

Office of Human Resources

**Xavier University of Louisiana
Staff Employee Handbook**





New Hire Policy and Procedures

Office of Human Resources Xavier University of Louisiana

All Staff Positions

POLICY

Xavier University of Louisiana, hereafter referred to as XULA is committed to hiring the most qualified applicants into new or vacant staff positions and adhering to the guidelines established by the U. S. Equal Employment Opportunity Commission on selection and employment. Xavier University of Louisiana is an equal opportunity employer and it is the objective of Xavier University to recruit, hire and promote qualified applicants into vacant positions without regard to race, gender, national origin, religion, color, creed, age, disability or veteran's status. All decisions regarding employment are based on an individual's qualification as they relate to a specific job vacancy.

All staff positions must be advertised electronically on the Xavier University's Human Resources jobs website to ensure that there is an adequate pool of qualified applicants. Advertising a position may be waived with the authorization of the President, Senior Vice President for Administration or the Senior Vice President for Academic Affairs. Positions may also be advertised in local and national print media including newspapers and professional journals.

Vacant positions may be filled by selecting an applicant who is not an employee of Xavier University or through promotion or transfer of a current employee.

To adhere to this policy, Xavier University's Office of Human Resources has the responsibility of ensuring that applicants are considered for positions based on their qualifications through advertisements, interviews and verifying an applicant's education, experience, and skills through reference checks, verification of their academic credentials and licenses (if applicable). Faculty and staff who have responsibility for selecting a new hire to fill a staff job vacancy must comply with the policy and procedures described in this document.

PROCEDURES

1. Procedures for Recruitment of Staff to Fill Vacant Positions

Step 1.1: Originating Department/Division Chairperson, Principal Investigator, Administrative Director or Supervisor, hereafter referred to as originator, will login to PeopleAdmin at <https://jobs.xula.edu/hr> to fill the Vacant Position(s).

*** All positions must be posted and approved before they can be hired. All advertisements for Research Scientist, Assistants, Associates or Technicians must be pre-approved by the department chair(s) and Dr. Giguette.*

2. Procedures for Processing the New Hire by Human Resources

Step 2.1: The new hire reports to Human Resources and completes all new hire documents.

IMPORTANT: *New hires cannot begin work until they are processed by Human Resources on or before their first day of work.*

Step 2.2: The Employment Specialist verifies the new hire's employment eligibility through the E-Verify Process with the U. S. Department of Homeland Security and Social Security Administration. If the employee is eligible to work in the United States then the employee may be processed for employment.

Step 2.3: If the E-Verify results indicate that the applicant is not eligible for employment, then the employee must establish employment eligibility before he or she can begin work at Xavier University.

3. Processing the New Hire in BANNER and Creating an EPAF

Step 3.1: The originating supervisor completes and submits an **EPAF** for approval.

Step 3.2: Approvers approve the **EPAF** and electronically submits the approved **EPAF** to the Employment Specialist/Director of Human Resources.

Step 3.3: The Employment Specialist/Director of Human Resources applies the **EPAF**.

4. Procedures for selecting a Non-Resident Alien (If the interviewer considers a Non-Resident Alien, the following procedures are completed):

Step 4.1: The interviewer notifies the Director of Human Resources that the applicant to be considered for employment is a Non-Resident Alien.

Step 4.2: The interviewer must obtain appropriate approvals from the Department/Division Chairperson, College Dean, and the VPAA Office if the applicant is to be considered for a position in an academic department.

If the applicant who is being considered for a position in a non academic department, then the interviewer must obtain approval to hire the applicant from the Vice President for their area.

Step 4.3: The Interviewer must have two (2) people doing the interview of the applicant. At least one person must be the chair.

Step 4.4: The Director of Human Resources sends the interviewer or the authorized person who has authority to approve a decision to hire the applicant a sample “Letter of Offer,” sample “Return Home Letter,” and a sample “Letter of Support.”

Step 4.5: The interviewer or the authorized authority sends a letter of offer, return home letter and letter of support to the Director of Human Resources and to the Non-Resident Alien.

Step 4.6: The Non-Resident Alien reports to the Human Resources office and presents copies of the following:

- Non-expired I-94 entry document
- Passport
- Visa
- Educational credentials (if the degree is from a foreign university then the Non-Resident Alien must have their academic credentials verified by an approved education evaluation agency)

Step 4.7: The Director of Human Resources completes a **Labor Condition Application (LCA)**, and posts the LCA for ten days on the Human Resources bulletin board.

Step 4.8: The Director of Human Resources completes the following forms:

- Form I-129 Petition for a Non-Immigrant Alien
- H Classification Supplement to Form I-129
- H-1B Data Collection and Filing Fee Exemption Supplement

Normal processing of an H-1 B Petition for approval may take from two to six months. If the Non-Resident Alien wants to have their petition processed in less than thirty (30) days, the applicant must complete **Form I-907 Request for Premium Processing**. All forms must be completed in duplicate.

Step 4.9: It is the policy of Xavier University that the university does not pay fees for an applicant’s H-1B petition. The Non-Resident Alien must pay all fees associated with the University processing the H-1B petition. The applicant provides the Director of Human

Resources with separate checks for their H-1B Petition - **H-1B Petition processing fee \$320, Fraud Prevention fee \$500, and Premium Processing fee \$1,000 (optional) made payable to Xavier University.**

Step 4.9.1:The checks for processing the applicant's H-1B fees are submitted to Xavier University's Accounts Payable section, and Accounts Payable employees will issues separate checks printed attention to the **U. S. Department of Homeland Security.**

Step 4.9.2:The Director of Human Resources submits the forms, checks, and **Form G-28 Notice of Entry of Appearance as Attorney or Representative** to Attorney David Ware and Associates (Law firm which specializes in immigration law) for review and submission to the U. S. Department of Homeland Security.

