

**CALIFORNIA INSTITUTE OF TECHNOLOGY
STAFF PERSONNEL MEMORANDA**

Subject: <p style="text-align:center">Employment</p>	Memo No. 9 Pages: 6 Date: January 14, 2015
Approved by: Julia McCallin, Associate Vice President for Human Resources	

(This supersedes Memo No. 9, dated October 15, 2007)

- 1.0** The Institute will hire, transfer and promote consistent with its Nondiscrimination and Equal Employment Opportunity Policy.

In addition, the Institute’s employment and recruiting approach is designed to meet the diverse needs of the community as well as uphold the highest standards of integrity.

The Institute adheres to the policy of employment at will which permits the Institute or the employee to terminate the employment relationship at any time, for any lawful reason, with or without cause or notice.

2.0 DEFINITIONS

2.1 Job Applicants

A job applicant is an individual who

- applies for a specific Institute position,
- completes the standard Institute application process,
- meets the basic qualifications for the position, and
- does not remove him or herself from the selection process prior to receiving a job offer or otherwise indicates that he or she is no longer interested in the position.

2.2 Regular Employee

A regular employee is hired and paid for a continuous work schedule of indefinite duration in a defined assignment.

2.3 Term Employee

A term employee is hired for a specific assignment over a specified time period which the Institute may end at any time at its discretion. Such appointments are not to be considered contracts, and will be so specified in offer letters to prospective term employees. A term employee is not eligible for separation benefits.

Note: At JPL, the term TMS, “Temporary Employee – Benefit Eligible” previously was used to describe this category.

2.4 **Temporary Employee**

A temporary employee is hired for an assignment that lasts a year or less, which the Institute may end at any time at its discretion.

Depending on the length of the assignment and hours of work, a temporary employee may or may not be eligible for Institute benefits. (Please refer to the Benefits Handbook for specific requirements.)

2.5 **Occasional Employee**

An occasional employee works an irregular work schedule, works at intervals according to the demands of the job, may not work more than 990 hours in a calendar year and which the Institute may end at any time at its discretion. An occasional employee is not eligible for Institute benefits or holiday pay.

2.6 **Full-Time**

A full-time employee works a standard 40-hour per week work schedule, and may be eligible for Institute benefits and holiday pay. (Please refer to the Benefits Handbook for details.)

A full time employee on an Alternative Work Week Schedule works 80 hours biweekly.

2.7 **Part-Time**

A part-time employee works a schedule of fewer than 40 hours per week. Part-time employees who work 20 hours or more per week may be eligible for Institute benefits. (Please refer to the Benefits Handbook for details.)

2.8 **Student Employee**

A student employee is a Caltech undergraduate student who is employed by the Institute while enrolled as a full-time student at the Institute, and who is not covered by unemployment insurance and state disability insurance.

2.9 **Minors**

Employment of minors younger than 18 years old is permitted under certain circumstances. Please refer to the Employment of Minors PM, PM 9-1, for details and specific requirements.

2.10 Campus Employee Emergency Reporting Designations:

In the event of an emergency at campus, employees are expected to report to campus to assist with response and recovery in accordance with the following emergency reporting designations:

Campus Critical: An employee designated as campus critical is expected to be aware of the campus emergency management plan and to report to campus as soon as possible to assist in campus wide response and recovery efforts.

Organizational Critical: An employee designated as organizational critical is expected to report to campus as soon as possible to assist in division/department response and recovery efforts.

Essential Reporting: An employee designated as essential reporting has essential job skills that are needed for response and recovery, and is expected to report to campus as soon as possible.

Essential Non-Reporting: An employee designated as essential non-reporting is not required to immediately report to campus. Essential non-reporting employees are expected to stay in contact with respective division/department in case of need.

3.0 EMPLOYMENT PROBATION PERIOD

- 3.1 A probation period, an initial period of employment during which the new staff member and his/her manager may evaluate the employee's suitability for the position, is mandatory for new regular full and part-time employees.
- 3.2 While on an initial probationary period, an employee is not eligible to: transfer to another Institute position; receive salary increases; receive separation benefits if laid off; receive tuition reimbursement.
- 3.3 Current employees who are hired or transferred into a new position may be required to serve a new probation period.
- 3.4 The probation period typically can range from six months to one year but may be shorter or longer. Duration of the probation period is determined by the employee's immediate manager in consultation with Human Resources. Probation is considered complete at the end of the specified probation period. Completion of the probationary period does not guarantee continued employment.

4.0 OTHER EMPLOYMENT MATTERS

4.1 Employment of Relatives (Nepotism)

Relatives, members of the same family or household, or persons with whom the employee has a personal relationship may be considered for employment. However, there are significant restrictions on their employment in the following circumstances:

- Such employment shall not result in the appearance of or create a conflict of interest. For example, such employment will not result in a direct reporting relationship.
- No employee will seek preferential treatment or attempt to improperly influence the employment of a relative, including participating on a search committee if a relative is a candidate or providing grant funds for such employment.

