



Human Resource Policy Manual

Subject: Employment

HR Policy: 200

Effective Date:

Revision:

Revision Date:

Board of Directors Approval: 06/30/08

MSHS Policy Council Approval: 09/10/08

HS/EHS Policy Council:

EMPLOYMENT POLICIES

1. Employment

Employment-At-Will Policy Statement:

Texas Migrant Council, Inc. is an "Employment At-Will" corporation. This means that once hired, an employee serves at the pleasure of Texas Migrant Council, Inc. Discontinuance of employment may occur at any time, without cause, unless there is an existing agreement with express terms and conditions covering its termination. Terminations initiated by the employer must not be discriminatory or in violation of specific federal or state laws.



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2. Recruitment Policy Statement

It is TMC's policy to recruit and select the most qualified applicants of various backgrounds for available positions, which comply with all applicable Federal, State and Local regulations, along with the Corporation's commitment to Equal Employment Opportunity.

It is also the policy of TMC to recruit from within when possible and to look for opportunities to develop employee skills and abilities.

This policy requires that all applicants for posted positions (except temporary transferring employees) must complete a TMC application and adhere to TMC Policy 320 (Job Posting Policy). For transferring employees, please refer to HR Policy 200 #3. Temporary Transfer Policy.

Recruitment Procedure

- 2.1** The employment and recruitment function is the responsibility of the Human Resources Department. All employment contacts including those with prospective employees, employment agencies, executive recruiters, temporary help agencies, other recruiting sources (schools, newspapers, etc.) and job postings are to be handled exclusively by the Human Resources Department. No internal or external advertising, interviewing, or other employment activities will be undertaken until the appropriate approvals have been obtained.
- 2.2** Human Resources insures placement of recruitment advertisements; positions will be posted internally concurrently with external postings. Positions will be posted for a minimum of five work days. Internal postings will be sent to all TMC locations and will be placed on employee bulletin boards. Human Resources and Supervisors will insure parents have access to posted positions.
- 2.3** All postings will include position title, work location, deadlines, application procedure and the contact information.



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3. Job Posting Policy

The purpose of the Job Posting Program is to provide employees of TMC, Inc. with the opportunity to be considered for open positions as they become available and before other sources are used to hire employees. It also provides employees with a listing of current open positions for the possibility of Job Transfers (See HR Policy 200 # 3)

Job Posting Procedure

- 3.1** The Human Resources Department has overall responsibility administering this policy in conjunction with the Program Directors and other managerial personnel. The President/CEO has final authority
- 3.2** All non-exempt and exempt positions will be available for internal posting.
- 3.3** Program Directors, Managers, and Supervisors shall recommend department positions and required qualifications. The President/CEO will also have the authority to create job opportunities in the best interest of the program and for the corporation.
- 3.4** A notice of open positions will be posted internally on both the Company Web Page and on bulletin boards.
- 3.5** A Letter of Intent and/or Resume is submitted to the employee's immediate Supervisor who is responsible for forwarding the Form to the Human Resources department.
- 3.6** Responding to a job posting means that the employee will be considered for the position. It does not hold any guarantee that the employee will be selected for the position. Qualified candidates will be considered for the open position and will be interviewed by the appropriate hiring manager.



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4. Screening and Selection Policy Statement

TMC Policy requires that all new applicants shall be screened for relevant knowledge, skills, abilities and experience levels required to perform the job.

- 4.1** Human Resources will track and review all applications, resumes and letters of intent for completeness and minimum qualifications.
- 4.2** References may be contacted at this time.
- 4.3** Applicants not selected for an interview will be sent a notification letter.
- 4.4** Application will be kept on file for a period of not to exceed one year.
- 4.5** A second screening may be conducted on qualified applicants by either the Vice President of Human Resources, Program Supervisor/Manager, Program Director of President/CEO To review applicants for relevance of degrees and experience and to establish the most qualified.
- 4.6** Qualified applicants who most closely match the job requirements are then selected for an interview. At a minimum, three of the top applicants will be selected for an interview.
- 4.7** Selection of employees will be made from a group of applicants with the most qualified Applicant being chosen. All employment commitments and offers to applicants will be issued from the Human Resources Department.
- 4.8** Hiring recommendations will be reviewed by Human Resources and submitted to the President/CEO for final approval.
- 4.9** Human Resources contacts prospective employee to offer position after a criminal background check result is received and employment and personal references are conducted.



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5. Temporary Transfer Policy Statement

It is the policy of TMC to provide existing or current employees with temporary transfer opportunities to enhance and develop existing skills to help meet the challenges associated with the unique nature and short duration of some of our programs.

This policy also requires temporary transfers with justified based on business necessity.