Step 4.9.3:The U. S. Department of Homeland Security first sends the Notice of Receipt followed by the **Form I-797 Approval Notice** to the Director of Human Resources.

IMPORTANT: *The Non-Resident Alien cannot begin employment until the Form I-797 Approval Notice is received from the U. S. Department of Homeland Security.*

Step 4.9.4: The Director of Human Resources notifies the Non-Resident Alien of their approved H-1B petition.

Step 4.9.5: The Non-Resident Alien applies for a social security card authorizing him or her to legally work in the United States.

IMPORTANT: *A Non-Resident Alien who has a J-1 Visa and an Employment Authorization Card does not have to apply for H-1B status prior to employment.*



HOW TO CONDUCT A LEGAL INTERVIEW

OFFICE OF HUMAN RESOURCES XAVIER UNIVERSITY OF LOUISIANA

QUESTIONS YOU CAN AND CANNOT ASK IN AN EMPLOYMENT INTERVIEW

Federal Laws, which affect the Employment Hiring Process

Title VII of the Civil Right Act of 1964 Amended in 1993 prohibits employment discrimination based on race, gender, color, creed, national origin or religion.

Age Discrimination in Employment Act of 1967 prohibits discrimination in employment against anyone 40 years of age or older.

The Rehabilitation Act of 1973 and Title I of the Americans with Disability Act of 1990 prohibits discrimination in employment based on a person's disability or if the person is perceived to have a disability.

Pregnancy Discrimination Act is an amendment to Title VII of the Civil Rights Act to make pregnancy discrimination a form of sex discrimination under Title VII. Employers cannot exclude pregnant women from jobs because of the stereotypical belief that they are incapable of doing their jobs or that after childbirth they will leave their jobs.

Can Not Ask Applicant	Can Ask Applicant
Questions that are considered to be discriminatory based on gender:	Questions you may ask that do not violate gender discrimination:
<ul style="list-style-type: none"> • Are you married? • Do you have children? • Do you have someone to take care of your children while you are at work? • Does your spouse work? 	<ul style="list-style-type: none"> • Do you have any responsibilities or commitments that would prevent you from working your scheduled hours? • Will you be able to work weekends or overtime if required?
Questions that would be considered discriminatory based on nationality:	Questions you may ask that do not violate national origin discrimination:
<ul style="list-style-type: none"> • What country are you from? • How long have you lived in the United States? 	<ul style="list-style-type: none"> • Can you provide documentation authorizing you to work in the United States?
Questions you cannot ask regarding religion:	Questions you may ask that do not imply religious discrimination:
<ul style="list-style-type: none"> • What religion do you practice? • What church do you attend? 	<ul style="list-style-type: none"> • Are you able to work on weekends? • Do you have any concerns with working at a Catholic University?
Questions that would violate the Age Discrimination in Employment Act:	Questions you may ask that do not violate the Age Discrimination in Employment Act
<ul style="list-style-type: none"> • What year were you born? • What year did you graduate from high school? • At what age do you plan to retire? • How old are you? 	<ul style="list-style-type: none"> • How long do you intend to work in the position you are seeking? • Are you able to safely perform the duties and responsibilities of the position that you are seeking?
Questions that would violate the Rehabilitation Act and the Americans with Disabilities Act:	Questions that do not violate the Americans with Disabilities ACT (ADA):
<ul style="list-style-type: none"> • Do you have a disability? • Have you had an on the job injury? • Have you ever filed a worker's compensation claim? • How many days did you miss from your current job because of illness? 	<ul style="list-style-type: none"> • Will you be able to safely perform all of the duties and responsibilities of this position? • Will you be able to work the assigned work schedule?

Sample Letter of Offer for a Staff Employee

Date

Name

Street Address

City, State Zip Code

Dear ***Title Last Name***:

Xavier University of Louisiana, ***Name of Department***, would like to offer you the position of ***title of position, beginning date of hire***. Your compensation will be based on an annual salary of ***(annual salary if paid monthly in twelve monthly installments)***. ***(If an hourly paid employee, the following language will be used: Your compensation will be based on an hourly rate of _____ and you will be paid based on hours worked in a payroll period)*** As a full time employee, you may be eligible to participate in benefits provided by Xavier University. You may contact Mrs. Adicia Waddell, Associate Director for Human Resources, at (504) 520-7537 if you have any questions regarding benefits.

Your appointment will be subject to verification of employment references, academic credentials and any other verifications or tests that are appropriate for consideration for employment. The conditions of your appointment are in accordance with the policies and procedures of the Resource Book for Staff Employees. These policies and procedures include, but are not limited to, performance expectations, attendance requirements, vacation and sick leave, and causes for dismissal. All new employees serve a ninety (90) day evaluative period.

Please indicate your acceptance of this letter of offer by signing this letter on the line provided and returning it to me at ***Name of Department***, Xavier University of Louisiana, 1 Drexel Drive, New Orleans, Louisiana 70125 by ***date***.

You must report to Human Resources, located at 909 South Jefferson Davis Parkway (Xavier South) Room 410 on or before your first day of employment to complete all new hire forms. Please bring your social security or work authorization card and a voided check for enrollment in the direct deposit program for payroll purposes.

XAVIER UNIVERSITY OF LOUISIANA

By: _____

Signature of Person Authorized to extend an offer of employment

Signature of Applicant

Date