

Office of the President



October 3, 2023

## **TO THE ENTIRE UAGM UNIVERSITY COMMUNITY**

José F. Méndez Méndez  
President

### **EXECUTIVE ORDER NUMBER OE-41-2023 TO AMEND THE HUMAN RESOURCES RECRUITMENT POLICY OF UNIVERSIDAD ANA G. MÉNDEZ**

Through Executive Order number OE-41-2023 we present the new provisions of the Human Resources Recruitment Policy.

Recruitment of human resources must be conducted in a cost-effective manner and in compliance with state and federal legislation applicable to the personnel selection process. Aligned with applicable legislation, the Vice Presidency of Human Resources continuously reviews the institutional policies and procedures of the recruitment area. On this occasion, the policy was revised with the purpose of tempering it to institutional needs and changes in applicable legislation.

We highlight the importance of compliance with the established institutional regulations so that the procedures for convening, interviewing, recruiting, and documenting the process are in accordance with the provisions of the law.

This policy will take effect on October 1, 2023.

You can access the amended Human Resources Recruitment Policy on the Human Resources Portal. You can also access the educational module related to this policy.

We urge compliance with the provisions set forth herein.

**SISTEMA UNIVERSITARIO ANA G. MÉNDEZ  
VICE PRESIDENCY OF HUMAN RESOURCES**

**HUMAN RESOURCES RECRUITMENT POLICY**

**Policy No.: RH-41-2023    Effective Date: October 1, 2023**

New

Amendment Policy No. RH-09-2019-003 dated September 1, 2019

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**I. INTRODUCTION**

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The strategic vision of human resources recruitment at Universidad Ana G. Méndez, hereinafter "UAGM", consists of identifying and attracting the best qualified candidates, in a cost-effective manner and in compliance with state and federal labor legislation. Aligned with this vision, the UAGM Human Resources Recruitment Policy is established.

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**II. PURPOSE**

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The purpose of this policy is to establish the procedures governing the recruitment of human resources at Universidad Ana G. Méndez.

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**III. SCOPE**

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The provisions of this policy shall apply to all administrative and faculty positions to be recruited.

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**IV. DEFINITIONS**

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- A. Candidate** - A candidate is defined as any person who completes an electronic application for employment and who meets the minimum requirements of the position, as established in the employment opportunity published on the UAGM website or other advertising medium.
- B. Difficult Recruitment Position** - A difficult recruitment position is defined as a position for which it is very difficult to obtain suitable candidates without a great deal of research, analysis, and additional internal and external recruitment efforts. Most of these positions have certain characteristics, demand in the employment market,

high levels of specialization, or administrative and research experience that limits the availability of qualified candidates. In these cases in which it is not possible to identify candidates, alternative means will be used. The Recruitment Division will process the coordination with the area that requires the position. To document the difficulty of recruitment, the call for employment for the position must have been published in several instances, without having received positive results.

- C. Applicant** - An applicant is defined as any person who completes an electronic job application, in response to a job opportunity published on the UAGM website or other advertising medium.

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## **V. NORMS AND PROCEDURES**

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### **A. Identification of the need for recruitment**

The recruitment process begins when the need to fill a position is identified, due to the existence of a vacant position or the need to create a position. In both cases, the institution that requires recruitment refers the request to the Posts Control Committee (please refer to the current Posts Control Policy for the procedure to follow). Every request for a newly created position requires a written justification.

### **B. Posting of job opportunities**

1. Once the Position Control Committee approves the positions presented for its consideration, the Director of Human Resources, in accordance with the established priorities, will proceed to request the publication of the calls for employment to the Recruitment Division. The Director of Human Resources must manage the call and ensure that the primary and secondary supervisors approve it.
2. Employment opportunities will be posted in accordance with the job description provided by the Division of Organizational Development. The base salary of the position will be included in the calls.
3. Any posting of UAGM employment opportunities must comply with the provisions of this policy, as well as state or federal regulations relating to employment announcements.
4. The publication of employment opportunities will be the responsibility of the Vice Presidency of Human Resources and can be carried out through various recruitment sources:

**a) UAGM website**

The UAGM website is the main source of recruitment. Employment opportunities will be published on the website through job announcements. The calls will have a minimum duration of five (5) calendar days. However, the duration of the posting may be extended at the request of the position supervisor or if no candidates are identified as a result of the posting.

In the employment area on the UAGM website people will have access to the following:

- i) Employment opportunities.** Individuals interested in being considered for a position at UAGM, including employees, can visit the website, evaluate available employment opportunities, and complete the electronic employment application.
- ii) Talent bank.** If in the employment opportunities the applicant does not identify any position for which he/she qualifies or is interested, he/she may complete the electronic employment application in the Talent Bank. In cases where qualified candidates are not identified in response to our employment opportunities, qualified candidates may be identified in the Talent Bank.

