

**CALIFORNIA INSTITUTE OF TECHNOLOGY  
STAFF PERSONNEL MEMORANDA**

<b>Subject:</b>  <p style="text-align: center;"><b>Employment</b></p>	<b>Memo No. 9</b> <b>Pages: 8</b> <b>Date:</b> <b>June 18, 2024</b>
<b>Approved by:</b> Julia McCallin, Associate Vice President for Human Resources, Chief Human Resources Officer	

(This supersedes Memo No. 9, dated October 16, 2020)

- 1.0** Caltech will hire, transfer, and promote consistent with its Nondiscrimination and Equal Employment Opportunity Policy and in compliance with legal requirements.

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

Caltech adheres to the policy of employment at will which permits Caltech 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 Caltech position through the Caltech or JPL Careers website,
- completes the standard Caltech application process,
- meets the basic qualifications for the position, and
- does not remove themselves from the selection process prior to receiving a job offer or otherwise formally indicates that they are 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 (Campus) / Temporary Special Employee (JPL)**

A Term Employee / Temporary Special Employee is hired for a specific assignment over a specified period which Caltech may end at any time, at its discretion. A term assignment may be renewed if business needs necessitate, up to a maximum duration of 36 months. Such assignments are not contracts, are intended for short-term funded assignments, and will be so specified in offer letters to prospective term employees. Assignments extending beyond 36 months must be posted as a regular position. Depending on the length of the assignment and hours of work, a term employee may or may not be eligible for certain Caltech benefits. (Please refer to the Summary Plan Description (SPD) for specific requirements.)

A Term Employee / Temporary Special Employee is not eligible for separation benefits.

### **2.4 Temporary Employee**

A temporary employee is hired for an assignment with a duration of one year or less. Caltech may end temporary employee assignments at any time, at its discretion.

Temporary assignments are not to exceed one year. If the assignment will extend beyond one year, it must be posted as a regular position.

Depending on the length of the assignment and hours of work, a temporary employee may or may not be eligible for certain Caltech benefits. (Please refer to the Summary Plan Description (SPD) for specific requirements.)

A temporary employee is not eligible for separation benefits.

### **2.5 Occasional Employee**

An occasional employee works an irregular work schedule and works at intervals according to the demands of the job. If the job will require consistent hours over a period of time, the position should be re-evaluated for appropriate classification. Occasional employees may not work more than 999 hours in a calendar year and Caltech may end occasional assignment(s) at its discretion. Except as required by state or federal law, an occasional employee is not eligible for Caltech benefits.

The Interim Employment Program (IEP) at JPL provides for re-employment on a short-term, occasional basis for eligible former employees. The individual within the IEP supports work that is typically intended to preserve or transfer institutional or technical knowledge. Those who work under JPL's Interim Employment Program (IEP) are considered occasional employees and may

not work more than 999 hours in a calendar year. Please reference the [“Interim Employment Program – Requirements and Guidelines”](#) document on the JPL HR webpage for details and requirements.

## **2.6 Full-time Employee**

A full-time employee is regularly scheduled 40-hours per workweek and may be eligible for Caltech benefits and holiday pay. (Please refer to the Summary Plan Description (SPD) for details.)

## **2.7 Part-time Employee**

A part-time employee is regularly scheduled fewer than 40 hours per workweek. Part-time employees who are regularly scheduled to work 20 hours or more per week may be eligible for Caltech benefits. (Please refer to the Summary Plan Description (SPD) for details.)

## **2.8 Student Employee**

At Campus, a student employee is a Caltech undergraduate full-time enrolled student who is employed by Caltech. Campus student employees are not eligible for employee benefits unless required by state or federal law. For other student employment programs on campus, students should refer to the [Student Employment](#) website.

JPL offers a variety of temporary, student employment programs, including academic part-time, Co-op, and Summer Intern employment programs for qualifying college undergraduate and graduate students.

### **2.8.1 Minors**

Employment of minors younger than 18 years old is permitted at Campus under certain circumstances. Please refer to the Minors personnel memoranda (PM 9-1), for details and specific requirements. Mandated Reporter training is required for anyone working with or supervising minors on Campus or at JPL. Please refer to the [Protection of Minors Website](#) for policy and procedures.