Relatives are defined as any family member including but not limited to parents, spouses, domestic partners, children, brothers, sisters, in-laws, an individual with whom the employee has a significant personal relationship, any individual who is a member of the employee's household, or who cohabitates with the individual.

Employees are prohibited from exerting influence on support service contractors or contracting companies to obtain employment for relatives.

When a job applicant is considered for employment in an organization where a relative is employed, a Nepotism Evaluation process must be completed and approved by Human Resources, and at JPL, Ethics, as early as possible in the employment process but in any event, prior to an offer of employment. Job applicants must list any relatives working at the Institute on his or her application for employment. Failure to disclose this information may disqualify the job applicant from employment or be grounds for termination of employment.

If two employees marry or become related resulting in the appearance of or creation of a conflict of interest, or potential problems noted above exist, the Institute may require that one of the employees transfer or may terminate his/her employment with the Institute.

4.2 Concurrent Employment

Concurrent employment occurs when an employee works in two or more Institute organizations. An employee who is assigned to campus or JPL, and who wishes an additional assignment to another Institute location, must notify Human Resources and his or her manager before accepting the additional assignment. A hiring manager must notify Human Resources of a potential concurrent employment prior to an offer being made.

4.3 Outside Employment, Consulting and Business Activity

The Conflict of Interest – Outside Employment, Consulting and Business Activities Personnel Memorandum addresses these issues.

4.4 **Pre-Employment Background Investigation**

The Institute conducts background investigations to, for example, verify employment history and academic records, and become aware of any criminal convictions.

Background investigations are conducted on:

- All newly hired staff employees at campus and JPL after a contingent offer has been made and before commencing work,
- All staff, post-doctoral scholars and others whose job or activities brings them into regular contact with minors, or
- Any person who will have access to controlled substances, hazardous materials, or radioactive materials.

The Institute wishes to ensure that individuals who are employed by the Institute, or in certain circumstances are present in Institute facilities, or who participate in Institute activities, have no criminal conviction(s) which is relevant to their position or activities.

Note: At JPL there is an additional background investigation process.

Information obtained in a background investigation will be considered confidential and only disclosed as determined appropriate by the Institute.

The Institute will conduct an individualized assessment of any adverse information obtained in a background investigation, including ensuring that any criminal information that results in an adverse determination is job related and consistent with business necessity.

4.5 **References**

The Institute does not provide references.

Individuals who are requested to provide letters of reference for either current or former employees, or for any non-employee, such as a contractor, professional colleague, etc.) may do so only as an individual and not on behalf of the Institute.

Individuals writing personal letters of reference may not use Institute stationery or Institute email since the use of Institute resources could improperly imply Institute concurrence and that the individual is speaking on behalf of the Institute.

Institute stationery may be used in cases where specific information is needed, for example for academic/graduate school requirement, or peer review for a faculty appointment.

During the recruitment process, Human Resources or the hiring manager may contact the applicant's references, including the applicant's current and/or former employers. An applicant's current employer should not be contacted without the applicant's prior consent.

4.6 **Employment Offer**

Offers of employment to staff are extended only by Human Resources. No other Institute personnel are authorized to extend an offer of employment to staff.

4.7 **Post-Offer Medical Examination**

Human Resources will arrange for post-offer physical examinations for specified jobs.

4.8 **Verification of Employment**

Verifications only will include employment status, job title, and dates of employment.

Salary only will be verified with the employee's permission.

5.0 **REFERRAL AWARD PROGRAM**

At times, the Institute may elect to offer a referral award. The purpose of the Referral Award Program is to provide financial incentives to current employees to assist in recruiting certain highly qualified new hire candidates with critical skills, as designated on the job posting.

Subject to program requirements, current full-time, benefit-based Institute employees are eligible to receive Referral Awards after the referred candidate accepts a written offer of employment and begins work. Employees in Human Resources are not eligible to receive Referral Awards.

The amount of a Referral Award will range be determined jointly by the hiring division/department and Human Resources.

The Institute, at its discretion, may terminate the Referral Award Program at any time.

6.0 **EXCEPTIONS**

Any exceptions to this policy require approval of the Associate Vice President for Human Resources or designee for campus staff, or the Director for Human Resources at JPL or designee for JPL staff.

7.0 **RELATED POLICIES/PERSONNEL MEMORANDA**

[Non-discrimination and Equal Employment Opportunity](#)

[Disability and Reasonable Accommodation](#)

[Conflict of Interest](#)

[Conflict of Interest – Outside Employment, Consulting and Business Activities](#)

[Employment of Minors](#)

Ethics