

To: Dr. Tomikia LeGrande, President, Prairie View A&M University
From: Dr. David A. Rembert, Speaker of the Faculty Senate

- This is a resolution. Faculty Senate approved this Resolution on March 10, 2024
- This is a request for information.

Under Faculty Senate's Resolution 23-1, Resolution for Advancing Fairness and Transparency in Employment Practices Procedure 33.99.01.P0.01.

Please indicate your action on this form and return it to the Speaker of the Faculty Senate.

David A. Rembert

Dr. David A. Rembert,
Speaker of the Faculty Senate

Tabitha Morton

Dr. Tabitha Morton
Vice Speaker of the Faculty Senate

ACTION of the University President

- This resolution is approved without changes. This resolution is approved with changes.
- This resolution is disapproved.
- This request for information was approved. This request for information was disapproved.

Please provide comments below or attach a statement.

Dr. Tomikia LeGrande, President of Prairie View A&M University

Date

**Resolution for Advancing Fairness and Transparency in Employment Practices Procedure
33.99.01.P0.01**

Preamble

The current resolution aims to establish well-structured, fair, transparent, and unbiased employment hiring procedures that align with the requirements and standards of federal and state laws and regulations. Even though the University has a well-defined and organized hiring system, there are concerns that biases or unfair practices may arise during its real-world application. For example, UAP 33.99.01.P0.01 permits the hiring authority to oversee nearly all aspects of the recruitment process, from job advertisement to job offer, without a defined oversight structure. Another example is a hiring authority deeming a search “failed” due to biases against a candidate’s gender, labeling it as “failed” because the top candidate was a woman with the intention of seeking a male candidate, or reject all candidates from a specific region or country, only to pursue those from preferred geographical locations. Such patterns or practices could lead to systemic discrimination, which is not only ethically wrong but might also violate legal norms. Additionally, UAP 33.99.01.P0.01 does not provide any guidelines on how hiring authorities should conduct the hiring process for non-tenure-track and professional staff positions, which require no search committee, possibly allowing subjective or biased decision-making. This resolution makes amendments and additions to Employment Procedures 33.99.01.P0.01 to diminish unfair and biased decision making, and to foster fairness, transparency, and inclusivity in the hiring process.

WHEREAS Prairie View A&M University is dedicated to upholding fair and transparent employment procedures in compliance with federal and state legislation;

WHEREAS the current procedure, although providing a structured framework for employment practices, harbors the potential for biases and unjust practices;

WHEREAS the procedure presently grants the hiring authority autonomous rights to recruit for certain roles without the obligation of establishing a search committee or liaising with other university members, which could lead to unchecked biases influencing recruitment decisions;

WHEREAS the current procedure allows the hiring authority to manage virtually all facets of the recruitment process, from promoting the position to extending the job offer, without a defined oversight structure. This absence of checks and balances poses a significant issue as it permits extensive discretion by the hiring authority, potentially resulting in biased or inconsistent recruitment decisions;

WHEREAS the procedure lacks comprehensive guidelines on how hiring authorities should execute the hiring process in the absence of a search committee, potentially permitting subjective or biased decision-making;

NOW, THEREFORE, BE IT RESOLVED that the following recommendations below and the amendments and additions to Employment Procedures 33.99.01.P0.01 shall be incorporated to advance fairness, transparency, and inclusivity in our hiring practices at Prairie View A&M University:

1. Formulate and integrate clear interview protocols for all roles, detailing the steps necessary to ensure a fair and unbiased interview process.
2. Establish an audit mechanism, including the faculty senate and staff council, to check if the hiring process is regularly followed.
3. Evaluate our hiring processes periodically and update them, if needed, to ensure they are still relevant and effective.

BE IT FURTHER RESOLVED that the appropriate university committees and legal counsel examine these recommendations, amendments, and additions to ensure alignment with federal and state laws and be enacted immediately to maintain the University's dedication to fair and transparent employment procedures.

BE IT FURTHER RESOLVED that the University adopt the following revised Employment Practice University Administrative Procedure 33.99.01.P0.01.

On October 27, 2023, the Faculty Senate of Prairie View A&M University adopted the resolution with the following vote breakdown: 38 votes (76%) in favor, 6 votes (12%) against, and 6 members (12%) abstain.