Temporary Transfer Procedure

This temporary transfer process is to provide guidance to management and personnel who transfer to the other program locations as listed below:

- TMC employees interested in a temporary transfer to another program location or within a program must be in “good standing” and must submit a Letter of Intent to transfer to their local Human Resources Department (HR).
- Transferring (local) HR Manager and Regional Administrator will ensure employees meets the criteria for “good standing” and the qualifications required of the job vacancy or posting.
- If the transferee meets the qualifications and is in “good standing,” the local HR Manager forwards the Letter of Intent to the receiving HR Manager.
- The receiving HR Manager receives the Letter of Intent, records it for the specified position, screens transferee’s qualifications and will log them.
- *In the event there is more than one employee interested in the same position,*
 - *Receiving HR Manager will follow TMC’s regular hiring process and manage interviews (contact, call and set date and time of appointments).*
 - *Receiving HR Manager will act as facilitator for the Interview Committee to select the highest scoring candidate (s).*
- If the interested transferee is deemed qualified, a temporary transfer letter is drafted and routed for signatures by all the designated supervisors, the Vice Presidents of Finance and Operations and final approval by TMC President/CEO.
- Receiving HR Manager will contact the transferee(s) and inform him/her of his/her transfer and sends the Transfer Letter for signature and the Temporary Transfer Process Packet and other accompanying documents to finalize the transfer status.



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6. Hiring

Policy Statement:

- 6.1** The Board of Directors of Texas Migrant Council, Inc., will select the Chief Executive Officer (CEO). The CEO will fill all other positions. The hiring of Head Start staff shall be in accordance with Head Start Performance Standards.
- 6.2** The Board of Directors and CEO will approve the formal selection of the MSHS Director, Head Start and/or Early Head Start Director, HR Director, Chief Financial Officer and any other equivalent position.
- 6.3** No Federal funds may be used to pay any part of the compensation of an individual employed by Migrant Seasonal Head Start, Head Start and/or Early Head Start program, including non-Federal funds equal or exceed the rate payable for level II of the Executive Schedule under section 5313 of title 5, United States Code.
- 6.4** Texas Migrant Council, Inc., abides by the Immigration Reform & Control Act of 1986 which requires that all employees be legally entitled to work in the United States. Texas Migrant Council, Inc., requires all employees to provide proof of such legal status according to the provisions of the Act.



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7 Nepotism

Policy Statement:

- 7.1** No person will hold a job while he/she or a member of their immediate family serves on the Board, Policy Council either by rule or by policy are involved in the screening, hiring, or approving of candidates for the corporation or program by which he/she is employed.
- 7.2** No person will be considered for employment when a member of his immediate family, domestic partner, common law partner or co-resident or close personal relationship without formal marriage, would exercise supervisory authority over him or her. No close relationship can exist between employees if:
 - 7.2.1** One relative would have the authority to supervise, appoint, remove, discipline or evaluate the performance of another; or
 - 7.2.2** One relative would be responsible for auditing the work of another; or
 - 7.2.3** Does not compromise the security, confidential information or morale of Texas Migrant Council, Inc., employees.
 - 7.2.4** The exclusion from employment should be limited to the job, work area, or department where the reason for exclusion exists. This policy does not bar the person from the whole corporation.
 - 7.2.5** If such a relationship occurs or will occur, the employees will be asked to determine which employee shall keep or accept his/her position.

7.2.6 When the employment of related employees, domestic partners, common law or co-residents arises through promotion, transfer, marriage, or other relationship, the affected individuals have 30 days in which to request a transfer or submit a resignation. If at the end of 30 days, the affected parties are unable to resolve the situation, their supervising manager, in coordination with the CEO, COO and HR Director will review the case at the end of the 15 day period and make a determination. The resolution will be binding. If a mutually agreeable solution cannot be reached between the Corporation and the employees, the Corporation may require one employee to resign 30 days after the employees become in violation of this policy. Criteria of position, performance, tenure and position value will be used to determine which employee is affected (transferred or terminated)

7.2.7 For purposes of this policy, a member of an immediate family shall include the following:

Spouse	Son	Brother-in-law
Father	Daughter	Sister-in-law
Mother	Father-in-law	Son-in-law
Brother	Mother-in-law	Daughter-in-law
Sister	Domestic Partner	Common Law Spouse

For purposes of this policy, a close relationship shall include: co-resident, domestic partners.

7.2.8 An involved employee who fails to disclose his or her personal situation in conflict with this policy may be subject to disciplinary action, up to and including, termination.



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8 Employment

Policy Statement:

PRE-EMPLOYMENT TESTING, FEDERAL AND STATE BACKGROUND CHECKS & LICENSING CERTIFICATIONS:

It is the policy of Texas Migrant Council, Inc., to require pre-employment physicals, pre-employment drug and alcohol test, background check and verification of licensing certifications.

- 8.1** All employees will be subject to a pre-employment drug and alcohol test.
- 8.2** All employees working directly with children will be subject to a criminal record check as required by the law of the jurisdiction where Texas Migrant Council, Inc., provides services.
- 8.3** All employees are subjected to a criminal record check.
- 8.4** All employees working directly with children, as well as other employees in sensitive or critical positions, will be subject to a pre-employment physical and TB test.
- 8.5** Prior to an applicant being hired, Texas Migrant Council, Inc. will conduct.
 - 8.5.1** Interviews as deemed necessary.
 - 8.5.2** Personal and employment reference checks
- 8.6** All employees whose position requires professional license or certification must present appropriate documentation of their license or certification prior to employment.