Human Resources Monthly Meeting

March 16, 2023
Agenda

- Quarterly Campus Update with Alysha O’Neil
- Staff Success Center
- Total Rewards Advisory Committee (TRAC)
- Affirmative Action with Dr. Nicole Roberson and Cindi Nelson
- Export Guidance with Cathie Eikermann and Rhonda Byers
- HR Staffing Changes
- Job Titles (February Poll Topic Winner)
- Performance Evaluation Deadline Reminders
- Student Employment Reminders
- New eForm Update
- Discussion Rooms:
  - Export Guidance
Staff Success Center
Simone Waldon
waldons@mst.edu
Updates

▶ Over 150 recognition emails have been sent since January 2023!
▶ Staff Mental Well-Being Champions
Reminders

Public Service Loan Forgiveness: We **ARE** a qualified employer for the PSLF program!

- If you have Direct Loans and have made 120 qualifying monthly payments under a qualifying repayment plan while working full-time for a qualifying employer, you may be eligible for PSLF. [https://www.umsystem.edu/ums/hr/employee-labor-relations-resources](https://www.umsystem.edu/ums/hr/employee-labor-relations-resources) to find more information on PSLF and to submit a completed form for employment certification.
Educational Assistance Program

- **Eligibility**
  - Benefit-eligible administrative, service and support employees who have passed the probationary period prior to the deadline for regular registration.
  - Must remain a University of Missouri employee through the beginning of the course

- **Benefit**
  - **75% reduction** of the tuition and supplemental fees of University of Missouri college-level courses up to 6 credits per fall semester, 6 credits per spring semester and 3 credits per summer. Maximum of 15 credit hours from September 1 to August 31.

Fast Track Workforce Incentive Grant

- **Eligibility**
  - Be either:
    - At least 25 years old, or
    - If you are a student, have not enrolled in an educational program (high school or postsecondary) in the last two years, or
    - If you are an apprentice, have not been enrolled in a postsecondary program in the last two years, unless the program relates to your current apprenticeship.
  - Be a U.S. citizen or permanent resident
  - Be a Missouri resident, an active-duty member of the U.S. military transferred to Missouri, or the spouse of an active-duty military member.
  - File Free Application for Federal Student Aid (FASFA), if applicable.
  - Have a federal adjusted gross income as documented on your most recent Missouri 1040 Individual Income Tax Return of either:
    - Have not yet received a bachelor’s degree.
    - $80,000 or less if your tax filing status is married filing jointly, or
    - $40,000 or less for any other tax filing status.
  - Have not yet received a bachelor’s degree.

- **Benefits**
  - Grant is designed to cover the cost of tuition and fees for eligible programs.
Equal Opportunity for Employment
Affirmative Action Plan

2022
Vice Chancellors for Inclusion, Diversity & Equity presented the Inclusive Excellence Strategic Goals

▶ Inclusion/Diversity/Equity Training
▶ Inclusive Hiring Practices
▶ Inclusive Teaching Practices

President’s Equal Employment Opportunity (EEO) Statement:

“In furtherance of University of Missouri System administration's policy regarding Affirmative Action and Equal Employment Opportunity, University of Missouri System administration has developed a written Affirmative Action Program which sets forth the policies, practices and procedures which the University is committed to applying in order to ensure that its policy of non-discrimination and affirmative action is accomplished.”
Equal Opportunity for Employment
Affirmative Action Plan

How the Organization’s Equal Employment Opportunity Health is Measured

- Monitor records of personnel activity
- Conduct internal reporting
- Review report results
- Advise of program effectiveness and areas of improvement

3rd Party Contractor – Biddle Consulting

- Review S&T data compared to regional and national data
- Determine areas of underrepresentation
  - Ethnicity and Race
  - Gender
  - Individuals with Disabilities
  - Protected Veterans
Equal Opportunity for Employment
Affirmative Action Plan

Positions with Special Recruitment Considerations

This list of staff job titles is intended to assist departments in determining the recruiting, advertising, and posting duration strategy for open positions at Missouri S&T identified as having specific affirmative action employment goals for females, minorities (ethnicity/race), individuals with disabilities and/or protected veterans.