Dr. Tabitha Morton
Vice Speaker of the Faculty Senate



Dr. David A. Rembert,
Speaker of the Faculty Senate

PRAIRIE VIEW A&M UNIVERSITY
REVISED UNIVERSITY ADMINISTRATIVE PROCEDURE

33.99.01.P0.01 Employment Practices

Revised August 19, 2010

Revised October 11, 2010

Revised December 16, 2011

Revised November 6, 2013

Revised March 7, 2016

Revised June 2, 2020

Next Scheduled Review: June 2025



UAP Purpose

The purpose of this University Administrative Procedure (UAP) is to establish standard employment practices in accordance with federal and state laws and System Regulation [33.99.01 Employment Practices](#). Filling positions by promotion or transfer is covered in System Regulation [33.99.04 Promotion, Transfer and Voluntary Moves](#) and in UAP [33.99.04.P0.01 Employee Promotion, Transfer and Voluntary Moves](#).

Definitions

Hiring Authority – An employee who possesses the final decision-making power in the recruitment process, including the ability to decline recommendations from a search committee, declare a search as unsuccessful, or determine the selected candidate for hire.

Wage Position – a temporary position. Such a position will fit within one of two categories: 1) a student wage position which requires student status as a condition of employment; or 2) a wage position created to accommodate temporary labor needs, such as work of an intermittent nature or having a brief, fixed duration.

Official Procedures and Responsibilities

1. RESPONSIBILITIES

- 1.1. Departments must follow the guidelines for posting and advertising job vacancies for faculty and staff positions, including adjunct faculty and temporary staff, as outlined in this UAP and Prairie View A&M University's (PVAMU) current Affirmative Action Plan. Procedures for hiring student workers and graduate assistants are addressed in the [Student Employment Administrative Guideline](#).

2. POSTING FACULTY & STAFF JOB VACANCIES

- 2.1 The hiring department must complete and submit the electronic [Position &](#)

[Requisition Form](#) to initiate the job posting process.

2.2 Internal Promotions and Transfers

2.2.1 Some positions may be filled internally by promoting or transferring a qualified PVAMU employee and do not require a job posting. Refer to UAP [33.99.04.P0.01 Employee Promotion, Transfer, and Voluntary Moves](#) for details on promotions and transfers. All department employees shall be informed of internal promotions and transfers.

2.3 Internal Postings

2.3.1 When qualified applicants are available within The Texas A&M University System (TAMUS), job postings may be limited to current TAMUS employees and posted on the internal [Career Site](#). All department employees shall be informed of internal job postings.

2.4 External Postings

2.4.1 All vacancies must be posted for at least 30 days when an external posting is required. Once the 30-day requirement has been met, the posting may be removed from all websites based on the department's request and the type of position. All tenured/tenure-track faculty positions shall include a national recruitment and outreach effort. All department employees shall be informed about the external job posting.

2.4.2 If the position is not filled after it has been closed due to a lack of qualified applicants, it may be re-posted. Requests to re-post positions for which qualified applicants are available must be reviewed and approved by the Office of Equal Employment Opportunity & Diversity (EEO) before being re-posted by the OHR.

2.4.3 The OHR must minimally post positions at the following locations if external candidates are being sought:

2.4.3.1 Texas Workforce Commission and the University's external Career Site and;

2.4.3.2 on a leading job board and career resource for professionals seeking employment in higher education institutions such as HigherEdJobs or the Chronicle of Higher Education or;

2.4.3.3 a professional association's job board to reach a diverse pool of candidates.

2.4.4 In accordance with the Annual Affirmative Action Plan, the University should make and document additional good-faith efforts in its outreach, advertisement recruitment plans, and resources listed in Section 2.4.3.

2.4.5 The advertisement of a position in other media, listed in Section 2.4.3, is at the discretion of the applicable department head.

2.4.6 If the department requests a position be advertised in other media, the OHR will coordinate the requested advertising with the department and vendors to obtain price quotes and place advertisements.

2.4.7 The President or their designee must approve any waiver of the normal posting and recruiting procedures listed in Section 2.4.3. However, the posting requirements with the Texas Workforce Commission cannot be

waived.

