New Onboarding Process and Related Compliance Issues

QMB – AUGUST 2019
Agenda

- I-9 compliance
- New onboarding process
- Title IX training requirements
MANAGERS’ QUARTERLY
August 26, 2019
On-Boarding
Legal Considerations

Ann Martin, Associate General Counsel
Immigration Enforcement

• Trump administration’s focus on immigration enforcement
• Ramp up in Immigration and Customs Enforcement (ICE) enforcement activities
• 400% increase in number of ICE audits since 2017
• Caltech needs to be ready
I-9 Requirements

• The Immigration Reform and Control Act enacted in 1986 requires employers to verify the identity and employment eligibility of their employees

• Created criminal and civil sanctions for employment related violations

• Employment Eligibility Verification Form I-9 is used to verify identity and work authorization
I-9 Form

• The I-9 form must be completed for all new employees, US citizens and noncitizens alike

• Employees must attest to their work authorization and produce acceptable documents verifying identity and work authorization.
  – After accepting offer, but no later than first day of employment

• Employer must review and verify the documents and certify they are acceptable and appear to be genuine
  – Within 3 business days of first day of employment
  – If not completed employee must be removed from payroll!
  – May impact visa status of foreign nationals not timely removed from payroll!
ICE Audits

• I-9 forms must be retained and made available for inspection
• ICE is agency responsible for conducting inspections
• Knowingly hire and continue to employ violations are subject to **fines, criminal penalties** and **debarment**
Other Onboarding Requirements

• New hires must receive other documents at or shortly after time of hire that inform them of their rights under California law
  – Wage Theft Notice for OTE employees
  – DFEH sexual harassment pamphlet
  – EDD paid family leave and disability insurance pamphlets
  – DIR time if hire pamphlet
  – Labor Commissioner’s notice on Rights of Victims of Domestic Violence, Sexual Assault and Stalking
How You Can Help

• HR can’t ensure timely completion of requirements unless they know of the hire
• Make sure a formal offer goes out from HR before an employee is hired
• Reinforce requirements with administrators and faculty involved in hiring process
New Harassment Training

• Supervisor training on sexual harassment has been required since 2005
  – 2 hours every 2 years
• Was later expanded to include abusive conduct (workplace bullying)
• Starting this year covered employers are required to train all non-managerial employees as well
Training Requirements

• Applies to all employees, including temporary and occasional employees
  • If temporary employee is employed by a staffing company they must provide the training
• 1 hour of training every 2 years
• Current employees must complete training by January 1, 2020
• New employees must complete training
  • within 6 months of hire for employees hired for 6 months or more
  • Within 30 days or 100 hours worked for employees hired for less than 6 months
Implementation

• New training announced last week
• Training will only be available online
• Will be administered through MyLearn on access.Caltech.edu
• Employees will receive a system generated with additional instructions
• Important that you reinforce and support timely completion for your employees
• May see rise in workplace bullying complaints
Tara Kruckeberg

UPDATES TO THE ONBOARDING PROCESS
Why?

Manage Increase in Compliance Related Requirements

Process improvement

Reduce supervisor burden

Dynamic response to employee population
Current

New Hire Task List in Taleo
New Hire Check-in on day of hire
Email Notification to Complete Tasks Post Hire
  -Follow up via Email
Bi-Monthly Coffee@Caltech
TALEO WELCOME CENTER
BEGIN@CALTECH
CONNECT@CALTECH
GROW@CALTECH – ZOOM MEETINGS

Components
Begin@Caltech

- Weekly sessions (Mondays)
- Check-in at HR
- Test access.caltech credentials
- Complete compliance tasks:
  - I-9
  - Acknowledgement of receipt of employee guide
  - Confidentiality and Non-Disclosure Agreement
  - Conflict of Interest
  - Patent Agreement
  - Harassment & Discrimination Prevention training (NEW)
Harassment & Discrimination Prevention training

CA law SB 1343

All non-sup employees required to complete one (1) hour of training every two years

Odd years will be re-training years

New employees will have 14 working days to complete training
Connect@Caltech
Replaces Coffee@Caltech
Staff AND Postdocs invited to attend
Similar to a traditional orientation
Immersion on Caltech culture
Policy related touchpoints
Caltech vendor networking
Facilitated by HR staff
Grow@Caltech

Monthly Zoom meetings
- Tuition Reimbursement Program
- Data systems security
- How to discuss a mid-probation check-in

Quarterly guided campus walking tours
What is coming…

Access.Caltech Onboarding Portal

Communication Toolkit Updates
  ◦ Revisions to new hire communication documents
  ◦ Revisions to supervisor new hire communication documents
  ◦ Calendar invites to Begin@Caltech, Connect@Caltech & Grow@Caltech
How Supervisors Can Prepare

- Encourage Monday start dates
- Add Connect@Caltech to new hire calendars
- Join us for launch January 2020
- Share feedback with us
Paula Knop
Administrator for the Equity Office and Title IX

Allie McIntosh
Community Educator and Deputy Title IX Coordinator

Brian Quillen
Lead Investigator for Equity and Title IX

Hima Vatti
Assistant Vice President, Equity and Equity Investigations, and Title IX Coordinator
mission

We work to eliminate barriers so that everyone can reach their full potential.
The Equity Office addresses and educates the entire Campus community, including staff, postdoctoral scholars, faculty, and students on Title VII, Title IX, and State equity issues related to:

- unlawful harassment
- sexual misconduct
- discrimination
- climate concerns
protected characteristics

• Sexual orientation
• Gender identity and gender expression
• Race
• Color
• Ancestry
• National origin
• Religion
• Sex (including pregnancy, childbirth, and related medical conditions)
• Medical conditions
• AIDS/HIV
• Disability: physical or mental
• Age (40 and older)
• Genetic information
• Marital Status
• Military or Veteran status
• Political affiliations or activities
• Status as a victim of domestic violence, assault, or stalking
<table>
<thead>
<tr>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex and gender-based discrimination</td>
</tr>
<tr>
<td>Sex and gender-based harassment</td>
</tr>
<tr>
<td>Sexual misconduct</td>
</tr>
<tr>
<td>Dating and domestic violence</td>
</tr>
<tr>
<td>Stalking</td>
</tr>
</tbody>
</table>
reporting resources
(non-confidential)

Office of Equity and Title IX
Title IX Coordinator, Hima Vatti
(626) 395-3132 or titleix@caltech.edu

Deputy Title IX Coordinator for Students,
Allie McIntosh
(626) 395-1743 or allie@caltech.edu

Deputy Title IX Coordinator for Staff,
Ofelia Velazquez-Perez
(626) 395-3819 or ofelia.velazquez-perez@caltech.edu

Deputy Title IX Coordinator for Faculty,
Melany Hunt
(626) 395-4231 or hunt@caltech.edu
<table>
<thead>
<tr>
<th>Name change</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Gender-based Misconduct Policy</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Meeting process</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>Now the Law in California</strong></td>
</tr>
<tr>
<td>• Allegations are contested, consequences are severe, credibility is key</td>
</tr>
<tr>
<td>• Parties and witnesses meet with Lead Investigator and Decision-maker</td>
</tr>
<tr>
<td>• Lead Investigator facilitates indirect questioning</td>
</tr>
<tr>
<td>• Parties are both present but separated</td>
</tr>
</tbody>
</table>
communication plan

• Key student, counseling, academic, and staff persons/groups at Campus/JPL

• Letter to the Caltech community

• Outreach, open door to answer questions