**b) Mandatory disclosure of vacancies**

The employment opportunities posted on our website refer simultaneously to the agencies required by law to meet the requirements of the Affirmative Action Program. This process is called “mandatory vacancy disclosure”. Interested parties must complete the electronic employment application. Some required agencies are the following:

- i)** Labor and Human Resources Department
- ii)** Puerto Rico Job Bank Employer Portal
- iii)** Veterans Administration
- iv)** Office of the Women's Ombudsperson
- v)** Vocational Rehabilitation Administration
- vi)** Office of the Ombudsperson for Persons with Disabilities

**c) Job portals or social and professional networks**

The job opportunities published on our website may be published simultaneously on different job portals or social and professional networks. Interested individuals will be required to complete the electronic employment application.

**d) Placement Offices**

The employment opportunities published on our website may refer to the UAGM Placement Offices. Interested individuals will be required to complete the electronic employment application.

In the case of difficult recruitment positions, the following alternatives may be used:

**e) By Invitation**

The interview committee has the power to invite to the process qualified persons who meet the requirements, provided that the following conditions are met:

- i) That a representative of the Vice Presidency of Human Resources assesses the credentials of the recommended person and certifies that he/she meets the minimum requirements of the position.
- ii) That the recommended person completes the electronic employment application.

**f) Professional and technical associations**

Employment opportunities may be referred to various professional and technical associations, according to the nature and complexity of the position, or if it is a difficult recruitment position. Interested individuals must complete the electronic employment application.

**g) Publication of announcement**

If the recruitment sources presented do not identify qualified candidates for the position, a representative of the Vice Presidency of Human Resources will proceed to request the Recruitment Division to publish a job announcement in an advertising medium, in accordance with the established procedure. Interested persons must complete the electronic job application, which will be published simultaneously on the website.

## **h) Employment Companies or Headhunters**

The services of employment companies or headhunters may be used in the case of high-level management positions or positions of difficult recruitment. These services must be requested from the Recruitment Division and their approval will be subject to fiscal availability.

## **C. Publication or promotion of job offers by UAGM employees or offices**

1. Any posting of employment opportunities requires the approval of the Vice Presidency of Human Resources for compliance with the provisions of this policy, as well as applicable state and federal law. Failure to comply with these standards would expose UAGM to the risk of non-compliance with applicable state and federal law, which could result in the imposition of penalties and/or fines by regulatory agencies.
2. These regulations apply, but are not limited to, the publication of posts on social or professional networks (such as LinkedIn, Facebook, Instagram, TikTok, Threads, among others, or any other social network that may arise), press or advertising media, job search portals or pages, professional magazines, professional and technical organizations, student internships or internship centers, among others. Publications on these sites must follow the rigor of law established by the concerned agencies and must be approved by the Vice Presidency of Human Resources.
3. Under applicable federal regulations of the Office of Federal Contract Compliance Programs (OFCCP), any advertisement or communication by an employee, supervisor, or office, to advertise a vacant position, is considered an official posting of the firm, implying that such posting is governed by all Affirmative Action requirements. Below are some of the federal government's requirements for vacancy announcements:
  - i. Job titles must be neutral or gender-free;
  - ii. Any posting must include the minimum requirements of the position or the link to the official page containing the job description; and
  - iii. It must include a tagline with the mandatory Equal Employment Opportunity statement from the federal government.

These requirements are subject to OFCCP updates. Promotion of employment opportunities without meeting all requirements exposes UAGM to non-compliance with federal and state regulations.

## **D. Evaluation of applications and referral of candidates**

1. A representative of the Vice Presidency of Human Resources will perform the initial evaluation of the electronic applications received in response to the call for employment and will identify the best qualified candidates, according to the minimum requirements established.
2. A representative of the Vice Presidency of Human Resources will refer to the supervisor of the position being recruited the electronic applications of the best qualified candidates, along with the necessary documents to carry out the interview process.
3. Everyone to be interviewed must have completed the electronic application, which must have been evaluated by a representative of the Vice Presidency of Human Resources to certify that the person meets the minimum requirements of the position.
4. If for any meritorious reason the applicant is unable to complete the electronic application for employment, he/she must contact a representative of the Vice Presidency of Human Resources to evaluate the situation and, if necessary, provide him/her with technological equipment or another alternative so that he/she can complete the application for employment.

## **E. Interview and selection committee**

### **1. Appointment and composition of the interview committee**

An interview committee is required. The composition of the interview committee must be representative and the participation of a representative of the Vice Presidency of Human Resources is recommended.