Goals are updated annually. As new titles are created, they are assigned to appropriate affirmative action job groups and may be identified as having an affirmative action goal. If you need any assistance with this list, please contact your Human Resources Partner or the Chief Diversity Officer.

List last updated: January 2023

https://hr.mst.edu/position-management/recruit/academic-staff-recruitment/
Equal Opportunity for Employment
Affirmative Action Plan

Positions with Special Recruitment Considerations
Posting Duration >= 2 weeks

Auto Job Posting Sites:
- LinkedIn
- HigherEdJobs
- The Chronicle of Higher Education
- Diverse Issues in Higher Education
- Circa (formerly Local Job Network)

Consider additional outreach efforts to improve visibility in area of underrepresentation
Retain records of outreach for each position.
Export Controls and Sanctions

The intersection of export controls and Human Resources
Requests to work outside the United States **must** be reviewed **before** the employee begins teleworking from a foreign country.

- Requests to telework, including work outside the U.S. **require campus approvals** as described in **S&T Policy Memorandum- Flexible Work Policy No. III-41**. Working abroad may require additional approvals, including at the Dean, Provost, and Chancellor level as well as those listed below.

- The University **must** identify if sanctions or other export control regulations apply. Equipment, software, and confidential/proprietary research data may be subject to export licensing requirements and/or work may be limited or forbidden by U.S. sanctions.

- Per **HR Policy 522**, requests for telework outside of the United States **require authorization** from a member of the **Research and Security Compliance** Team.

- If an employee will be working outside the U.S. on an occasional basis, such as while traveling internationally, the employee or supervisor **must** contact their campus Research and Security Compliance representative **in advance** to ensure no sanctions or other export control regulations apply.

See **CRR 430.020 Export Control and Sanctions Compliance**, our **Export Compliance Management Program**, or contact our campus Research and Security Compliance representative for questions.
What are Export Controls and Sanctions and why are they important?

• Federal regulations that govern the transfer of certain items, technology, and services to persons in the U.S. and aboard in order to protect U.S. national security, advance U.S. economic interests, and achieve U.S. foreign policy objectives.

• International Traffick in Arms Regulations (ITAR), Export Administration Regulations (EAR), Foreign Assets Control Regulations (FACR).

• In some cases, exports may require express written permission from the U.S. government, known as an export license.
Example Telework Requests to work outside the U.S.

<table>
<thead>
<tr>
<th>Duration</th>
<th>Requestors</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Longer term:</strong></td>
<td><strong>Faculty:</strong> To teach, conduct research or participate in an exchange program, etc. May desire to work before or during visa or application process (if applicable)</td>
</tr>
<tr>
<td>One semester or longer (for example, seeking to teach a semester-long virtual class from abroad)</td>
<td></td>
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<tr>
<td><strong>Shorter term:</strong></td>
<td><strong>Students:</strong> To study from abroad, before or during the visa application process (if applicable), or who are part of a research project but need to return to their home country</td>
</tr>
<tr>
<td>For less than a semester or during an intercession period of several weeks (for example summer or winter intercessions)</td>
<td></td>
</tr>
<tr>
<td><strong>Short-term:</strong></td>
<td><strong>Staff:</strong> Attend a conference, accompany a family member who will be on sabbatical or on leave in a country outside the U.S. etc.</td>
</tr>
<tr>
<td>For several days to a few weeks or so (for example to attend a conference, or telework while visiting family or combine with a vacation, etc.)</td>
<td></td>
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</tbody>
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Where work occurs matters:
U.S Persons, Foreign Persons, and Remote Work

- Those in the U.S. on an approved visa are authorized to conduct the activities for which their visa was approved – even if they are from sanction destinations

- Remotely working from outside the U.S. can present export controls – regardless of the person’s citizenship status (U.S. person or foreign person)

- The employee or supervisor must contact their campus Research and Security Compliance representative in advance of work being performed to ensure no sanctions or other export control regulations apply
Defining who is a U.S. Person and a Foreign Person: Citizenship, Visa Status, and Location

**U.S. Persons**
- U.S. Citizen
- Lawful Permanent Residents (“Green Card Holders”)
- Special Status (e.g. refugee and asylum)
- Any entity incorporated to do business in the U.S.

