



HOW TO CONDUCT A LEGAL INTERVIEW

OFFICE OF HUMAN RESOURCES XAVIER UNIVERSITY OF LOUISIANA

QUESTIONS YOU CAN AND CANNOT ASK IN AN EMPLOYMENT INTERVIEW

Federal Laws, which affect the Employment Hiring Process

Title VII of the Civil Right Act of 1964 Amended in 1993 prohibits employment discrimination based on race, gender, color, creed, national origin or religion.

Age Discrimination in Employment Act of 1967 prohibits discrimination in employment against anyone 40 years of age or older.

The Rehabilitation Act of 1973 and Title I of the Americans with Disability Act of 1990 prohibits discrimination in employment based on a person's disability or if the person is perceived to have a disability.

Pregnancy Discrimination Act is an amendment to Title VII of the Civil Rights Act to make pregnancy discrimination a form of sex discrimination under Title VII. Employers cannot exclude pregnant women from jobs because of the stereotypical belief that they are incapable of doing their jobs or that after childbirth they will leave their jobs.

Can Not Ask Applicant	Can Ask Applicant
Questions that are considered to be discriminatory based on gender:	Questions you may ask that do not violate gender discrimination:
<ul style="list-style-type: none"> • Are you married? • Do you have children? • Do you have someone to take care of your children while you are at work? • Does your spouse work? 	<ul style="list-style-type: none"> • Do you have any responsibilities or commitments that would prevent you from working your scheduled hours? • Will you be able to work weekends or overtime if required?
Questions that would be considered discriminatory based on nationality:	Questions you may ask that do not violate national origin discrimination:
<ul style="list-style-type: none"> • What country are you from? • How long have you lived in the United States? 	<ul style="list-style-type: none"> • Can you provide documentation authorizing you to work in the United States?
Questions you cannot ask regarding religion:	Questions you may ask that do not imply religious discrimination:
<ul style="list-style-type: none"> • What religion do you practice? • What church do you attend? 	<ul style="list-style-type: none"> • Are you able to work on weekends? • Do you have any concerns with working at a Catholic University?
Questions that would violate the Age Discrimination in Employment Act:	Questions you may ask that do not violate the Age Discrimination in Employment Act
<ul style="list-style-type: none"> • What year were you born? • What year did you graduate from high school? • At what age do you plan to retire? • How old are you? 	<ul style="list-style-type: none"> • How long do you intend to work in the position you are seeking? • Are you able to safely perform the duties and responsibilities of the position that you are seeking?
Questions that would violate the Rehabilitation Act and the Americans with Disabilities Act:	Questions that do not violate the Americans with Disabilities ACT (ADA):
<ul style="list-style-type: none"> • Do you have a disability? • Have you had an on the job injury? • Have you ever filed a worker's compensation claim? • How many days did you miss from your current job because of illness? 	<ul style="list-style-type: none"> • Will you be able to safely perform all of the duties and responsibilities of this position? • Will you be able to work the assigned work schedule?



STAFF EMPLOYMENT REQUISITION

XAVIER UNIVERSITY OF LOUISIANA

Date of Requisition: _____ Requested Hire Date: _____
 Department: _____ Position Title: _____
 Originator: _____ Title of Originator: _____

Insert an "X" and fill in the boxes for all that apply:

- New Position (Attach a copy of the job description and an explanation to justify the need for this position)
 Budgeted Position Replacement Name of former incumbent: _____
 Full-time appointment (35.0 or more weekly hours)
 Part-time appointment w/benefits (34 – 20 hours per week, eligible for benefits) Part-time appointment w/o benefits (less than 20 hours per week, ineligible for benefits)
 Substitute (Employee will work as needed)
 Temporary Appointment Start Date: _____ End Date: _____

Total Weekly Hours and Work Schedule:

- 40 hours per week (8 hours per day) 35 hours per week (7 hours per day) Other _____ hours per week

Recruitment

- XU Website Only Time Picayune Print Media Name _____
 Chronicle of Higher Edu. NOLA.com

** Email a draft copy of your Employment Ad to Sharlene LeBlanc at sleblan1@xula.edu

Funding

List the accounts from which the applicant in this position will be paid. If the applicant's appointment will be funded from a restricted account, provide the expiration date.