### **2. Functions of the interview committee**

The primary role of the interview committee is to identify and recommend the best qualified candidate for a position at UAGM. The committee will be constituted until the candidate is selected and appointed. The committee members, after completing the interview process, must complete the Interview Results Report.

The functions of the interview committee include:

- a. Ensure that the entire process is carried out in compliance with the legislation applicable to employment.

- b. Identify the profile of the candidate suitable for the position and the evaluation criteria.
- c. Evaluate the applications and select the candidates to be summoned for interview.
- d. Coordinate the interview process and summon the candidates for an interview.
- e. Write interview guide questions and any other exercises that can be used for evaluation.
- f. Conduct interviews and document scores obtained from all interviewed candidates.
- g. Recommend the right candidate to fill the position.
- h. Complete the Interview Results Report and turn it in to the HR representative on the Committee.

### **3. General Provisions Related to the Interview Process**

- a. If the position supervisor does not participate as part of the interview committee, it is up to the interview committee to interview the best qualified candidate or candidates. If none of the recommended candidates is selected, the process would begin again until the candidate who meets the desired profile is identified.
- b. If for any justified reason, a Human Resources representative does not participate as part of the interview committee, the interview committee must interview the recommended candidate prior to the job offer.

### **F. Reference Check**

Any candidate who is recommended for a position at UAGM will complete and sign an authorization and release for reference verification. Employment references will be verified by a Human Resources representative or the position supervisor. Reference verification will be documented by using the form established for these purposes. No job offer will be formalized until references are obtained from the candidate.

In the case of high-level management positions or positions working in sensitive areas, a background investigation may be required, in which case an external company will be hired.

### **G. Job offer**

The job offer letter will be drafted by the Director of Human Resources, according to a standard model established by the Vice Presidency of Human Resources.



Once the offer of employment has been signed by both parties, a Human Resources representative will carry out the procedures required for the appointment.

#### **H. Communication of process closure**

After the candidate to occupy the position has been identified, the notifications of closure of the process will be sent to the unsuccessful applicants. A representative of the Vice Presidency of Human Resources must ensure compliance with this notice.

#### **I. Employment of aliens**

If the candidate to be recruited requires a work visa, according to the rules and regulations of the United States Citizenship and Immigration Service, the provisions of the UAGM Policy for the Hiring of Aliens will govern.

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### **VI. CONDITIONS FOR INTERNAL CANDIDATES**

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- A.** Employees interested in being considered for a position at UAGM must complete the electronic employment application.
- B.** If the employee is called for an interview at the UAGM, he/she must notify his/her supervisor in advance.
- C.** In the event that an internal candidate has been selected for a position, the Vice Presidency of Human Resources will be responsible for notifying the employee and processing an offer of employment. This document will notify the effective date of the change and will detail the applicable benefits, among others.
- D.** If the employee agrees to the offer of employment, he/she will notify his/her current supervisor and proceed to sign the letter to refer it to the Vice Presidency of Human Resources.
- E.** When an internal employee is selected, the supervisor of the position to be filled will notify the supervisor of the current position that the employee was identified to fill the position. After the dialogue, in coordination with the Vice Presidency of Human Resources, they must negotiate an approximate date for the change, taking into consideration a period of 15 to 30 days before the internal movement.

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## **VII. APPLICATION TO FACULTY POSITIONS**

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Recruitment of UAGM faculty positions will also be governed by the applicable provisions of the Faculty Handbook, applicable executive orders, and specific procedures at the institutional level.

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## **VIII. APPLICATION TO EXTERNALLY FUNDED SUBSIDIZED POSITIONS**

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This policy is applicable to recruitment processes in externally funded projects.

In those cases in which, as a result of the expertise required by the agency granting the funds, the candidates are subjected to the scrutiny and approval of the agency as a condition for the granting of the funds, these positions could be exempted from compliance with some provisions established in this policy, provided that the evidence of the agency or entity that justifies it is presented.

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## **IX. RETENTION PERIOD, DIGITIZATION PROCESS, AND REGULATIONS FOR THE DISPOSAL OF RECRUITMENT RECORDS**

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The Vice Presidency of Human Resources will be the custodian of the recruitment files. After completing the recruitment process, the documents that make up the file will be digitized.

In compliance with state and federal laws, recruitment records will be maintained for a period of four (4) fiscal years.

The Recruitment Division may carry out internal audits of the process.

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## **X. POLICIES AND APPLICABLE LEGISLATION**

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### **A. Affirmative Action Plan:**

The Office of Federal Contract Compliance Programs (OFCCP) requires employers who are covered by federal laws to comply with them by institutionalizing policies and plans that ensure Equal Employment Opportunity and to establish Affirmative Action Plans in compliance with such laws or statutes.

