**Recruiting and Screening Process FAQ**

Recruiting Process

Turnover is costly, time-consuming and drains morale.   Recruiting, along with the selection process, are the foundation of building a company with the skills and behaviors necessary to be successful as a team.

**1.What are the elements of the recruiting process?**

* Job Posting/Advertising (focused on essential functions of job description)
* Sourcing candidates through social media and professional connections
* Review of applications or resumes
* Pre-screening (by phone or email)
* Interview
* Further screenings or profiles (may take place before or after interview)
* Reference checks
* Background checks
* Drug Tests
* Offer of Employment
* Onboarding (while not a true part of the recruiting process, it ensures new employees get off on the right foot and are invested in the company)

**2.What do I need to know about job postings?** Job postings should be legally compliant.  An EEO/ADA statement is a good practice and is required for federal contractors and subcontractors.  If you are an affirmative action employer, you should ensure you comply with the diversity posting requirements in your plan, and you should maintain sample copies of print ads or online postings.  Job postings should not contain expectations which could indicate preference for a particular age, gender, etc. unless it is a bona fide occupational qualification.

**3.Where do I advertise my job posting?**

* Employee Referral Programs (Use caution, as this program does not always promote diverse applicants)
* Free online job posting sites - It is a good idea to try different sites for different positions and ask for details on the demographics of site visitors.  Assess your success frequently, as online habits change quickly.Paid online ads – Promoting a job on a particular site, versus accessing free postings, can provide you with an opportunity to stand out.
* Posting through the employment services website (NC Works in NC).
* Specialty sites, particularly for hard to fill positions, or to bring additional diversity to your company.
* Job fairs (hosted by other companies or hosted on your own at your site.)
* Social Media – LinkedIn, Facebook, etc.

**4.What are the key elements of a good job posting?** There are a lot of jobs posted online.  It is important to make yours stand out.

* Make your title short and easy to search using common terms. Make sure the job posting title is consistent with industry standards, will be recognized by candidates searching for jobs. Even if you call the job something else in your organization, post the position with the industry standard title.
* Use the keywords related to your job and job title in the advertisement.  It may help your job rise to the top when candidates are searching.
* Advertise the culture – candidates should be able to picture themselves working for you.
* Advertise relevant benefits clearly (tuition reimbursement for jobs students often are interested in; pension/medical for positions that generally attract more experienced staff)
* Use any online tools as a part of the job posting site to display information about your company and the role (video, etc.)
* Keep the job duties clear and focused on the essential functions and don’t use a lot of company jargon.
* If there are any special skills or experience that you cannot do without, make that clear.  Otherwise, if you have a difficult-to-fill job and are willing to train, try not to use language that excludes those with lower qualifications.
* Make sure your application is free of potentially discriminatory questions.  For example, asking about a salary history could cause a bias to pay women less since they often have a lower salary for the same position.  Instead, ask for a salary “target” or “expectation”.  (Certain states/municipalities have laws against asking for salary history).
* If you have a choice, make sure your online applications are easy to complete and take little effort.  You can talk to your job posting site to see what your fall-off rate is at different stages of the process.  Are people looking at the ad and exiting, or are they moving on to the application, then quitting halfway through.
* Consider all posting options – for example, a sponsored post may cost more but may have a significant impact on applicant number, passive applicant interest or caliber of candidate.

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**5.How should I review applications?** Reviewing applicants, and the time you spend on each application depends on the position and the number of applications that you receive.  Here are some tips:

* Review applications as quickly as possible.  Candidates have many other options and you can lose good candidates to other companies quickly.
* Review applications in an organized fashion (usually from first applied chronologically to most recent application).  Jumping from one application to another instead of going chronologically may indicate to outside eyes that you are showing preference for certain candidates.
* If you have a stale position which has not been reviewed for several weeks or months, it may be a good idea to open a fresh position and email the existing applicants to reapply.
* Immediately rate or categorize your applications (A, B,C) as you go – it will keep you focused and efficient.
* Know the skills you are seeking, to assess for transferrable skills.
* Avoid making judgments based on your own biases.
* List questions that concern you about your top applicants (for example, work gaps, short term jobs)

