



Winona State University

### Procedures for Affirmative Action Recruiting and Hiring

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1. WSU AFFIRMATIVE ACTION POLICY: [Minnesota State Colleges and Universities \(MNSCU\) Policy 1B.1](#), Nondiscrimination in Employment and Education Opportunity was adopted on September 20, 1994. MnSCU is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or student access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, person with a disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined in the [Minnesota Human Rights Act, Minnesota Stat. 363A.03](#).
  
2. IDENTIFICATION OF AFFIRMATIVE ACTION PROTECTED CLASS UNDERREPRESENTED PERSONS. The Affirmative Action Program identifies the following persons as underrepresented Protected Classes:
  - A. Females
  
  - B. Minorities for whom established patterns of discrimination have been determined to exist. These include:
    1. Black, not of Hispanic origin. Persons having origins in any of the Black racial groups of Africa.
    2. Hispanic. Persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture of origin, regardless of race.
    3. American Indian or Alaskan Native. Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
    4. Asian or Pacific Islander. Persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.
  
  - C. Person With a Disability
    1. Person with a Disability. The Americans with Disabilities Act uses the same definitions as the Rehabilitation Act of 1973, but designates such persons as "individuals with a disability," rather than "handicapped."
    2. Disabled Veterans. As defined in the regulations: "a person entitled to disability compensation under the laws administered by the Veterans Administration for a disability rated at thirty (30) percent or more, a person rated at ten (10) percent or

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twenty (20) percent in the case of a veteran "who has been determined...to have a serious employment handicap," or a person whose discharge or release from active duty was for a disability incurred or aggravated by line of duty."

The Affirmative Action Program makes a determined effort to seek out, hire, and promote qualified individuals who are members of these groups, which have been underrepresented, in educational programs and employment.

### 3. FULL-TIME UNCLASSIFIED PERSONNEL

A. The following guidelines are to be used in the recruitment of unclassified personnel in the following categories:

1. Full-Time Probationary (Inter Faculty Organization - IFO/ Minnesota State University Association of Administrative and Service Faculty – (ASF)
2. Full-Time Fixed Term (IFO/ASF)
3. Externally Funded (ASF)
4. Administrative appointments (Managerial -- non-bargaining unit)
5. Part-time faculty (.5 or more time)

A title change in the duties of a position which does not substantially increase the scope of responsibilities and duties of a position can be made without the need for a search.

B. Search Committee, Notice of Vacancy, Rating Form and Interview Form

1. The appropriate dean/supervisor (non-IFO positions) will notify the department that a position(s) has been authorized. Prior to organizing the search committee, the dean/supervisor (ASF positions only) will notify the Affirmative Action Officer (AAO) of the proposed search. The AAO will inform the dean/supervisor that ASF search committee members will be appointed by the local ASF association, and will notify the local ASF association that a position(s) has been authorized.
2. The appropriate dean/supervisor (non IFO positions) will meet with the department to discuss qualifications, responsibilities, salary, and rank of position. For ASF, the position will be placed in a salary range consistent with the ASF contract.
3. Authorization for Recruitment of Unclassified Personnel and Search Committee Selection form (Appendix A) is filled out and a Search Chair is elected according to departmental policies and procedures.

Members of the search committee shall be chosen in a manner, which includes the participation of women, minorities, and other underrepresented classes. At a minimum, each committee should include both males and females and,

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whenever possible, a minority group member, or a person with a disability. If such members are not available from the department/unit itself, it will be necessary to include such a person or persons from other departments (if possible, from a closely related field).

Approval of the Authorization/Search Committee form is secured from: supervisor (non-IFO positions), ASF President (ASF search committee members), appropriate dean, AAO, appropriate vice president and the President; acknowledgement only will be secured from the department chair.

NOTE: Administrative Service Faculty (ASF) positions: There may be constraints on the composition of the committee (i.e. number of ASF members relative to number of members of other bargaining units). The AAO will consult the current contract to ensure compliance.

#### 4. First Meeting of Search Committee.

IFO Searches: The AAO shall meet with committee members who have not served on a committee during the previous eighteen (18) months to review procedures and answer questions. Committee members, who have served on a search committee and met with the AAO during the previous 18 months, are not required to meet with the AAO.

