

THE GREAT PURGE

RECRUITING AND RETAINING TOP TALENT



Presented for



Dr. Cindy Vyskocil
Vice Chancellor, Human Resources
South Orange County Community College District

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OVERVIEW OF PRESENTATION

- I. **Strategies for Effective Recruitment**
- II. **District Rights and Obligations in Recruiting**
- III. **Strategies for Retaining Top Talent**



STRATEGIES FOR EFFECTIVE RECRUITMENT

WHY EMPLOYEE RECRUITMENT AND RETENTION IS IMPORTANT

- Departures cause disruption in the operation of the District
- Replacement costs are approximately one-third of an employee's salary
- Turnover negatively effects remaining staff and students
- The workload of colleagues who remain increases, which can lead to further departures and stress

THE GREAT RESIGNATION

- **4.3 Million** Americans quit their jobs in August of 2021
- 10.4 Million jobs were open by the end of August 2021.

(U.S. Bureau of Labor Statistics)

THE GREAT RESIGNATION

- **48 Million** workers quit their jobs in 2021.
- **8.6 Million** workers quit their jobs in Jan/Feb 2022.
- **55%** of workers are planning on finding new jobs.
- California's "quit rate" is at **2.5%**

(EDSmart)

SOCIAL MEDIA TRENDS

#QuietQuitting

A form of “work to rule” – employees participate in work activities only as much as is required, and only during scheduled hours.

SOCIAL MEDIA TRENDS

#ActYourWage

Another form of “work to rule” – employees only put in as much effort as is reflected in their salary.

STRATEGIES FOR EFFECTIVE RECRUITMENT

- Start the process early
- Attend conferences and job fairs.
- Ask for and contact referrals.
- Have an active and updated social media.
- Offer competitive salary and benefits packages
- Prioritize search engine optimization.
- Consider live review of applications
- Use online job boards.
- Reach out to previous employees and prior qualified applicants.

STRATEGIES FOR RECRUITMENT

- Create customized advertisements.
- Design effective and eye-catching recruitment materials.
- Clearly advertise benefits of all kinds:
 - Is remote work an option?
 - Are there mentoring opportunities?

STRATEGIES FOR RECRUITMENT

- “Grow your own” (to the extent possible)
 - Create opportunities within the organization
 - Foster professional development
 - Consider high-performers for interim opportunities

LEGAL PARAMETERS IN RECRUITMENT

GOVERNING AUTHORITY

- California and U.S. Constitutions
- California Fair Employment and Housing Act (FEHA)
- California Education Code
- Title 5, California Code of Regulations
- Educational Employment Relations Act (EERA)
- Faculty and Classified Collective Bargaining Agreements

ADVERTISING

Advertisements for vacant positions should be posted on the District's website, the California State Chancellor's Office website, and other marketing venues, depending on the position.

- Board Policies should include the timeframe for the advertisement period. For example, the policies may include specific minimum periods, e.g.:
 - *Management positions shall be posted at least 30 days.*
 - *Classified positions shall be posted at least 21 days.*
- HR may elect to extend the advertisement period if it is necessary.

ANNOUNCEMENT

Job announcements should include all of the information necessary for applicant's to independently evaluate the duties and responsibilities of the position. For example:

- Required supplemental materials:
 - Resume or CV
 - References/Recommendations
 - Cover Letters
- Primary duties/functions
- Position title and salary
- Assignment duration/time
- **Benefits summary**
- Minimum qualifications
- Diversity requirements
- Occupational skills and qualifications

JOB POSTING LANGUAGE

In job postings, keep the language job related. Describe the work to be done and the habits and characteristics necessary to accomplish the work.

Avoid describing physical characteristics of the potential employee, such as:

- "Housewife, Bus Boy, Waitress, Houseman"
- "Reliable Transportation"
- "To be considered for our team of entertainers, please include your height, weight and age"

OPEN RECRUITMENT

- The District must “actively recruit from both within and outside the district.”
- Applies to all full-time and part-time vacancies in all job categories and classifications, including, but not limited to, faculty, classified employees, categorically funded positions, and all executive, administrative, and managerial positions.
- Recruitment for *full-time* faculty and educational administrator positions must be **at least statewide** and, at a minimum, include seeking qualified applicants listed in the California Community Colleges Equal Employment Opportunity Registry and posting job announcements with the Registry.
- Recruitment for *part-time* faculty positions may be conducted separately for each vacancy or by annually establishing a pool of eligible candidates.

(Title 5 C.C.R. § 53021)

EXCEPTION: WHEN THERE IS NO VACANCY CREATED



A “vacancy” is not created and a district is not required to conduct open recruiting under the following circumstances:

1. There is a **reorganization** that does not result in a net increase in the number of employees;
2. One or more **lateral transfers** are made and there is no net increase in the number of employees;
3. A position which is currently occupied by an incumbent is **upgraded, reclassified, or renamed** without significantly altering the duties being performed by the individual;
4. The faculty in a division or department elect one faculty member to serve as a **chairperson** for a prescribed limited term;
5. The position is filled by a **temporary, short-term, or substitute employee** appointed pursuant to Education Code sections 87422, 87480, 87482.5(b), 88003, 88106 or 88109; or
6. A part-time faculty member is assigned to teach the same or fewer hours he or she has previously taught in the same discipline without a substantial break in service. For purposes of this section, “a substantial break in service” means more than one calendar year or such different period as may be defined by a collective bargaining agreement.

