TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER™

Legal Statements and Policies for Applicants

Equal Employment Opportunity

The entities of the *Texas Tech University System* are Equal Opportunity Employers. All qualified applicants will be considered for employment without regard to sex, race, color, national origin, religion, age, disability, protected veteran status, or genetic information.

Safe Campus Commitment, Title IX of the Education Amendments of 1972

Texas Tech University Health Sciences Center (TTUHSC) students, faculty, staff, guests and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, to include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

Texas Tech University Health Sciences Center is in compliance with federal and state laws, including but not limited to, the Education Amendment Act of 1972, the *Clery Act,* Violence Against Women Act (VAWA), and the SaVE Act. *Refer to TTUHSC's Title IX website*.

Pursuant to the federal law identified as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, all currently enrolled students, campus employees, prospective students, and prospective employees are entitled to review the *Annual Security Report*.

On October 20, 2014, the U.S. Department of Education published the final regulations for the Violence Against Women Act (VAWA) amendments to the Clery Act. The regulations, which went into effect on July 1, 2015, expand the rights afforded to victims of sexual assault, domestic violence, dating violence and stalking. The Campus SaVE Act amended the Clery Act to mandate extensive "primary prevention and awareness programs" regarding sexual misconduct-related offenses.

E-Verify Notice

After accepting employment, new hires are required to complete an I-9 form and present documentation of their identity and eligibility to work in the United States, *on or before the first day of employment*. Effective September 1, 2015, Texas Tech University Health Sciences Center migrated to the federal E-Verify system to confirm identity and work authorization.

Requesting an Accommodation during the Application / Selection Process

Texas Tech University Health Sciences Center is committed to equal employment opportunity and non-discrimination as outlined in the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act* (ADA), among others. Texas Tech University Health Sciences Center ensures full right of access for persons with disabilities to all terms and conditions of employment, service programs and activities. Employees and applicants will be treated on the basis of their ability to perform essential job functions, with or without reasonable accommodation. To obtain additional information or if an accommodation is needed throughout the application and hiring process, please inform the appropriate Human Resources office. Please visit the *TTUHSC Disability and Accessibility webpage* for more information.

PREFERENCES

Military Employment Preference

Texas Tech University System and its components will comply with applicable state (*Texas Government Code, Section 657.002*) and federal statutes regarding the employment of veterans and military service members. "Veteran" is defined in section 2308.251 of the Texas Government Code as a person who has served in the Army, Navy, Air Force, Coast Guard, Marine Corps, or United States Public Health Services, or the Texas Military Forces, or in an auxiliary service of one of those branches of the armed forces, and has been honorably discharged from the branch of service in which the person served. By

law, veterans who are disabled or who served on active duty in the armed forces during certain specified periods or in military campaigns are generally entitled to preference over non-veterans, who do not have greater qualifications, both in Federal hiring practices and in retention during reductions in force.

The following individuals qualify for a military employment preference in the state of Texas:

- a veteran, including a veteran with a disability;
- a veteran's surviving spouse who has not remarried;
- an orphan of a veteran if the veteran was killed while on active duty;
- the spouse of a member of the United States armed forces or Texas National Guard serving on active duty; and
- the spouse of a veteran if the spouse is the primary source of income for the household and the veteran has a total disability rating based either on having a service-connected disability with a disability rating of at least 70 percent or on individual unemployability.

Veteran preference laws do not guarantee veterans a job, nor do they give veterans preference in internal agency actions such as promotion, transfer, reassignment, and reinstatement.

Applicants (both internal and external) who qualify to receive the preference must complete the Veteran and Military Employment Preference Form during the application process, and be prepared to provide a copy of their service discharge form (DD214) or other separation documentation and, if applicable, a DD1300, death, birth, and/or marriage certificate(s).