ASF/Administrative Searches: The AAO shall meet with committee members to review procedures and answer questions.

#### 5. Notice of Vacancy.

- a. A Notice of Vacancy will be submitted on the format in Appendix B.
- b. The Notice of Vacancy shall include a statement of the position's responsibilities and the qualifications required. All qualifications shall be job related and, at a minimum, shall include formal education, previous professional or employment experience, and where applicable, cultural and volunteer experience, professional accomplishments and demonstrated competencies. The Notice should identify:
  1. The rank and title of the position.
  2. The type of appointment -- probationary, fixed term, temporary, or externally funded.
  3. Closing date for applications (approximate guidelines): a minimum of thirty (30) days for a national search, plus any contractual time afforded for reassignment rights; for local searches, twenty-one (21) days.

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- a. National searches shall be conducted for all .50 FTE or more probationary positions (IFO/ASF) and all administrative appointments (Managerial – non bargaining unit).
  - b. A local or regional search shall be conducted for all .50 FTE or more fixed term positions (IFO/ASF) and .50 or more externally funded positions (ASF).
  - c. National searches for fixed term, externally funded, and part-time positions may be conducted at the discretion of the President.
4. The Notice of Vacancy, with the Affirmative Action Recruiting Plan (Appendix C) attached shall be forwarded to the following for approving signatures: AAO, dean/supervisor (non IFO positions), Equal Opportunity Officer and vice president; acknowledgement only will be secured from the department chair.
  5. Upon approval, the AAO will return copies of the approved Notice of Vacancy and AA Recruiting Plan to the appropriate dean/supervisor (non-IFO positions), vice president and to the Search Committee Chairperson.
  6. Rating Form. The Rating Form (Appendix D) must be based upon the criteria in the Notice of Vacancy. The AAO must approve this form prior to the rating of candidate file(s). This form will be used to assess all candidates and will indicate clearly the reasons for committee action on each candidate.
  7. Interview Form. The Interview Form (Appendix E) must be based upon the criteria in the Notice of Vacancy. The AAO must approve this form prior to the rating of any files. This form will be used to assess all candidates and will indicate clearly the reasons for committee action on each candidate.

### C. Search for Candidates

1. Retrenched Faculty. The AAO shall follow the guidelines in the IFO Contract regarding the claiming rights of individuals on the Retrenched Faculty list obtained from the System Office.
2. Advertising. The AAO will place advertisements, within budget, in all publications suggested in the Affirmative Action Recruitment Plan (Appendix C). If an Affirmative Action Goal has been established, the AAO will place an ad in the appropriate major publication of national recognition in the particular field/discipline. All advertisements must include the statement: "Winona State University (MnSCU) is an equal opportunity/affirmative action employer. Women, minorities, and individuals with disabilities are encouraged to apply."

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3. Distribution of the Notice of Vacancy by AAO. The Affirmative Action Office will distribute Notices of Vacancy to:
  - a. MnSCU Job Bulletin.
  - b. The Affirmative Action posting book and website.
  - c. The WSU Placement Office.
  - d. The News Information Office.
  - e. Minnesota Department of Economic Security (Job Service)
  - f. Retrenched faculty list. See the IFO agreement for required timelines for distribution of the Notice of Vacancy.
  - g. Affirmative Action Office "Web" Page.
  - h. Historically Black Colleges and Universities, historically female colleges and universities, and tribal colleges.
  - i. ASF campus and state association presidents (ASF positions)

### D. Processing and Screening Applications

1. Letters of interest are sent to the Affirmative Action Office.
2. The AAO will send an acknowledgement letter, a copy of the Notice of Vacancy and Supplemental Personnel Data Form (Appendix F) to the candidate.
3. After the Notice of Vacancy deadline, the Search Chairperson will consult with the AAO to determine if there are sufficient applications from women and minorities. On the recommendation of the AAO, the Equal Opportunity Officer, in consultation with the Search Committee, may extend the period for recruitment if the percentage of women and minorities is substantially less than the percentage available in the specialty required. If the search is extended, all applicants will be notified of the revised deadline.
4. Screening Applicants. After the approval of the rating and interview forms, the Search Chairperson routes candidate files to committee members. Each committee member will separately evaluate and rank candidates recording the evaluation for each on a separate rating form. All qualified candidates will be considered regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, age, sexual orientation, or membership in a commission subject to the limitations of the MnSCU Rules.