UAGM complies with the established provisions. The UAGM Affirmative Action Plan promotes and ensures fair and equitable treatment of all job applicants or employees eligible for promotion to employment, without distinction of any kind, thereby providing equal employment opportunities. The Affirmative Action Plan provides for positive steps to be taken to ensure equal employment opportunity for all candidates and promotion opportunities for all employees who meet the minimum requirements, without distinction of any kind.

The Recruitment Division has the UAGM Affirmative Action Plan available for inspection by any employee or candidate for employment, by appointment, on working days and hours.

The OFCCP ensures that the employer complies with the provisions of the following federal laws or regulations:

**1. Executive Order 11246**

Executive Order 11246, as amended, prohibits federal contractors and subcontractors, and contractors and subcontractors in the construction industry with federal assistance, from discriminating in their hiring actions for employment on the basis of race, color, gender, religion, or ethnicity. In addition, the Executive Order requires hiring entities to take affirmative action to ensure that all employment-related decisions are made in an anti-discriminatory manner.

Executive Order 11246, as amended, prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin, and requires affirmative action to ensure equal opportunity in all aspects of employment.

**2. Section 503 of the Rehabilitation Act of 1973**

Section 503 of the Rehabilitation Act of 1973, as amended, provides that employers with federal contracts or subcontracts must provide equal employment opportunity and promote affirmative action to employ individuals with disabilities who meet minimum job requirements.

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualifying individuals against discrimination on the basis of disability in hiring, promotion, termination, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes failure to make reasonable accommodations for the known mental or physical limitations of an individual with a disability, who applies for employment, or is an employee, unless it involves undue hardship. Section 503 also requires federal contractors to take affirmative action to employ and promote in employment qualified individuals with disabilities at all job levels, including the executive level.

**3. Vietnam Era Veterans Readjustment Assistance Act of 1974 (38 U.S.C. 4212):**

Veterans are protected by Section 38 USC 4212, of the Vietnam Era Veterans Readjustment Assistance Act, as amended. The law requires contracting entities with federal contracts or subcontracts of \$10,000 or more annually to

ensure equal opportunity and affirmative action for Vietnam veterans with special disabilities. Vietnam veterans are covered until 1994. They must have completed part of their military service during the period of time that the Vietnam War lasted, which covered from August 5, 1964 to May 7, 1975. In addition, they must have received an honorable discharge from military service. On the other hand, veterans with special disabilities are also covered by this law. These are those who suffer from at least 30% disability; or 10% to 20% disability, if the Veterans Administration determined that it represents some difficulty for the job. It also covers those cases of veterans who were separated from military service because of a disability received or aggravated while on active duty in the military.

The Vietnam Era Veterans Readjustment Assistance Act of 1974, and its amendments, 38 U.S.C. 4212, prohibits employment discrimination and requires affirmative action to employ and promote in employment disabled veterans, recently discharged veterans (within three years of discharge from active duty), other protected veterans (who have served in a war or campaign or expedition for which a campaign badge has been authorized), and veterans with Armed Forces Service medals (veterans who, while on active duty, participated in a U.S. military operation for which they were awarded an Armed Forces Service Medal).

## **B. Equal Employment Opportunity**

It is UAGM's policy to ensure equal employment opportunity and not to discriminate against any employee or applicant for employment on the basis of **race, color, religion, sex, gender, gender identity, actual or perceived sexual orientation, national origin, military status, protected veteran status, physical or mental disability, social status, age, marital status, political views, status as a victim of domestic violence and stalking, and any other characteristic protected by local, state, or federal law**. UAGM will promote the affirmative action necessary to ensure full compliance with that policy.

## **C. American with Disabilities Act (ADA)**

This law prohibits discrimination in employment on the basis of disability to candidates or employees who meet the minimum requirements of the position. The law applies to all personnel recruitment processes and prevents the exclusion of qualified applicants for employment or employees solely for the fact of having a disability. UAGM will provide reasonable accommodation to applicants for employment who request it.

## **D. Title VII of the Civil Rights Act of 1964, as amended**

This federal legislation prohibits discrimination on the basis of national origin, race, color, religion, sex, age, disability in the processes of hiring, compensation, assignment or classification of employees, promotions, job advertisements and recruitment, among others.

#### **E. New state or federal provisions, laws, or regulations**

If new regulations or amendments to state or federal laws or provisions applicable to UAGM arise, they will be disclosed to the university community.

This policy may be supplemented by provisions in other internal documents, such as the Human Resource Manual and the Faculty Handbook.

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#### **XI. VALIDITY**

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This amended policy will take effect on October 1, 2023.

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#### **XII. APPROVALS**

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**Victoria de Jesús de Jesús, Ed. D**  
**Vice President of Human Resources**

**October 3, 2023**  
**Date**

**José F. Méndez Méndez**  
**President**

**October 3, 2023**  
**Date**

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