Preference for Former Foster Children

Texas Government Code Section 672.001 states that an employment preference must be extended to an applicant who is 25 years of age or under and was under the permanent managing conservatorship of the DFPS as a foster child on the day preceding their 18th birthday. Such a preference is to be granted over other applicants who do not have a greater qualification. To claim preference, verifying documentation must be submitted to the HR office.

Reduction in Force Rehire Preference

According to *Texas Tech System Regulation 07.08*, special consideration for reemployment will be given to employees separated due to a reduction in force. If the employee is qualified for a vacancy, a hiring department that has a vacant position may consider that employee without recruiting for the position and/or interviewing other candidates. The employee must have been separated under this policy within the preceding six (6) months to utilize these re-hiring procedures. An administrator who is considering hiring an employee who has been separated as a result of a reduction in force within the preceding six (6) months must notify and receive approval from Human Resources prior to any employment action.

Background Check and Credit Check

As a condition of employment, Texas Tech University Health Sciences Center requires pre-employment background checks on all new employees. Current employees selected for promotion or transfer, including those appointed directly, must undergo background checks prior to the promotion or transfer taking effect. Credit checks are conducted when a position requires cash handling or the management of institutional assets. Any candidate who is not eligible for hire as a result of the background check or credit check will be notified per the *Fair Credit Reporting Act* guidelines.

Eligibility for Employment

If you are a citizen or national of the U.S. or a lawful Permanent Resident, you are eligible for employment with Texas Tech University System and its components.

If you are an alien (not a citizen or national of the U.S. or a lawful Permanent Resident), your eligibility for employment is dependent upon your immigration status.

Any offer of employment is contingent upon a new hire employee completing the Immigration and Naturalization Service Employment Eligibility Verification (Form I-9) and providing documents to verify their identity and employment eligibility as required by law. When completing the Form I-9, you will be required to attest that you are a citizen or national of the U.S., a

lawful Permanent Resident or an alien authorized to work. For additional information regarding Form I-9 documentation, please contact Human Resources.

USA PATRIOT Act

The Texas Tech University System is committed to safeguarding its students and employees and eliminating any opportunities for an international terrorist to take advantage of Texas Tech System research facilities.

The TTUHSC Vice President for Research identifies campus research facilities where biological agents, toxins or delivery systems identified by the USA Patriot Act are used. Research laboratory directors identify positions that involve working with these biological agents, toxins, or delivery systems.

Applicants complete employment applications online that include questions regarding eligibility to handle select biological agents or toxins. Applicants who answer any of the questions affirmatively are immediately eliminated from consideration for the USA PATRIOT Act restricted position.

Applicants must pass a Department of Justice "Security Clearance" review before they are hired and permitted to work in a lab where a select agent(s) is used.

Transcripts

For positions requiring a degree or a high school diploma or equivalent, a copy of a transcript from the institution where the highest level of education was achieved may be required at the time of hire.

E-sign Disclosure: Use of Electronic Records and Signatures

This disclosure is being provided to you pursuant to the federal *Electronic Signatures in Global and National Commerce Act (ESIGN)* codified at 15 USC § 7001 and applicable state law. ESIGN requires certain disclosures be made to consumers prior to their use of electronic signatures. Accordingly, please review the following disclosures carefully:

Consent: If you are a consumer being asked to electronically consent to an employment application, your electronic consent shall apply to 1) receiving applicable disclosures and notifications in an electronic form, and 2) using electronic means to sign documents such as employment applications and other electronic documents associated with your recruitment, employment or other business of the requesting organization. If you do not wish to consent to the use of electronic documents, records and signatures, Texas Tech System and it components will not be able to accept your application.

Hard Copies: Following your acceptance by electronic signature and submission of an employment application, you will have the opportunity to view and print a .pdf version of the document(s) that you have e-signed and submitted.

Withdrawing Consent: Once you have consented to the use of electronic documents, records and signatures, you may withdraw your continuing consent by notifying the appropriate Human Resources Department for assistance in withdrawing your employment application.