3. SEARCH COMMITTEES

- 3.1 Mandatory Training for Hiring Authorities and Committee Member
 - 3.1.1 The hiring authority, search committee chair, and members must complete the following training before conducting candidate interviews: "Effective Hiring Practices" every twelve (12) months and "Creating a Discrimination-Free Workplace" every two (2) years.
- 3.2 Mandatory Formation of the Search Committee
 - 3.2.1 Forming a search committee is mandatory for all Prairie View A&M University positions.
- 3.3 Composition and Principles of the Search Committee
 - 3.3.1 The formation of search committees should align with the principles of shared governance and best practices. The committee should comprise key stakeholders associated with the vacant position, ensuring a broad spectrum of perspectives. For all positions, the committee should at least be composed of faculty, staff, and students, and when feasible alumni.
- 3.4 Selection of Committee Members
 - 3.4.1 The selection of the committee members, including the search committee chair, should be a collaborative effort involving both the hiring authority and the employees within the departments. The search committee chair, preferably holding a rank equal to or higher than the position being filled, should be chosen based on their expertise, leadership qualities, and ability to foster a conducive and inclusive environment for the hiring process.
- 3.5 Transparency and Documentation in Forming a Search Committee
 - 3.5.1 It is crucial to maintain transparency and documentation throughout the committee formation process. The details concerning the composition of the committee should be duly recorded and shared with the Office of Equal Employment Opportunity & Diversity using the electronic Position & Job Requisition Form during the initial posting request phase. While the Office of Equal Employment Opportunity & Diversity holds the authority to review, approve, or suggest modifications regarding the committee's composition, it should do so in a consultative manner, ensuring alignment with the departmental and institutional goals.
 - 3.5.1.1 Changes in Search Committee members (or composition) after posting a position should be documented on the [Search Committee Identification Form](#).
- 3.6 The Hiring Authority's Charge to the Search Committee
 - 3.6.1 The charge to the search committee should be conveyed with utmost clarity, detailing the expectations of the hiring authority, the specific tasks assigned to the committee, the deadline for completing these tasks, and the candidate's profile the hiring authority is interested in attracting. Additionally, employees not serving on the search committee must be aware of the charge. This transparent communication will ensure that the committee operates within the

defined parameters and that the broader team is informed, thereby minimizing the potential for corruption or misconduct.

- 3.7 Responsibilities of the Search Committee
 - 3.7.1 Reviewing applicants' resumes/curricula vitae (CVs); applications; evaluating the applicants' minimum, essential, and preferred qualifications; interviewing candidates; verifying professional references; and documenting the evaluation process using a standardized applicant evaluation matrix. All these tasks are to be solely conducted by the search committee to ensure a fair, comprehensive, and unbiased evaluation of all candidates.
- 3.8 Selection Methodology
 - 3.8.1 The selection methodology for all positions should be documented using established criteria on [an Evaluation Matrix](#) and a [Standard Interview Questionnaire](#). Completed selection documents must be maintained in the departmental new hire file as required per the University's [Records Retention Schedule](#).
 - 3.8.2 The University prohibits any form of pre-employment testing unless the hiring authority documents the need for and type of test in writing and obtains approval from the EEOC before testing.
- 3.9 Search Committee Interview Procedure
 - 3.9.1 All interviews are to be organized as panel interviews. The panel interviews shall be structured and standardized to provide all candidates with consistent interview experience. Each search committee member shall be equipped with predefined questions, and a standardized scoring or evaluation matrix shall be employed.
- 3.10 Search Committee Forwarding Recommendations to the Hiring Authority
 - 3.10.1 Upon the conclusion of the evaluation process, the search committee is mandated to forward recommendations of the most qualified candidate(s) to the hiring authority. These recommendations must be derived from thoroughly analyzing each candidate's qualifications, experiences, and alignment with the position criteria established at the search process's initiation. The recommendations must be well-documented, providing a clear rationale for selecting and articulating how the candidate(s) fulfill the established criteria. The search committee's recommendations shall be shared with the hiring authority to promote transparency and informed decision-making.
- 3.11 Shared Review of Recommendations
 - 3.11.1 Before the search committee forwards their recommendations to the hiring authority, a shared review of all recommendations among the committee members is required. This process ensures a collaborative and transparent decision-making process. All committee members shall have access to their peers' recommendations and accompanying rationale, facilitating open communication and reconciliation of differing viewpoints if necessary. The shared review process shall be documented meticulously, capturing any significant discussions or discrepancies among committee members. This procedure emphasizes the collaborative ethos of the search committee and aligns with the organizational values of shared governance, transparency, and

inclusivity.