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**6.How do I Pre-Screen candidates?** Phone/Email pre-screening is for your top “A” applicants; but you can move to your “B” group if you cannot find at least 2 or 3 strong candidates.  Here are some tips:

* For email pre-screening: e-mail may go to the spam folder – You should follow up by phone if you don’t get a response by email.
* If contacting by phone: Smile and use your voice and mannerisms to show the candidate that you and the company are friendly and good to work with.
* Don’t get too far off topic – “How are you?”, “Enjoying the weather?” are fine on the phone, or a similar statement at the beginning of the email.
* Create consistent scripted questions for all applicants; however, you can add questions to address the specific concerns that you noted on each application.
* Evaluate the manner in which they respond & their professionalism as well as their responses.
* Use your time wisely and schedule any future appointments while on the phone if possible.

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**7.What do I need to know about interviews?** Interviews are the most common screening methods organizations use to find employees for a company.  You can use interviews in addition to other screening and profile tools (as long as they are relevant to the essential functions of the job and non-discriminatory) to dive deeper into the level of fit for the position and your organization.

**8.Why should my company be focused on best practices for interviewing?** Organizations should be concerned about interviews because:

* Interviews are time consuming – Organizations should ensure the interview is valid and elicits relevant and predictive information.
* Interviewers who are not trained can veer into questionable areas which may result in legal issues.
* Unstructured interviews lead to difficulties in comparing “apples to apples”, resulting in uncertainty or selection of the wrong candidate.
* A good interview process can identify a qualified candidate who is a good fit with the organization and prevent headaches due to a poor hire.

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**9.How do I develop interview questions?** There are several items to consider when developing interview questions:

* Be consistent in the questions asked at each step.  Consistency can be achieved by creating interview guides for each interview stage and ensuring interviewers use them.
* The *job description* is a starting point for creating screening questions regarding areas such as years of experience, education and certification. The job description will also highlight what skills are pertinent to the position.
* Hiring managers and co-workers are also a good source for developing more involved or technical questions for later phases in the interview process.

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**10.What types of interview questions should I use?** *Behavioral-based interview questions*require in-depth answers about past experience. These are great questions because the interviewer will get information on relevant work-related examples as opposed to a simple “yes” or “no” answer. Behavioral-based questions require the candidate to describe a situation, indicate what the issue was and explain how they handled the issue.

An example of a behavioral-based question is, “Tell me about a time when you had to deal with a frustrated customer. What was the situation and how did you handle it?”

**11.What type of interview policies and practices should my organization have?** Interview training is important.  Managers may not understand the legal issues that can result from a poorly conducted interview.  Many managers believe that interviews don’t work, or that they have a unique ability to identify good candidates without help from an interview guide.

If a Supervisor or Manager Training Manual or other document exists, be sure to include interview procedures. If your Employee Handbook discusses open jobs and how to apply for them, indicate how the interview process will work for internal employees.

**12.What are common interview problems?** One area of concern is interviewer bias:​​​​​​​

* ​​​​Interviewers may be unintentionally biased based on previous applicant knowledge.
* The interviewer may favor or dislike applicants based on shared or opposing attitudes or beliefs (similar-to-me bias).
* The interviewer may associate certain work characteristics with a particular race, gender, etc.
* ​​​​​​​The interviewer may have a stereotype in mind of what makes a “good” candidate.

Additional interview errors:

* The interviewer may unintentionally rank the first or last candidate higher because of interview fatigue/difficulty in remembering all candidates.
* One piece of positive or negative information may be given higher weight than reasonable.
* The typical interviewer tends to make decisions within the first few minutes or seconds of an interview and may disregard other information.