The search committee may require verification of data contained in the application. Telephone inquiries concerning a candidate's qualifications are encouraged. They are required of all candidates the committee is considering for

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a campus interview. (The Record of Telephone Inquiry form is found in Appendix G.) Under Minnesota's "open records" law, information received by telephone (if recorded) is available to the applicant upon request.

5. Whenever possible, the Search Committee shall complete the rating of candidates by three weeks after the deadline for completed applications.
6. The Search Committee, in consultation with the department chair/unit supervisor (non-IFO positions) and dean/vice president will determine which candidates, if any, should be interviewed. The Selection for Campus Interview Form (Appendix H), which indicates reasons for the candidates' selection, should be attached to the appropriate file.
7. Once the Search Chair/Supervisor (non-IFO positions), has signed the Selection for Campus Interview forms, the Search Chairperson/Supervisor (non-IFO positions) will return all search files (with completed rating sheets) to the AAO. The AAO will review the files and completed Ratings Forms for all protected group candidates. Upon approval, the AAO will forward the Selection for Campus Interview forms, along with all files, to the appropriate dean and vice president for approval.
8. Upon approval and signature of the AAO, appropriate dean/supervisor (non-IFO positions), and appropriate vice president, the Search Chairperson will invite the candidates to campus.
9. It shall be the responsibility of the Search Committee, in consultation with the appropriate dean/vice president, to develop a schedule for the interviewee. The following individuals should meet with the candidate(s): department, dean/supervisor (non-IFO positions), vice president, president, Human Resources (for explanation of benefits), Deans' Council (administrative positions only), all-university constituency groups (for administrative positions only), and the AAO (for candidate reimbursement-Appendix I). If a teaching position is involved, the schedule should include provisions for the interviewee to make a presentation or give a scholarly paper before the members of the department or any other interested members of the University community.
10. Following the interviews, the Search Chair shall complete the Search Committee Recommendation Form (Appendix J) indicating the committee's recommendation.
  - a. The report and attached candidate(s) files shall be routed (in the following order) for approving signatures:
    1. Supervisor (non-IFO positions)
    2. Affirmative Action Officer
    3. Appropriate dean
    4. Appropriate vice president

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- b. The vice president will recommend the best qualified candidate(s) to the President of the University and designate an appropriate rank and salary.
  - c. The individual selected shall be the person best qualified for the position in terms of the specific criteria stated on the Notice of Vacancy.
  - d. In those cases where an affirmative action goal has been set, and if the qualifications for the finalists are relatively equal, preference will be given to finalists who are members of underrepresented classes.
11. When the individual selected is not one of the top candidates recommended by the Search Committee, the appropriate vice president shall meet with the members of the Search Committee and indicate the reasons for her/his recommendation.
12. The President's decision shall be conveyed to the supervisor (non- IFO positions)/dean and to the Search Committee along with information regarding the salary to be paid and the rank to be offered.
13. It shall be the responsibility of the supervisor (non IFO positions)/dean to send a letter of offer to the candidate. See Appendix K "Employment Eligibility Verification."
14. Upon written acceptance of the position by the candidate, the Affirmative Action Office shall send letters to all unsuccessful applicants thanking them for their participation in the search. The search chair/dean/supervisor (non-IFO positions) shall contact the unsuccessful finalist(s) informing them they were not selected. The appropriate department/college shall submit a contract request through the appropriate channels.
15. The Human Resources Office will notify the appropriate bargaining unit President of the new hire.