Description	Fund	Org	Acct.	Prog.	Exp. Date	% of Time	\$ Amount

Signature of Approvers

Department Chairperson/Director: _____ Date: _____
 Title III/Grant Director (if applicable): _____ Date: _____
 Dean (if applicable): _____ Date: _____
 Vice – President/Senior VP Academic Affairs: _____ Date: _____
 Senior Vice-President for Administration: _____ Date: _____

Human Resources: (Office Use Only)

Position Number: _____ Class Code: _____ Approval Category: _____
 Salary Range \$ _____ Min. to \$ _____ Max

HR Signature

Title

Date



EMPLOYMENT INTERVIEW RECORD

XAVIER UNIVERSITY OF LOUISIANA

Title of Position _____

Department _____

Name of Interviewer _____

Name of Applicant Last Name, First Name	*Employment Eligibility Status	Not Interviewed	Interviewed Not Hired	Interviewed Offer
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

*Employment Eligibility Status (choose one):

US	United States Citizen	PR	Permanent Resident
H-1B	Allows applicant to work in the United States in a professional or academic teaching occupations for a specific period of time.	J-1	Research Scholar or Teacher/Faculty

Hired Applicant Checklist:

- Three (3) verifiable references checked
- Copy of academic credentials (transcript if degree is required)
- Criminal history check conducted (if required)
- Letter of offer mailed
- Letter of offer accepted and returned
- Selection approved by Department Chairperson, Dean, Associate Vice President, Sr. Vice President for AA (If new hire is a Non-Resident Alien)

Starting date of new hire _____

Form completed by: _____

Date: _____

Sample Letter of Offer for a Staff Employee

Date

Name

Street Address

City, State Zip Code

Dear *Title Last Name*:

Xavier University of Louisiana, *Name of Department*, would like to offer you the position of *title of position, beginning date of hire*. Your compensation will be based on an annual salary of (*annual salary if paid monthly in twelve monthly installments*). (*If an hourly paid employee, the following language will be used: Your compensation will be based on an hourly rate of _____ and you will be paid based on hours worked in a payroll period*) As a full time employee, you may be eligible to participate in benefits provided by Xavier University. You may contact Mrs. Adicia Waddell, Associate Director for Human Resources, at (504) 520-7537 if you have any questions regarding benefits.

Your appointment will be subject to verification of employment references, academic credentials and any other verifications or tests that are appropriate for consideration for employment. The conditions of your appointment are in accordance with the policies and procedures of the Resource Book for Staff Employees. These policies and procedures include, but are not limited to, performance expectations, attendance requirements, vacation and sick leave, and causes for dismissal. All new employees serve a ninety (90) day evaluative period.

Please indicate your acceptance of this letter of offer by signing this letter on the line provided and returning it to me at *Name of Department*, Xavier University of Louisiana, 1 Drexel Drive, New Orleans, Louisiana 70125 by *date*.

You must report to Human Resources, located at 909 South Jefferson Davis Parkway (Xavier South) Room 410 on or before your first day of employment to complete all new hire forms. Please bring your social security or work authorization card and a voided check for enrollment in the direct deposit program for payroll purposes.

XAVIER UNIVERSITY OF LOUISIANA

By: _____
Signature of Person Authorized to extend an offer of employment

Signature of Applicant

Date

Effective 05/01/2010



**AUTHORIZATION TO RELEASE INFORMATION
REGARDING AN APPLICANT'S PREVIOUS EMPLOYMENT**

**OFFICE OF HUMAN RESOURCES
XAVIER UNIVERSITY OF LOUISIANA**

Name of Applicant _____

Name of Previous Employer _____

Street Address _____

City _____ State: _____ Zip Code: _____

Name of Previous Supervisor _____

Title of Previous Supervisor _____

Telephone Number of Previous Supervisor _____

E-Mail Address of Previous Supervisor _____

Dear (Previous Supervisor's Last Name): _____

You are hereby authorized to furnish Xavier University of Louisiana, hereafter referred to XULA, through its Director of Human Resources, Mr. Larry L. Calvin, any and all information concerning my employment. This authorization includes the authority to discuss this information verbally with Mr. Calvin or his designee. You are hereby released from any claims, liability, or damages of any kind in connection with the disclosure of this information to XULA. Mr. Calvin or his designee and XULA, are released from any and all claims, liability, or damages of any kind in connection with the obtaining of this information and/or discussing this information with you.

Please refer to Louisiana Act R. s. 23:291, section 1, Part IV of Chapter 3 of Title 23 of the Louisiana revised Statutes of 1950 that provides immunity to employers from civil liability for disclosing factual employment information.

A copy of this authorization may be used in place of and with the same force and effect as the original:

Name of Applicant _____

Signature of Applicant _____

Date of Authorization _____



**AUTHORIZATION TO RELEASE INFORMATION
REGARDING AN APPLICANTS PREVIOUS EMPLOYMENT**

**OFFICE OF HUMAN RESOURCES
XAVIER UNIVERSITY OF LOUISIANA**

Please answer the following questions regarding the previous employment of

Name of Applicant

What were the dates of the applicant's employment? From _____ To _____

Reason for Separation:

Resigned with notice

Resigned without notice

Discharged for cause

Unable to answer

Would you rehire Yes No

Name of person completing this form: _____

Signature of person completing this form _____

Title _____ Date: _____

Xavier University thanks you for completing this form. Please e-mail it to lcalvin@xula.edu or FAX to Larry Calvin at 520-7937

Effective 3/01/2010