



G & A **The Hiring Process**

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| <p>Step 1: The Job Posting and the Job Description</p> <ul style="list-style-type: none"> • The goal is for your job posting to generate a wide range of applicants • Avoid gender specific job titles • Chose your description carefully | <p>Step 2: The Job Application</p> <ul style="list-style-type: none"> • Avoid non-job related questions • You are responsible for the confidentiality and protection of information you collect • EEOC requires you to keep solicited job applications for 1 year |
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G & A **The Hiring Process cont.**

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| <p>Step 3: References, Background Checks, Pre-Employment Testing</p> <ul style="list-style-type: none"> • Require the applicant to sign a consent and waiver • Wait until you have narrowed down your choices to only a few to perform investigations or testing. | <ul style="list-style-type: none"> • Texas Labor Code makes an employer immune from liability in references unless they lie • If medical inquires are made the same inquiries must be made of all applicants for a like position • The ADA requires employers to maintain any and all medical information in a separate and confidential medical records file |
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The Hiring Process cont.

Step 4: The Interview

- Apply the same standard that is applied to the applications
- The applicant might tape-record the interview without the employer's knowledge
- Be extremely careful about note-taking

Step 5: Deciding on the Best Candidate

- Be able to explain how the applicant who was hired really had the best qualifications
- It is best to restrict any explanations to short and factual, non-inflammatory statements



Maintaining a Great Workforce

- Employment Offer and Compensation Agreements
- Employee Handbooks and Employment Agreements
- Talk to your Employees



The Firing Process

Before the Termination Meeting

- Plan when and where; it's generally better to terminate at the beginning or end of the day
- Plan for security concerns in case of a particularly volatile employee
- Think about Company property (laptops, uniforms, car, cell, etc.)
- DO NOT tie receipt of a final check to signing off on a severance agreement



The Firing Process cont.

The Termination Meeting

- Always have two people in the room
- To preserve a clean slate for the employment lawyer to use, don't give a reason.
- Keep it short, be professional and polite

After Termination

- Do not make the employee do the walk of shame
- Do not allow computer access
- Prepare a memo
- Deliver the final paycheck within 6 days after termination



Recommended Resources

- ESPECIALLY FOR TEXAS EMPLOYERS, Ruth R. Hughs, Commissioner Representing Employers, twc.texas.gov/news/cfrc/tocmain2.html.
- Lencioni, Patrick. The Ideal Team Player How to Recognize and Cultivate the Three Essential Virtues. John Wiley & Sons, Inc., 2016.

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