3.12 Hiring Authority Review

3.12.1 The hiring authority reviews recommended candidates as the reasons for the rankings.

3.12.2 If the hiring authority has concerns about a candidate, they must provide "compelling reasons" for their reservations. These reasons must be clear, objective, and not based on arbitrary or capricious grounds.

3.13 Search Committee and Hiring Authority Meeting

3.13.1 A meeting will be convened if there's a disagreement between the search committee's recommendation and the hiring authority's concerns.

3.13.2 The purpose of this meeting is to discuss the concerns and try to reach a consensus. The faculty's expertise and judgment should be given significant weight in these discussions.

3.14 Final Decision

3.14.1 If a consensus is reached, the hiring process will proceed based on the agreed-upon candidate.

3.14.2 If no consensus is reached, the hiring authority can reject the search committee's top choice only for the compelling reasons discussed early. The next candidate on the search committee's list will be considered.

3.14.3 There are instances when, despite all efforts, a suitable candidate is not identified. In such cases, the search process might be deemed unsuccessful, leading to the next phase: addressing a failed search.

3.14.4 Under no circumstances can the hiring authority offer a position to a candidate deemed unacceptable by the search committee.

4. ADDRESSING A FAILED SEARCH

4.1 A failed search is identified if the candidate pool does not meet the stipulated minimum qualifications or expectations outlined in the job posting, when a suitable candidate is not identified, or no candidate accepts the job offer. Upon identifying a failed search, the hiring authority must promptly inform both OHR and the Office of Equal Employment Opportunity & Diversity (or an equivalent office) regarding the situation. It is crucial that the hiring authority thoroughly documents the reasons leading to the failed search. This documentation should encompass an analysis of the applicant pool, summaries of interviews conducted, and any feedback acquired during the process.

4.2 Following the notification, a review session should be held involving the hiring authority, the search committee, and the Office of Equal Employment Opportunity & Diversity to delve into the documentation and understand the underlying causes of the failed search. In light of the review, the hiring authority might decide to amend the job description, qualifications, or the recruitment strategy to better align with the desired candidate profile and attract a more suitable array of candidates.

4.3 Subsequently, the position should be re-posted incorporating any modifications made to the job description and/or qualifications. The re-posting process should adhere to standard external posting and internal notification procedures. If deemed necessary, a new search committee may be constituted to oversee

the renewed search, ensuring its composition aligns with the guidelines delineated in the institution's hiring policy.

- 4.4 Transparent communication is vital; all relevant parties, including department members and external stakeholders, should be told of the failed search and the ensuing steps to fill the vacancy. The renewed search process must be closely monitored to ensure it complies with institutional policies and to gauge the effectiveness of the modifications implemented.

5. REPORTING SUSPECTED UNFAIR HIRING PRACTICES

- 5.1 If members of the search committee suspect or become aware of unfair hiring practices during any phase of the recruitment and selection process, they must promptly address and report the issue. This may include the Human Resources Department, Legal Department, or other designated authorities.
- 5.2 Members should document any instances or evidence of unfair hiring practices, including but not limited to, discrimination, favoritism, or lack of transparency, and ensure that this documentation is thorough and accurate.
- 5.3 The committee may be required to halt the hiring process temporarily while the reported issue is being investigated, to maintain the integrity of the hiring process.
- 5.4 The committee should cooperate fully with any internal or external investigations into unfair hiring practices, providing all necessary documentation and testimony as requested.
- 5.5 In coordination with the Human Resources Department and/or Legal Department, the committee should participate in any necessary corrective actions to rectify the unfair hiring practices and ensure a fair, transparent, and inclusive recruitment process moving forward.
- 5.6 Training on fair hiring practices and procedures should be provided to all search committee members, and refresher training should be made available regularly to uphold the standards of fairness and inclusivity in the recruitment and selection process.