**Foreign Persons**
- Everyone who is not a “U.S. Person”
- Foreign businesses not incorporated to do business in the U.S.
- Common visa types, including H-1B work visas, F1 study visas, and J1 training visas
Reminder: Nondiscrimination in Employment

**Hiring Decisions**
It is not permissible to restrict hiring based on citizenship or national origin merely because the job requires export authorizations.

**Job Qualifications**
Do **not** post job qualifications such as:
- Only U.S. Citizens
- Only U.S. Citizens or Green Card Holders
- Must present U.S. birth certificate

**Immigration Documents**
It is not permissible to use a candidate’s immigration documents to make hiring decisions based on citizenship or national origin in such situations.

**Asking Questions**
Asking questions on citizenship or nationality can lead a disappointed applicant to allege discrimination, even where the applicant was rejected for permissible reasons.

It may be permissible to include in the vacancy announcement that a “position does not qualify for visa sponsorship.” Human Resources must be consulted before including such statements.
How do Export Controls and Sanctions impact the recruitment and selection process?

**Qualifications**

Include valid job qualifications. For example:
- Must be eligible to receive export-controlled data.
- This position is not eligible for visa sponsorship.

**Screen and select candidates based on their qualifications (education, experience, skillset) and ability to add value to the organization – not their nationality or citizenship status.**

**Decisions**

If known before the time of hire that work abroad will be necessary, work with HR and the Research and Security Compliance (RSC) representative to ensure the job offer is contingent upon the institution’s ability to obtain appropriate export authorization.

**Job Offer**

Discussion with a candidate about a need for sponsorship or one’s citizenship status should occur only after a job offer has been extended and accepted. To comply with I-9 regulations, HR will verify eligibility to work in the U.S. and review the presented documentation as part of the employment pre-boarding process.

**Preboarding**

Ensure the employee can begin work that does not involve export-controlled materials until authorizations are in place.

**Onboarding**
Possible noncompliance without Hiring Manager, HR, and ECS Representative Collaboration

- The University may inadvertently discriminate against foreign persons when restricting positions based on citizenship status.
- The University may employ foreign persons to work in positions requiring access to export-controlled technology.
- The University may remotely employ people working in sanctioned destinations.
- Noncompliance with laws, policies, and terms and conditions of grants or other funding sources may occur.

As required by law, H1-1B visa beneficiaries need to be screened by an export compliance professional in order to answer Part 6 on Form I-129.

Human Resources and offices processing visa applications can engage with export controls office for reviews.
Export controls are complex and challenging. When hiring for positions that will require access to export-controlled technology, your institution’s export control officer is your best friend.

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>2016</td>
<td>DOJ Guidance Letter</td>
<td>Issued to Eric Bond at Morgan, Lewis &amp; Bockius LLP clarifying the fine line between anti-discrimination and export compliance.</td>
</tr>
<tr>
<td>2018</td>
<td>DOJ Settles Discrimination Claim</td>
<td>Headline: Justice Department settles Immigration-related discrimination claim against International firm. Civil Penalty: $132,000</td>
</tr>
<tr>
<td>2019</td>
<td>DOJ Settles Discrimination Claim</td>
<td>Headline: Justice Department settles Immigration-Related Discrimination Claim against Honda Aircraft Company LLC. Civil Penalty: $44,626</td>
</tr>
</tbody>
</table>
Controlled Technology

Receipt of confidential or proprietary information – Information with restrictions on its further dissemination. Typically covered by an NDA or the confidentiality section of a sponsored research agreement.

Research results with access or dissemination restrictions – Research results that a sponsor holds as their proprietary information.

