

- Insufficient information
- Misrepresentations or material omissions



Documenting References

- List all references you've checked
- Include the name of the person who made the contact
- Note how the reference was contacted
- List the name and title of everyone you contacted
- File return letters and any records received
- Keep all notes of your telephone conversations
- Document unsuccessful efforts to contact references
- Retain documentation for at least 1 year



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Polling Question

Are you running background checks before making an offer?

Background Checks

Do's

- Have a written policy
- Define the nature and scope of the background check
 - **Are the screenings based on job role?**
- Get written permission from applicants
- Comply with state laws and federal laws
- Treat everyone fairly and equally
- Use a reputable background check provider
- Evaluate criminal history on a case by case basis
- Applicant should have the opportunity to dispute or explain negative result
- Define if there will be post-hire monitoring

Offer Letters

What should it include?

- Position title
- Work Location
- Reporting structure
- Pay. Pay rate. Salaried or hourly. FLSA status. Frequency of pay.
 - *Note: Not Annual Salary*
- Incentive compensation, if applicable
- Proposed start date
- Details about orientation
- Whether it's full-time or part-time
- Shift information (if applicable)

- ✓ Benefit Information
- ✓ Contingencies
- ✓ Duration of the Offer
- ✓ Disclaimers

I-9 Information

- Are you using the correct form?
- Do not ask for specific documents or too much information
- Ensure you validate the information within 3 days of hire date.
- Are you collecting or photocopying the I-9 information?
- Remote hiring process
- Will you need to reverify at a specific date (expired documents)
- Ensure your document storage is appropriate and complete (paper or electronic)
- Know the retention requirements post termination

isolved and i-9

- Tracking and Dashboards to stay compliant

Read Instructions carefully before completing this form. [Click here](#) to view the *Instructions for Employment Eligibility Verification and Form I-9*.

Section 1 Employee Information and Attestation

* First Name (Given Name) * Address (Street Number and Name)
Middle Initial Apt. Number
* Last Name (Family Name) * City or Town
Other Last Names Used (if any) * State
* Date of Birth MM / DD / YYYY * Zip Code
* U.S. Social Security Number - - Employee's E-mail Address
Employee's Telephone Number

I am aware that federal law provides for imprisonment and/or fines for false statement or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (select one of the following):

- 1. A citizen of the United States
- 2. A noncitizen national of the United States (See instructions)
- 3. A lawful permanent resident (Alien Registration Number/USCIS Number)
- 4. An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy)

* Signature of Employee * Today's Date (mm/dd/yyyy)

*** Preparer and/or Translator Certification (check one):**

I did not use a preparer or translator. A preparer(s) and/or translator(s) assisted the employee in completing Section 1.

(Fields below must be completed and signed when preparers and/or translators assist an employee in completing Section 1.)

* First Name (Given Name)
* Last Name (Family Name)
Address (Street Number and Name)
City or Town
State
* Zip Code

I attest, under penalty of perjury, that I have assisted in the completion of Section 1 of this form and that to the best of my knowledge the information is true and correct.

* Signature of Preparer or Translator * Today's Date (mm/dd/yyyy)

[Validate Form](#)

Page 1 Employee Information Page 2 Employer & Reverification Corrections

Read instructions carefully before completing this form. Employers are liable for errors in the completion of this form.

ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) an employee may present to establish employment authorization and identity. The refusal to hire or continue to employ an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 2. Employer or Authorized Representative Review and Verification

(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents.")

Employee Info from Section 1	Last Name (Family Name)	First Name (Given Name)	M.I.	Citizenship / Immigration Status
	Kondo	Marie		1 - Citizen of the United States

List A Identity and Employment Authorization OR **List B Identity** AND **List C Employment Authorization**

List A Identity and Employment Authorization	List B Identity	List C Employment Authorization
* Document Title <input type="text"/>	* Document Title <input type="text"/>	* Document Title <input type="text"/>
* Issuing Authority <input type="text"/>	* Issuing Authority <input type="text"/>	* Issuing Authority <input type="text"/>
Document Number <input type="text"/>	Document Number <input type="text"/>	Document Number <input type="text"/>
Expiration Date (if any) (mm/dd/yyyy) MM / DD / YYYY <input type="text"/>	Expiration Date (if any) (mm/dd/yyyy) MM / DD / YYYY <input type="text"/>	Expiration Date (if any) (mm/dd/yyyy) MM / DD / YYYY <input type="text"/>
* Document Title <input type="text"/>	Additional Information <input type="text"/>	
* Issuing Authority <input type="text"/>		
Document Number <input type="text"/>		
Expiration Date (if any) (mm/dd/yyyy) MM / DD / YYYY <input type="text"/>		
* Document Title <input type="text"/>		
* Issuing Authority <input type="text"/>		
Document Number <input type="text"/>		
Expiration Date (if any) (mm/dd/yyyy) MM / DD / YYYY <input type="text"/>		

Trends to include in getting best candidates

- Use Social Media
- Make your Job Postings available online / mobile
- Employee Referral Programs
- Dynamic Job Descriptions
- Consider Past Candidates
- Diversity and inclusion are crucial
- Remote working is here to stay
- Candidates leading the way
- Benefits and brand-building
- Evolving types of work
- Bigger emphasis on soft skills



- ✓ Fair employment laws prohibit discrimination in hiring
 - ✓ Our policy reflects a strong commitment to equal employment opportunity
 - ✓ Evaluate solely on job-related criteria
 - ✓ Focus on hiring the most qualified person