6. EMPLOYMENT

- 6.1 It is the responsibility of each hiring authority to ensure decisions are based solely on job-related factors such as education, experience, knowledge, skills, abilities, licenses/certifications, and work reference checks.
- 6.2 An individual who qualifies for a veteran's or former foster child's employment preference under Texas Government Codes [Chapter 657](#) and [Chapter 672](#) respectively, is entitled to a preference in employment over other applicants, who do not have a greater qualification, for the same position. With respect to administering the veteran's preference, for each announced open position, the hiring authority or search committee shall interview according to the following:
 - 6.2.1 If six or few applicants are chosen for an interview, an applicant qualified for the veteran's preference must be interviewed.
 - 6.2.2 If more than six applicants are interviewed, 20% of the interviewees must claim veteran's preference.
 - 6.2.3 For an announced open position that does not yield applicants who qualify for a veteran's employment preference, Sections 5.2.1 and 5.2.2 do not apply.

- 6.3 Upon selection of a candidate to fill the position, the department will follow the steps listed in OHR's Hiring Guidelines on the intranet.
- 6.4 The standard [university offer letter](#) will be extended to a candidate for staff positions only after a [New Hire Selection Form](#) has been submitted. The salary offered for the position must be consistent with the established pay grade and range established in the TAMUS Pay Plan.
 - 6.4.1 Wages or salaries to be offered above the midpoint of the salary range must be approved by the hiring department's respective vice president and evaluated by the Office of Human Resources before an employment offer is extended to a prospective hire.
 - 6.4.2 Written justification attached to the [New Hire Selection Form](#) referenced above must include the prospective hire's unique qualifications, expertise or other additional job related compensable factors for the salary basis should be sent to the vice president for approval. The approved justification should be attached to the Personnel Action Form for further review by the Office of Human Resources.
- 6.5 Every offer of employment is contingent upon verification of relevant job-related credentials and a criminal history check.
 - 6.5.1 Criminal history checks will be conducted in accordance with System Regulation [33.99.14 Criminal History Record Information – Employees and Applicants](#), and University Rule [33.99.14.P1 Criminal History Record Information – Employees and Applicants](#).

7. SELECTIVE SERVICE REGISTRATION

- 7.1 All offers of employment to males ages 18 through 25 must be contingent upon proof of the applicant's compliance with the federal selective service law. If the applicant is not currently registered, but is required to be, he may be given an opportunity to register before he is hired.

8. HIRE DATES

- 8.1 Hire dates are typically on Tuesdays and Thursdays. Alternative hire dates may be requested for special cases.

9. REQUIRED TRAINING

- 9.1 All new employees are required to attend New Employee Orientation. New Employee Orientation is held each week. An email notification is sent to the new employee and hiring supervisor by the OHR confirming the approved hire date and New Employee Orientation date. The orientation will include completing all documents related to onboarding, to include the Form I-9 (Employment Eligibility Verification), providing information on applicable benefit programs, and completing state-mandated training courses.

10. EQUAL OPPORTUNITY AND RECRUITING

- 10.1 PVAMU is an equal opportunity employer and as such, will not discriminate against a job applicant based on his or her race, religion, color, sex (including pregnancy), age (40 or older), national origin, disability, genetic information, veteran status, sexual orientation or gender identity. Also, it ensures PVAMU's compliance with System Policy [08.01 Civil Rights Protections and Compliance](#) and System Regulation [08.01.01 Civil Rights Compliance](#). Selection of applicants to fill positions will be based on job related factors which include, but are not limited to, relevant

work experience and performance history, applicable education and/or training, and required skills, knowledge and abilities.

11. RECORDS RETENTION

- 11.1 All employment applications and other relevant information on job applicants who are not hired will be maintained for five (5) years after a successful candidate has been hired. Employment applications and relevant information on hired applicants will be maintained throughout their employment plus five (5) years after the employee terminates. Please refer to the [Records Retention Schedule](#) for further details/guidance.

Related Regulations and Rules

[System Policy 08.01 Civil Rights Protections and Compliance](#)

[System Regulation 08.01.01 Civil Rights Compliance](#)

[System Regulation 33.99.01 Employment Practices](#)

[System Regulation 33.99.04 Promotion, Transfer, and Voluntary Moves](#)

[System Regulation 33.99.14 Criminal History Record Information – Employees and Applicants](#)

[University Rule 08.01.01.P10.01 Civil Rights Compliance](#)

[University Administrative Procedure 33.99.04.P0.01 Employee Promotion, Transfer and Voluntary Moves](#)

[University Rule 33.99.14.P1 Criminal History Record Information – Employees and Applicants](#)

Contact Office

Office of Human Resources 936-261-1730