### E. Retention of Documents

1. Permanent Affirmative Action Search File. The permanent Affirmative Action File shall contain: The permanent AA file shall be retained by the AAO indefinitely.
- a. Authorization For Recruitment/ Search Committee Form
  - b. Notice of Vacancy Form – initialed
  - c. Notice of Vacancy Form – final copy
  - d. AA Recruitment Plan
  - e. Rating form-initialed

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- f. Interview form – initialed
  - g. AA copies of Ads faxed
  - h. Selection for Campus Interview form
  - i. Interview forms of successful candidates
  - j. Rating forms of successful candidates
  - k. Search Committee Recommendation form
  - l. Final Report form
2. Candidate Files. The Candidates' files for each search shall be kept in the Affirmative Action Office for one (1) year. After that year they will be transferred to the storage area on first floor Somsen. They will be kept there for two (2) years. After that, the files shall be transferred to a secure location for three years. After the three (3) year period, the files will be destroyed.
  3. Affirmative Action Reports. (i.e., Affirmative Action Plan, Veteran Reports, etc.) All reports filed on behalf of WSU by the Affirmative Action Office shall be kept permanently in the Affirmative Action Office.
  4. Affirmative Action Office Harassment/Discrimination Complaint Records. The harassment/discrimination complaint files shall be kept permanently in a locked file cabinet. The only person to have the combination for this file cabinet is the Affirmative Action Office and/or Sexual Harassment Officer. For further clarification, see the Data Privacy law.
  5. Affirmative Action Miscellaneous Files (i.e., budget printouts, 1400 forms, purchase orders). Miscellaneous files will be kept in the Affirmative Action Office for three (3) years. After that time, they will be kept in a secure location for three years. After the three (3) year period, the files will be destroyed.
- F. Emergency Appointments. In the event a position develops when the length of time prior to the beginning of the appointment is not sufficient for normal affirmative action recruitment procedures (a resignation, illness or death, a newly established position, failed searches) the following procedures will apply:
1. The department/unit shall clear a waiver of affirmative action policies with the AAO.
  2. In so far as possible, candidates will be selected from available pool applicants. (See section G-1)
  3. The University will issue a temporary/fixed-term contract.
  4. As soon as possible, the department/unit will initiate prescribed procedures for affirmative action recruitment for the position. The individual holding the



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temporary/fixed-term contract may apply for the position providing he/she meets the qualifications and will be given equal consideration with any other applicants. Experience on that job cannot be a criterion in the selection process.

5. The Resources Office will notify the appropriate bargaining unit President of the new hire.

### G. Part-time Appointments.

1. To fill part-time vacancies of less than half-time (fewer than six credits per semester, or fewer than twelve credits per academic year for teaching faculty), departments will develop a pool of local or regional qualified potential candidates through newspaper advertisements, personal contacts, etc., insuring so far as possible that this pool contains protected group candidates. (The local Minnesota Department of Economic Security Office and their Veterans Representative must be notified of such vacancies.) Following Affirmative Action procedures as far as possible, part-time appointments may be made from these pools.
  2. When permission to fill a part-time vacancy is granted by the vice president, the department chairperson/supervisor (non-IFO positions) will review the pool of available candidates.
  3. After identifying an appropriate candidate for the position, the chairperson/supervisor (non-IFO positions) will make written recommendation (including the candidate's transcripts and resume) to the dean (if applicable) and the vice president to employ the individual.
  4. Upon approval by the dean (if applicable) and the vice president, the department chairperson/supervisor (non-IFO positions) will send a "Letter of Offer" detailing the specific responsibilities of the job and including all appropriate personnel forms. The candidate will be expected to accept or reject the letter of offer by a certain date.
  5. Upon acceptance of the offer, the dean's office/supervisor (non-IFO positions) will forward the original acceptance letter to the Office of Human Resources along with all completed personnel forms. A copy of the letter will also be sent to the department chairperson/supervisor (non-IFO positions) and the vice president.
  6. Upon receipt of the acceptance letter, the department/unit will issue a formal contract.
  7. The Resources Office will notify the appropriate bargaining unit President of the new hire.
4. INTERNAL SEARCHES. The AAO may authorize internal searches as provided for under the current bargaining unit agreements.
  5. RECRUITMENT AND SELECTION OF CLASSIFIED EMPLOYEES. Consistent with MnSCU Policy on Equal Opportunity, Non-Discrimination and Affirmative Action, WSU has established the following selection process for classified employees.

