

Hiring

The employment relationship begins when an employee is hired. Before this occurs, however, many behind-the-scenes activities take place. The need for the position needs to be realized. An argument may need to be made in support of hiring additional personnel. The position and its essential functions need to be identified. The qualifications of candidates need to be determined. Then the hunt for candidates may begin. Interviews are scheduled and held. Qualified candidates need to be chosen. An offer of employment is extended. The new hire needs to be welcomed and integrated successfully.



In addition to regular employees, some tasks call for the work of independent contractors. When this is the case, special attention needs to be taken to ensure those independent contractors are not treated as employees.

Supervisors play a role in many of these aspects.

Job descriptions

When it comes to job descriptions, accuracy is essential, and the more accurate detail, the better. It brings a level of consistency to positions, as well as to candidate screening, recruiting, and hiring. With such information, employees know what to expect and what the job requires of them. Job descriptions are also useful in reviewing an employee's job performance during the appraisal process. Staffing and career planning are also simplified by using standardized job descriptions.



FAQ

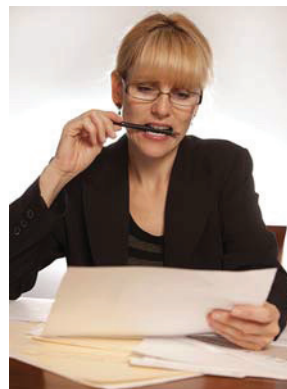
Are job descriptions required?

Not specifically. The generally applicable employment laws do not require that employers create job descriptions. They can, however, be very helpful in supporting an argument regarding an employee's job duties.

Many job descriptions are developed by determining required job-specific competencies, which make it easier to identify potential talent for the position. Competencies can reflect the core behaviors or skills required by the company, as well as the behaviors, knowledge, skills, and abilities required for individual job success. A good job description should include the job's:

- Principle duties (i.e., essential functions of the job — the reason the job exists);
- Nonessential functions of the job;
- Required knowledge, skills, and experience;
- Required education, licenses, and certifications;
- Physical requirements and environment; and
- The equipment the employee will use.

An accurate job description can help you determine whether an employee with a work-related injury can continue to perform his or her job, at what level, and what accommodations may be necessary. Having the employee go to the doctor with a copy of the job description in hand, which details the frequency and type of physical labor that is required in the job, is invaluable for helping the doctor determine which of those job duties the employee can and cannot perform.



Accommodations may be needed to help you support a position under the Americans with Disabilities Act, as amended (ADA). Under the ADA, a qualified individual is one who can perform, with or without reasonable accommodations, the essential functions of a

job. A good job description outlining the essential job functions will help you determine if accommodation may be necessary, and if so, which job duties may need accommodation.

Finally, many lawsuits for overtime pay have been filed by employees who were classified as exempt when they should have been non-exempt. Most of these cases hinge on the job duties test, particularly regarding what constitutes an employee's "primary duty." A good job description will designate the percentage of time the employee will likely spend performing certain functions. Once you have a well-prepared job description, you are ready to begin the next step in this process.

Interviewing

Hiring qualified employees is crucial to a company's success. This means hiring the best qualified person with excellent work habits and a great attitude. But, as a supervisor, you know that this is not easy to accomplish. The goal is to find the right candidate. But during the hiring process, you must navigate numerous laws and regulations that deal with hiring. You don't want to be the one putting the company at legal risk for not following proper hiring practices.

Application process

As we mentioned, there is preparation that needs to be done to make the hiring process successful. That's why before a company can start interviewing and hiring, it must first define the position and create a job description. In order to attract the right candidates, the company must also use the appropriate recruitment tools to get the information to those who might be interested in the position.



Supervisor Tip

Work with your HR staff to create job descriptions.

The interview

Depending on your company's hiring process, as a supervisor you probably have some role in interviewing. You may even have the primary role. Either way, it is important that you understand interviewing concepts to avoid legal problems.

Hiring

Before an interview, review a candidate's application or résumé. During a review, you may formulate questions you'd like to ask the candidate.

At the start of the interview, try to put the candidate at ease. Treat the applicant as you would want to be treated in an interview. It is more likely that a person treated in a warm friendly manner will respond in an open and honest manner. The goal of the interview is to find out as much as possible about the applicant's work background, habits, and skills.



During the interview, thoroughly describe your department and the position. Part of your job is to encourage the best candidates to work for your company. Stress the good points, but don't mislead. Feel free to touch upon areas that have posed challenges. It costs the company time and money to hire and train people who later discover that this is not the right position for them.



Note

Candidates may need a reasonable accommodation to engage in the application process.

Let the applicant do most of the talking. Follow the 80/20 rule: The candidate should do 80 percent of the talking and you should do 20 percent. Don't feel that you have to ask a question every

time the candidate pauses. Silence will often encourage the candidate to offer more explanation.

During the interview, verify the information that was provided on an application or résumé. Make sure applicants explain any gaps in their employment history. People often change jobs, so you may also want to ask the applicant to explain instances of excessive job hopping.

As you begin the interview, keep these guidelines in mind:

- For each interview, use a preplanned list of questions designed to help you judge the applicant's qualifications, skill levels, and overall competence.
- To avoid discrimination issues, ask the same questions for the same job. But, prepare specific questions for individuals that will explore their work history and education.
- Use follow-up questions, such as "Why did you do that?" or "What was the outcome?" to get a better picture.

Other guidelines to follow include:

- Encourage applicants to ask questions.
- Consider using coworkers in the interview process. They may have insights you haven't considered. Choose coworkers who understand the job, are good at it, and have good communication skills.
- Take careful notes after each interview so you can remember who said what. But, be careful what you write to avoid discrimination charges.



Supervisor Tip

You may want to forward your interview notes to HR so they can retain them per federal and state law.

Interview questions

To obtain the information needed to help choose the best candidates, some general interview questions are needed. In addition to these questions, you will need to develop those that are specific to the job and the candidate. Acceptable questions will