Requirements for research results to be approved by the sponsor prior to publication.

Restrictions on research staff based on citizenship.
Technology Control Plan (TCP)

- Project Information
- Physical Security Plan
- Information Security Plan
- Personal Security
- Publication Security
- Conversation Security
- Training/Awareness Program
- Auditing and Monitoring Certification
License Exceptions

- Export control regulations have provisions to allow some university employees to access export-controlled technology without needing to obtain an export license.

- The authorization does have provisions – it’s not a blanket authorization for universities.
  - They must be a bona-fide full time employee.
  - Their permanent address throughout the period of employment must be in the U.S.
  - They cannot be a foreign national of certain countries to which exports are prohibited. (Cuba, Iran, North Korea, Syria, (Belarus, Russia, China))
  - We must inform them in writing that they cannot further export the data without authorization.
Key Takeaways

- International collaborations and foreign faculty, staff, and students are vital to our success as an institution but can create export controls and sanction concerns.

- Sharing controlled technology with visa holders here in the U.S. is an export that requires management.

- Employing persons (regardless of their citizenship) to work remotely from sanctioned destinations is a service of value subject to U.S. sanctions.

- Partner with your institution’s export compliance professional with questions and for assistance.
Associate Director of Compliance

Cathie Eikermann MSN, MJ
EAR/ITAR (ECoP®)
Office of Vice Chancellor of Research and Innovation
caeqmb@mst.edu
573-341-4124
HR Staffing Changes

Tritonia Wheeler accepted a position with UM System's Missouri Online. We appreciate her contributions and wish her the best!

We have posted this position and are in the final interview stages. In the interim, job postings are being reviewed by Cindy Heck, Rachel Norris, Barbi Spencer and Chris Keehn. If you have any questions, please reach out!
Job Titles

Policy and Oversight

- Human Resources is responsible for classifying positions (see HR-205 Position Classification and Compensation and HR-205 Position Classification and Compensation Q&As)

- Position classification and compensation require consideration of a number of factors including but not limited to the duties and responsibilities assigned to the position, the minimum qualifications required to perform basic duties and responsibilities, and the FLSA exempt or nonexempt status (job analysis)

- Classification decisions must also fit within the University’s Affirmative Action and Equal Employment Opportunity policies to ensure we are promoting fairness where employment and promotional opportunities exist
Job Titles

Position Classification Questionnaire (PCQ)

- The PCQ is used to collect information related to the position in order to conduct a job analysis.
- Based on the analysis, the position will be appropriately assigned to a job title, consistent with other similar positions across the University.
- Factors considered include primary duties and responsibilities, working conditions and physical requirements, whether individual contributor or management, role, and the knowledge, expertise, leadership, independence, influence, impact, and interpersonal and communication skills required to perform the work.
Job Titles
Classification/Reclassification Request Guidance

- Before submitting a reclassification request, consider the following:
- When was the position last reviewed?
  - Positions will not be reviewed if the employee has been in the position or if it was posted for less than 6 months
- How significant are the changes in the nature and/or level of work assigned to a position?
  - Describe the position as it currently exists, not as it was in the past, or may be in the future.
  - Employees should not move into a new job opportunity without going through a fair and open competitive process or a direct promotion process, whichever is most appropriate for the situation.
  - Performing additional duties which are similar or the same as an employee’s primary responsibilities may be determined as not a significant change in the nature of the work.
- Has the supervisory responsibility changed?
  - Most supervisor, manager, and director titles require the job to have at least 2 or more full-time, benefit-eligible direct reports.
  - Before assigning direct reports, the department may want to contact their HR Partner to discuss.
  - Changes in reporting needs to be updated in PS.
Is the request for more than a one GGS grade change?