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- A. Position becomes vacant. Director of Human Resources and supervisor are informed that there will be a vacancy.
- B. Request to Fill form: The supervisor/dean informs the Director of Human Resources that there is a position. The Director of Human Resources supplies the supervisor/dean with a Request to Fill Classified Vacancy form and approvals are secured from the Budget Director, appropriate supervisor/dean, vice president and president. This form verifies funding is available.
- C. Position Description: The Director of Human Resources and supervisor review the position description to see if any changes are needed. If necessary, the position description will be revised. The position description may be submitted to Department of Employee Relations (DOER) for class review.
- D. Job Posting: See appropriate union contract.
- E. No Eligible Bids: See appropriate union contract.
- F. Search Committee: The supervisor for the vacant position and the AAO will decide if a search committee will be used to fill the vacancy. If a search committee is used, the list of search committee members will be submitted to the Director of Human Resources and the Affirmative Action Officer for approval. Search Committee members shall be chosen in a manner, which includes the participation of women, minorities, and other, underrepresented classes. At a minimum, the committee should include both males and females and, whenever possible, a minority group member, or a person with a disability.
- G. First Meeting of Search Committee: The Affirmative Action Officer and/or Director of Human Resources shall attend the first meeting of the committee to review procedures, answer questions about policy, and provide availability data.
- H. Screening Grid and Interview Questions: A screening grid and list of job related questions are prepared by the supervisor or supervisor and search committee. The screening grid and questions are approved by the Director of Human Resources and AAO to ensure that the questions are uniform, appropriate and job related. See Appendix E regarding interview guidelines.
- I. Recommendation of Candidates to Interview: Supervisor will forward the Recommendation for Interview Form to the Director of Human Resources, Affirmative Action Officer and appropriate dean/vice president for approval. AAO and Director of Human Resources will notify search committee the approvals have been secured and interviews can be scheduled. Interviews can be scheduled after all approval signatures are secured.
- I. Interviews: Interviews are conducted by the search committee or supervisor using approved job related questions. See attached regarding interview guidelines.

The supervisor should discuss the interview procedures with the appropriate dean/vice president to determine if he/she wants to interview candidates.

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J. Recommendation for Hire: Recommendation for hire is given by the search committee/supervisor to the Director of Human Resources and appropriate dean/vice president. If a member of a protected class group where there is a disparity is not selected, a written justification for not hiring from this group will be sent to the AAO. He/she will review the file to ensure that the recommendation is based on job related criteria and is consistent with the affirmative action plan.

K. Recommendation to President: A candidate(s) is recommended for hire to the President. The President may meet with the recommended candidate(s) prior to an offer of employment being made.

When the individual selected is not one (1) of the top two (2) candidates recommended by the Search Committee, the appropriate vice president shall meet with the members of the Search Committee and indicate the reasons for her/his recommendation.

L. If the AAO concurs with the selection, the Director of Human Resources will make the position offer, and notify all candidates of the hiring decision. The written justification is attached to the Protected Group Report.

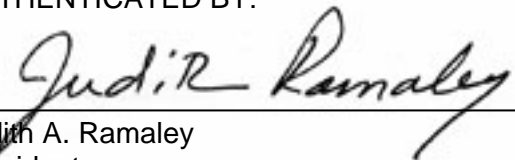
M. If the AAO does not concur with the decision, the matter will be resolved by the appropriate vice president and/or president.

15. The Resources Office will notify the appropriate bargaining unit President of the new hire.

6. VIOLATIONS. Employees or students who claim to have personally suffered discrimination arising from noncompliance with this regulation may pursue complaints through the System Discrimination/Sexual Harassment Grievance Procedure adopted by MnSCU.

This WSU Regulation supersedes WSU Regulation Policy 5-2, dated September 2001.

AUTHENTICATED BY:

  
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Judith A. Ramaley  
President

August 13, 2007  
\_\_\_\_\_  
Date of Adoption

Authoritative Reference:

[MnSCU Policy 1B.1, Nondiscrimination Employment and Education Opportunity](#)

[MnSCU Policy 1B.2, Affirmative Action in Employment](#)

[Minnesota Statute 363A.03, Department of Human Rights, Definitions](#)

[Americans with Disabilities Act](#)

President

Initial Date of Adoption: 12/11/79

Dates of Revisions: 10/24/80, 11/6/87, 8/18/88, 9/2001, 8/13/07

LIST OF ATTACHMENTS

[Human Resources Forms Page](#)