Social Security Number Requirements

Section 7 of the *Privacy Act of 1974* (5 U.S.C. § 552a) requires that when any Federal, State or local government agency requests an individual to disclose his/her social security number, that individual must also be advised whether that disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and what uses will be made of it.

Accordingly, employees are advised that a Social Security number (SSN) is required as a condition of employment within The Texas Tech System and its components, due to the practical administrative difficulties that would be encountered in maintaining adequate employee records without the continued use of the SSN.

Applicants using *the BrassRing Application System* are required to provide a valid U.S. Social Security Number if one has ever been issued to them. This is necessary to comply with employment eligibility verification requirements under federal law.

Applicants who have never been issued a U.S. SSN, or who have not yet received their SSN, should contact TTUHSC HR (806-743-2865, or view the *HR Contact Information webpage* for other options) to receive an alternate unique number that can be used within our system for tracking purposes. This placeholder number should only be used within the TTUHSC application and onboarding process. It is not a substitute for an SSN and must never be used outside of our internal systems.

Example cases when a placeholder number may be used:

- You are a newly arrived international applicant and have not yet applied for or received a Social Security Number.
- Your immigration or visa status is pending, or is ineligible to be issued a Social Security Number.
- You are waiting on approval of employment authorization from USCIS.

If you have been issued an SSN to work in the US, you must enter it to complete your application. Placeholder numbers are not permitted in place of a valid SSN. Inappropriate use of a placeholder number may impact your application or hiring.

Selective Service Requirements

Under Chapter 651 of the Government Code, TTUHSC is required by law to verify that new employees are in compliance with Selective Service requirements established by the federal government.

Who is Eligible? Male U.S. citizens and male aliens living in the U.S., who are 18-25 years of age, are required to register with the U.S. Selective Service System. Lawful nonimmigrants on visas are NOT required to register, including men on student or visitor visas. Legal permanent residents ARE required to register. For a complete list of individuals required to register, please refer to "*Who Needs to Register*" on the Selective Service System webpage.

How to Register? If you are not registered as required, you are currently not eligible for hire and should register promptly. Eligible individuals may *register* online, or at any U.S. Post Office, or by mail. Men living overseas may register online or at any U.S. Embassy or Consulate.

Should any question arise regarding your registration or eligibility for an exemption, you may request Proof of Registration or an official Status Information Letter from the Selective Service System by visiting *sss.gov* or by calling 847-688-6888.

If you are currently of the age and gender requiring registration with Selective Service, but knowingly and willfully fail to do so, you are ineligible for employment with an agency in any branch of the Texas state government. Any offer of employment is contingent on your compliance with Selective Service laws.

Voluntary Demographic Information

Texas Tech University Health Sciences Center is subject to certain governmental and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws, the employer invites applicants to voluntarily self-identify certain information, such as ethnicity, disability status, and status as a protected veteran. Submission of this information is voluntary and will not be used to determine employment eligibility. Refusal to provide it will not subject the applicant to any adverse treatment, including selection for the positions in which they apply. The information obtained may only be used in accordance with the provisions of applicable laws, executive orders, and regulations, including those that require the information to be summarized and reported to the federal government for civil rights enforcement.

Excluded Individuals – Office of Inspector General

In accordance with federal and state law and institutional policy, TTUHSC cannot employ any individual who has been excluded from participation in federal health care programs by the *United States Health and Human Services Office of Inspector General* or the *Texas Health and Human Services Commission Office of Inspector General*.

Associations with Foreign Adversaries

In accordance with Executive Order GA-48, TTUHSC is tasked with ensuring that applicants are not associated with any governmental entity or political apparatus of a country listed in the U.S. Department of Commerce's foreign adversaries list under *15 C.F.R. § 791.4.*

Institutional Policies

Please review the *HSC operating policies and procedures* related to employment and recruitment for more information.

QUESTIONS? CONTACT TTUHSC HUMAN RESOURCES