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**13.What kinds of resources are available?**

* Look at the Tools and Templates section of the HR Essentials toolkit for FCRA and NC Substance Abuse forms, applications and interview guides.
* Catapult’s Recruiting Team is an excellent resource for recruiting, training or assistance with the interview process.
* Multiple websites provide sample behavioral-based questions. Be sure to select *job- related questions.*

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**14.What questions should I ask or not ask?**

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| **TOPIC** | **“DON’T ASK” Questions** | **Alternative Questions** |
| **Reliability/****Attendance** | How many children do you have?Who is going to baby-sit?Do you have pre-school age children at home?Do you have a car? | What shift can you work?Tell me about a time when your manager had to discuss your attendance or timelines? |
| **Citizenship/****National Origin** | What is your national origin?Where are you from originally?Where are your parents from? What is your maiden name? | Are you legally authorized to work in the United States?Have you ever worked under a different name? |
| **Reference****Checking** | What is your father's last name?What are the names of your relatives? | Can you provide me with a list of professional references? |
| **Arrest and****Conviction** | Have you ever been arrested? | Ask just prior to background check: “Have you ever pled guilty to or been convicted of a crime other than a minor traffic conviction?  (Exclude sealed/expunged records.) |
| **Disabilities** | Do you have any disabilities? | Can you perform the essential functions of the job with or without accommodation? |
| **Emergency** | What is the name and address of a relativeto be notified in case of an emergency? | **Request only after the Individual has been employed.** |
| **Credit Record** | Do you own your own home?Have your wages ever been garnished? Have you ever declared bankruptcy? | Credit references may be used if in compliance with the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act Of 1996. |
| **Military Record** | What type of discharge did you receive? | What type of education/ training/work experience did you receive in the military? |
| **Language** | What is your native language?Inquiry into use of how applicant acquiredability to read, write or speak a foreign language. | Inquiry into languages applicant speaks and writes fluently. **(If the job requires additional languages)** |
| **Organizations** | List all clubs, societies and lodges to which they belong. | Inquiry into applicant's membership in organizations that the applicant considersrelevant to his or her ability to perform job. |
| **Race or Color** | What race are you? | None |
| **Worker's****Compensation** | Have you ever filed for workers' compensation?Have you had any prior work injuries? | You cannot legally ask about past workers’ compensation claims.  Prior to hire, you can ask if the individual can perform the essential functions of the job with or without accommodation.  |
| **Religion or Creed** | Inquiry into applicant's religious denomination, religious affiliations, church,parish, pastor or religious holidays observed. | None |
| **Gender** | Do you wish to be addressed as Mr.? Mrs.? Miss? or Ms.? | None |
| **Addresses** | What is/was your previous/current address and how long did you reside there?Do you own your own home? | None |
| **Education** | When did you graduate from high school or college? | Do you have a high school diploma or equivalent? (if job-related)Do you have a university or college degree? (if job-related) |
| **Personal** | What color are your eyes,hair?What is your weight? | Only permissible if there is a bona fide occupational qualification. |
| **Health Information (GINA)** | Have you or anyone in your family had a heart attack (or any other health condition)? | None |

**15.Should I Check References?** The best way to identify issues with a new employee is to determine what issues they may have had in past jobs. In many cases, particularly for lower-level position, companies will only provide dates and title of employment.  However, conducting references even at the basic level prevents risk from negligent hiring risks.

References should be conducted by calling past supervisors, with the express permission of the candidate.  If you are hiring a mid or senior level candidate, it would generally be unwise to proceed with the hire if there are no past supervisors who will provide information about the candidate.

There are many techniques to getting a more complete reference; you can also elect to have references checked by an outside provider, which could also conduct criminal check or other screenings.  However, any references or criminal checks conducted by a 3rd party would be subject to FCRA requirements to include notifications, and pre-adverse action and adverse action letters.