- A determination may be made that a position should go through a recruitment process where the evaluation results in a two (2) GGS grade increase.
- A change of more than two (2) GGS grades above the current title is a significant change in both classification and compensation, in which the position must be posted
  - Employees should not move into a new job opportunity without going through a fair and open competitive process or a direct promotion process, whichever is most appropriate for the situation. Consult the appropriate HR Partner.
- A recruitment process for positions which are determined to be two (2) or more GGS grades above the current title ensures we are considering our AA/EEO responsibilities.
- In this case, the department should work with its HR Partner to determine the best recruitment option.
- A direct promotion process will not be approved when an underutilization exists within the AAP job family in which the vacancy is located unless it is also approved by the CHRO and the Affirmative Action Officer or designate. In cases of underutilization, an external recruitment process would be required.
Job Titles

Classification/Reclassification Request Guidance

- In all cases, an updated organization chart is required.
- In all cases, funding sources must be identified before a reclassification request can move forward.
- In all cases, the outcome of the classification evaluation will determine the job title, GGS grade, and FLSA exemption status.
  - A classification review may result in a job title and GGS grade different than what was requested by the employee or their department.
  - HR conducts a pay equity review where the evaluation results in a change in job title and/or GGS grade and determines an appropriate pay rate. Consultation between the employee’s manager, the department’s fiscal manager, and HR may occur, with HR having the final approval on a new pay rate and its effective date.
- In all cases, the employee must meet the minimum qualifications of a new classification.
Job Titles

Working Title Guidelines

A working title may be selected and used to more specifically or accurately describe an employee’s role at the University. A working title may be used instead of the assigned GGS title on business cards, in correspondence and in organization charts. Working titles (which are entered in PS) will appear in the Outlook employee directory instead of the GGS title. Following are guidelines for the use of working titles:

▶ Working titles should differentiate the work being performed in a position, and simultaneously, be consistent with similar positions performing the same work in other areas on campus (e.g. not using an office assistant title if the work is consistent with that of retail assistants)
▶ It cannot be used to suggest a title that is at a higher level than the assigned GGS title (e.g., using a director working title if the assigned global title is manager, coordinator, specialist, etc.)
▶ May contain words that more specifically describe the employee’s job duties and role in the department (e.g., Manager of Facilities and Operations, CEC Service Center Specialist, etc.)
▶ It may contain a maximum of 50 characters to allow for its accurate display in Outlook.

Authority:

Any exceptions to the guidelines above must be first approved by the S&T Chief Human Resources Officer.
To encourage employees’ continuous growth, the university’s ePerformance process includes two Performance Check-Ins per year.

End-of-year self evaluation should be completed by April 2023 and rated manager evaluation is due June 2023.

Employees and managers should meet to discuss the completed evaluation forms. The conversation should focus on successes and accomplishments, concerns and growth opportunities, and next steps.

Training dates and information will be included in the recap email and will be accessible through Percipio.
Student Employment Reminders

- Make sure to terminate student employees in a timely manner to help with reporting and employment records. Waiting for hire records to auto terminate in the system results in inaccurate employment records for our students when they try and apply for security clearances.

- Reminder that student employees should only be working a max of 20 hours per week and 28 only with advisor approval. If you have a student listed as working only 8 hours for your department, that is the max they can work per week until you submit and receive an approved job change to increase their hours.
New eForm Update
Additional Updates

- Leave Plan Information Session:
  - March 21st in Havener Center, St. Pats Ballroom 1&3
  - Drop in session, March 22nd from 8:30-10:30am McNutt 234
Future Meetings

- Meetings will be held on the third Wednesday of each month. Specific dates for 2023 can be found on the website: https://hr.mst.edu/updates/hr-meetings/.
- Regular meeting time: 1:00pm-2:00pm
- Discussion room/breakout sessions: 2:00pm-2:30pm
- Zoom invite, agenda, and recap emails will be sent to the contact group. Please email hrs@mst.edu to add someone to the group.
- Past meeting presentations can also be found on the website: https://hr.mst.edu/updates/agendas/.
Questions?

Please join us again on April 19

Additional meeting dates are located on the website: https://hr.mst.edu/updates/hr-meetings/
Thank you for attending.

We appreciate all you do in support of our campus!
Discussion Rooms

- Export Guidance with Cathie Eikermann and Rhonda Byers