

A FACULTY GUIDE TO ETHICAL AND LEGAL STANDARDS IN STUDENT HIRING

Guidelines

Candidate Referral

Employers may contact you to request the names of students who would be excellent candidates for job opportunities. At first glance, it seems harmless to provide the names of your best students. However, there are some potential legal and ethical pitfalls. If you or a colleague receive a job lead from an employer and choose only to refer a few individuals without publicizing the position to all students who may be qualified, you are not maintaining "a fair and equitable recruiting process."

Also, by identifying individuals for employment on a "regular" basis, you may be considered an "employment agency" for purposes of compliance with equal employment opportunity laws. For example, if it appears as if you are (innocently or otherwise) referring only male students or only minority students, you may be open to charges of discrimination.

Employers who act in accordance with the *Principles* understand and expect students to receive open and equal access to information about job opportunities

Referral of Minority Candidates

Most employers have diversity objectives in their college relations programs. Accordingly, they will make a special effort to identify and attract minority candidates. You will probably be asked for help in accomplishing this task.

The NACE *Principles* document endorses compliance with EEO guidelines and adherence to affirmative action principles by both college and staffing professionals. It is illegal to discriminate against protected groups. It is considered appropriate for career center practitioners to inform members of protected groups about employment opportunities, especially in areas where minorities are underrepresented. Similarly, employers are encouraged to inform minority populations of special activities, e.g., information sessions or career fairs that have been developed to help achieve an employer's affirmative action goals. You can participate in all of these activities.

While it is lawful and ethical for you to assist employers in reaching out to minority groups, it is inappropriate for you to identify only minority individuals who might fit the needs of an organization. You have an obligation to provide a "fair" system, i.e., one where all students have access to information about career opportunities.

Providing References

When you are asked by an employer for a student's reference, confidentiality becomes a major concern. Simply, information about a student should not be shared unless the student has furnished you with prior authorization. Once permission has been obtained, you should provide information that is based on facts, not conjecture, and not on personal information unrelated to the student's qualifications for the job in question.

Final Comments

The goal of student employment is most likely reached when all parties involved work cooperatively, ethically, and within the law. There may be instances when you are unsure of how to help your students and stay within the law. On those occasions, call the career services center for more information. You and your colleagues on the faculty are encouraged to offer comments to your career services center practitioners regarding these guidelines and the issues this guide addresses. Please feel free to note issues that may not be covered.

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MINOR MODIFICATIONS HAVE BEEN MADE TO HANDOUT FOR OKLAHOMA STATE UNIVERSITY - COLLEGE OF EDUCATION

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A Suggested Course of Action

If you receive a request for student referrals, you can, of course, notify individual students who have declared an interest in such positions and encourage them to apply. However, also post the position in your department and announce it to your classes. At the same time, **contact the university career center (online at <http://www.hireosugrads.com/Employer/Employer.aspx> or call, fax, email career consultant, Michelle Crew**, so that the position can be listed campus-wide. There are practical reasons for these actions. The career services office may have an existing relationship with the requesting employer through co-op, part-time/summer job, internship, job fair, or other recruiting programs. Or, the career center practitioners may wish to develop a broader relationship with the employer. Sometimes unproductive misunderstandings occur when an employer works with more than one campus office.

A Suggested Course of Action

If you receive a request for minority candidate referrals, you can make announcements in class, post signs in your department, notify minority students' organizations (e.g., societies of black, female, or Hispanic engineers), **pass the request on to the career consultant, Michelle Crew, and encourage the employer to contact the career center directly at 405-744-5253 or online at www.HIREOSUGRADS.com**

You can also refer the employer to the Multicultural Student Center, 744-5481, <http://www.msc.okstate.edu> .

A Suggested Course of Action

When you are asked to provide a written or oral reference for a student, obtain written permission from the student. All reference information should be based on firsthand knowledge and, if possible, written documentation. When providing information, you should avoid personal matters (e.g., marital status, health, disabilities, race, religion, etc.) that by law should not be included in employment decisions, even if you believe that such information might enhance the student's candidacy.