(5 CCR § 53021(c))

EXCEPTION: INTERIM POSITIONS

The District does not need to participate in open recruitment when filling an interim position.

- For the purposes of filling an interim position, “in-house or promotional only” recruitment may be used for the minimum time necessary to allow for full and open recruitment. The interim appointment or series of interim appointments may not exceed two years in duration.
- The district must provide all district employees the opportunity to apply for and demonstrate that they are qualified for the interim position.

(Title 5 C.C.R. § 53021(b)(1)-(2).)

EXCEPTION: CONTRACTED ADMINISTRATORS

A district may engage an administrator through a **professional services contract** without any specific recruiting obligations in the following circumstances:

- The individual is not currently employed by the district;
- The individual is specially trained, experienced, and competent to serve as an administrator; and
- The individual satisfies the minimum qualifications applicable to the position.
- The maximum appointment or series of appointments for such interim administrators is **two years**.

(5 CCR § 53021(c)(7).)

MULTIPLE OPENINGS

A district may fill multiple openings from applicants identified during the same recruitment effort only when all of the following conditions are met:

- The number of openings that **actually existed** at the time of the announcement must be accurately reported in the job announcement, along with a confirmation that additional openings that become available prior to the end of the hiring process may also be filled from the qualified applicants.
- The district becomes aware of additional openings **only after** a known open position is announced.
- All the positions proposed to be filled from the existing hiring process have the **same job qualifications**.
- The starting date for all hires are **consistent** with the starting date that was originally advertised.

In addition, for part-time faculty positions only, the District may annually establish a pool of eligible candidates. (5 CCR § 53021(a).)

*Note: The Chancellors Office has advised that open recruiting requirements prohibit a district from pre-qualifying applicants **for future openings**. (CCCCO Legal Opinion M 02-21.)*

CONFIDENTIALITY IN INTERVIEWS

- There are a number of possible legal schemes requiring confidentiality:
 - *HIPPA*
 - *ADA*
 - *Information Practices Act (“data breaches” of sensitive information)*.
- More generally, keeping the applicant information within the four-walls of the interview room promotes a **fair** and **impartial** hiring practice without the possibility of external factors compromising the panels’ decision.
- It is recommended that all participants in the interview process sign an acknowledgment of the importance of confidentiality.

INTERVIEWING CONSIDERATIONS

Best Practices:

1. Select a diverse panel to conduct the interviews with job-related background and knowledge of the vacant position.
2. Develop objective, job-related criteria to screen applicants, which should include relevant experience, education, training, and knowledge.
3. Establish a list of interview questions.
4. Document interview responses of all candidates.
5. Collectively review the panel's ratings prior to making a selection.

The district should review the "highest qualified" applicants and select applicants to interview based on the district's policies, procedures, and any applicable provisions of collective bargaining agreement(s). The district should then contact applicants directly to schedule interviews.

INTERVIEW QUESTIONS

The Fair Employment and Housing Act (FEHA) specifically prohibits employment practices that discriminate against applicants or employees based on the:

race religious creed color national origin ancestry
physical disability mental disability medical condition genetic
information marital status sex gender identity gender expression
age sexual orientation military and veteran status

of any person, unless based on a bona fide occupational qualification (BFOQ), e.g. the characteristic is related to the applicant's ability to perform the job. This includes discrimination based on a **perception** that a person is a **member** of a protected class or is **associated with** a person who is, or is perceived to be, a member of a protected class.

(Govt. Code § 12940 et seq.)

INTERVIEW QUESTIONS

It is NOT OK to ask ...

- Is your last name German?
- Do you go to church?
- Did you have a nice Easter?
- How much do you weigh?
- How old are you?
- What country are you from?
- Are you pregnant?
- How many children do you have?
- Are you married?
- Are you disabled?

What if...

Candidates may offer information about themselves **voluntarily** that would inform the answer of an illegal interview question.

Do not ask clarifying questions.

Do not use the disclosed information.



STRATEGIES FOR RETAINING TALENT

DISTRICT-WIDE STRATEGIES

- Create a supportive work environment
- Invest in employee's careers
 - Offer a competitive salary and benefits package
 - Offer growth and training opportunities

STEER CLEAR OF ONE STRATEGY

Bonuses create **problems**:

*A local government body **may not grant extra compensation** or extra allowance to a public officer, **public employee**, or contractor **after service has been rendered** or a contract has been entered into and performed in whole or in part, or pay a claim under an agreement made without authority of law.*

(Cal. Const. Art. XI § 10; see also Art. IV § 17.)

DISTRICT-WIDE STRATEGIES

**People don't quit jobs,
they quit bosses.**

- Provide leadership training to managers and administrators

DEPARTMENT-WIDE STRATEGIES

- Recognize employee contributions
- Promote a culture that seeks input from employees and recognizes commitment and hard work

GOOD JOB!

Acknowledging the positive encourages the positive

Positive feedback reinforces good working habits

WORK CULTURE STRATEGIES

*Recognize and promote
work-life balance*



QUESTIONS?



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Thank You!

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