**16.What do I need to know about Background Checks?**

* **Timing of Check and Contingent Offer:** Background checks are helpful in protecting against negligent hiring cases but should generally not be completed until you have identified your final candidate.  While it is not required in NC, it is a good idea to make a contingent offer of employment prior to a background check (e.g. “We still have some final assessments, but based on successful completion of those, I would like to offer you the position of...”).  This may reduce liability of having a disparate impact with your hiring decision due to considering the result from a background check.
* **Assessing a candidate’s criminal history:** In some locations outside of NC, and in some sectors (e.g. public employers) there may be prohibitions against asking about criminal history on an application or before an offer of hire; therefore, if you are outside of NC, it is reasonable to remove the question from the application.

In all cases, an employer should follow what the EEOC calls the Green Factors when assessing criminal records.  The Green Factors want you to consider three items when weighing the impact of the criminal conviction:

- The severity of the Conviction, and
- The age of the Conviction, and
- How the crime relates to the job sought.

Furthermore, the EEOC would like you to employ an individualized assessment when contemplating the Green Factors—where you would give the applicant a chance to explain their record, and a chance to provide proof of their reformation.

* **Legal Compliance:** Employers should have candidates sign releases for the employer to conduct a background check, and the release should be physically separate (e.g. standalone) from the application (if you are using a background check company, it may be a part of the online process).  Any requests for personal information to complete the background check should be separate from the application as well.

It is important that companies follow federal Fair Credit Reporting Act (FCRA) regulations which require a Pre-Adverse and Adverse Action letters to be mailed, along with a copy of the report and a copy of the “Summary of Your Rights”.  Many states also require state specific documents to be provided at the same time.  Catapult recommends that you have at least five (5) business days – Monday through Friday, when there is mail delivery – between the Pre-Adverse packet and Adverse Action letter.  See templates and tools section for samples.

**17.What do I need to know about Drug Testing?**

* **Timing of check and contingent offer:** Drug screenings are helpful in protecting against negligent hiring cases but should not be completed until you have identified your finalist candidate, At that point, make a contingent offer: “We are offering you the job of [title] based on successful completion of the following background screenings:..”  Note that since drugs can leave someone’s system quickly, it is important to ensure that the applicant can immediately visit the lab if notifying them of the drug screen.  Making a contingent offer prior to drug screening protects you from candidate concerns that you are declining them based on a protected class under ADA or GINA based on your knowledge of any medications which they may be taking.
* **Assessing a candidate’s drug test:** It is best practice to use a Medical Review Officer (MRO) to review any positives on an applicant drug test.  They will also reach out to the applicant to assess their medication list and whether it accounts for the positive.  You may do on-site testing of pre-employment applicants ONLY (not current employees), but any positives must be sent to a lab for confirmation.
* **Legal Compliance:** In some cases, such as in cases where the company operates under DOT regulations, you may be required to drug test your applicants or employees.
A drug screen release, kept separate from the application, may be provided to the applicant to sign to reduce risk of lawsuit, etc.  Prior to testing, you should also provide candidates a notice of their rights under NC Controlled Substance regulations.
Within 30 days from when the results are forwarded to the employer, the employer must give written notice to the affected applicant or employee of: any positive result, and their rights and responsibilities regarding re-testing.  See tools and templates for samples.

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**18.How do I extend an Offer of Employment?** A contingent offer of employment should be made PRIOR to background checks and drug screenings.  Since the offer letter includes a requirement for a drug test, it is better to have the employee immediately go to drug test at the time of the offer (to get the most accurate screening result).  An offer letter should include:

* Date of Offer
* Company Name
* Hiring Manager’s Name
* Position Title
* Type and Status of Position (Non-Exempt, Full-Time)
* Start Date and Location (if known – or specify next step)
* Information about benefits
* Pay (for hourly, state hourly rate; for exempt, state per pay period rate and include EQUIVALENT annual salary – avoid stating an annual salary on its own, which could imply a contract).
* That employment is contingent on final background and drug tests being completed successfully.
* An “employment at will” statement.
* It is helpful to have the employee sign the letter/date and return a copy to you.
* If you require a non-disclosure agreement, this should be included with the offer letter as a part of the offer package.  This is helpful in proving the validity of the non-disclosure agreement.