Key Points to Remember



Continue to visit our website for training/blog posts/webinars, etc.

payrollnetwork.com

support@payrollnetwork.com

hradvisor@payrollnetwork.com

The diagram features a central circular logo for Payroll Network, Technology • HR • Compliance. Surrounding this logo are four colored segments: TIME (orange), HR (teal), PAYROLL (green), and BENEFITS (purple). Each segment is connected to an outer ring of icons representing various HR functions. Text boxes describe the services provided for each function, such as 'Dedicated Cost-effective Certified HR Advisors' for HR, 'Electronic Onboarding' for HR, 'Employee Handbook, Forms, Policies, Templates, Job Descriptions, etc.' for BENEFITS, and 'Salary Benchmarking and Compensation Data' for PAYROLL. The top of the slide includes the 'HR ADVISOR' logo and the slogan 'Stay Compliant. Save Time. Save Money.' The Payroll Network logo is in the top right corner.

HR ADVISOR

Stay Compliant. Save Time. Save Money.

Payroll Network
TECHNOLOGY • HR • COMPLIANCE

Dedicated Cost-effective Certified HR Advisors

Our Approach Combines Isolated HCM +HR Support

HR Audit/Discovery & Proactive Compliance Advising

- Includes Labor Law Posters for up to 2 Locations
- State Compliance Charts

Isolated Hire Optimization and *Recruiting Assistance

Customized HR Action Plan

Unlimited Support, Meetings, & Updates

Strategic HR Support, HR Analytics, Turnover Reporting, etc.

HR Training, Webinars, Tools, Newsletters, and Alerts

***Leadership Coaching, Change Management, and Team Development**

***Affirmative Action Plan Support & Guidance**

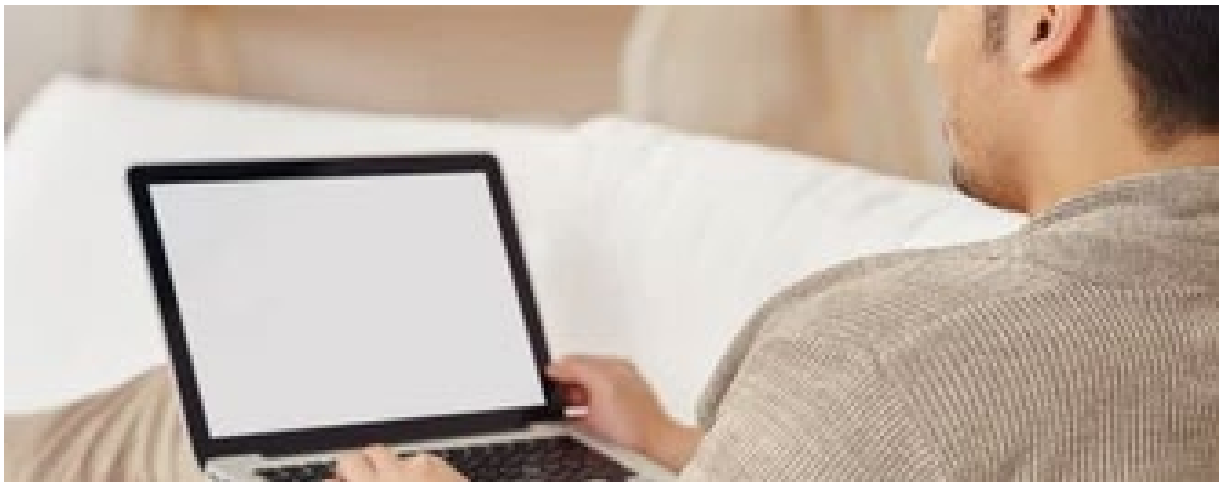
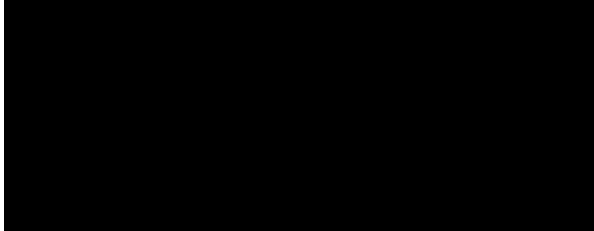
Employee Classification and FLSA Review

Employee Handbook, Forms, Policies, Templates, Job Descriptions, etc.

***Salary Benchmarking and Compensation Data**

Electronic Onboarding, Personnel Files, Performance, Workflows, Electronic Acknowledgements, etc.

*upgrade available



Employment Laws Resources

- [Title VII of the Civil Rights Act of 1964 | U.S. Equal Employment Opportunity Commission \(eEOC.gov\)](#)
- [The Age Discrimination in Employment Act of 1967 | U.S. Equal Employment Opportunity Commission \(eEOC.gov\)](#)
- [The Equal Pay Act of 1963 | U.S. Equal Employment Opportunity Commission \(eEOC.gov\)](#)
- [Americans with Disabilities Act | U.S. Department of Labor \(dol.gov\)](#)
- [Executive Order 11246 – Equal Employment Opportunity | U.S. Department of Labor \(dol.gov\)](#)
- [FCRA – Summary of Rights: https://www.consumer.ftc.gov/sites/default/files/articles/pdf/pdf-0096-fair-credit-reporting-act.pdf](#)