## **2.9 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 emergency reporting designations noted below. To confirm their Employee Emergency Reporting Designation, employees should refer to their job posting or their manager.

**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 Introductory Period**

An introductory period is defined as an evaluation period during which an employee's initial competence, qualifications, and ability to perform the essential functions of the job are assessed. At JPL, a mandatory 6-month introductory period applies to all new employees with an optional introductory period for employees transferring to new positions. At Campus, the introductory period is mandatory for new, or newly transferring, regular full- and part-time employees. While on an introductory period, an employee is not eligible to transfer to another Caltech position, receive salary increases, receive separation benefits if laid off, or receive tuition reimbursement. A temporary or interim assignment cannot be used in lieu of an introductory period.

The introductory period is considered complete at the end of the specified duration. Introductory periods cannot be modified. Completion of the introductory period does not guarantee continued employment. Managers should work with Human Resources if it is anticipated that an approved leave of absence may impact the duration of an introductory period.

### **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 significant personal relationship may be considered for employment. However, Campus and JPL policies may restrict their eligibility for employment in the following circumstances:

- Employment shall not result in an actual or apparent conflict of interest.
- Employment shall not result in a direct reporting relationship.
- At Campus, any indirect working relationship, whether or not in a supervisory capacity, must be assessed and approved by Human Resources in advance of hiring.
- No employee shall seek preferential treatment or attempt to improperly influence the hiring/employment of a relative (as defined below).
- Current employees shall not participate in the hiring process or otherwise influence the hiring of a relative.

Relatives are defined as any family member, including but not limited to, parents, grandparents, spouses, domestic partners, children, siblings, 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.

At JPL, the Ethics Conflict of Interest policy also applies to the employment of relatives. Reference the Personal Conflicts of Interest section of the JPL COI policy.

Prior to extending a formal employment offer to a candidate who has a relative currently employed at Campus or JPL, a nepotism evaluation review form must be completed and approved by Human Resources. For JPL positions, nepotism reviews must also be approved by the JPL Ethics Office. No offer of employment can be made without an approved nepotism evaluation review form and, at JPL, also a review of Disclosure of Financial Interests and Commitments, and/or mitigation plan. Job applicants must list all relatives, as defined above, working at Campus or JPL on their application for employment. Failure to disclose this information may disqualify the job applicant from employment or be grounds for termination of employment.

If two current employees subsequently marry, become related, or otherwise engage in a personal and/or intimate relationship, a nepotism evaluation form must be completed and approved. Caltech may require that one of the employees transfer or may terminate one or both employees' employment.

## **4.2 Concurrent Employment**

Concurrent employment occurs when an employee works in two or more Caltech organizations, including concurrent employment at both Campus and JPL, or concurrent employment with related agencies or Institutions (including NASA). While concurrent employment is permissible under certain conditions, it

requires advance approval by Human Resources and Ethics (JPL). An employee who is assigned to Campus or JPL, and who seeks an additional assignment to another Caltech organization, must notify Human Resources and Ethics (JPL) and their manager before proceeding with their application to the additional assignment. A hiring manager must notify Human Resources of a potential concurrent employment prior to an offer being made.

#### **4.2.1 Employee Relations Clearance**

Prior clearance from Employee and Organizational Development (EOD) on Campus is required before an existing employee can move into a new position. Employees who are in an active progressive discipline or performance management process are not eligible to transfer to another Caltech position. At JPL, Talent Acquisitions consults with Employee Relations before approving an existing employee's move to a new position.

### **4.3 Pre-employment Background Investigations**

Caltech conducts background investigations for appropriate business reasons, including, to identify any relevant criminal convictions that may impact an individual's eligibility for a specified position, education verification, and MVR clearance. Additionally, at JPL, a pre-employment drug test is required after an offer is accepted and prior to beginning employment. Reference JPL's [Substance Abuse Testing](#) procedure.

Background investigations are completed for:

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

At JPL, employees are subject to additional, new, and periodic background investigation reviews, as may be required by NASA.

Information obtained in a background investigation will be considered confidential and only disclosed as determined appropriate by Caltech. Caltech will conduct an individualized assessment of any adverse information obtained in a background investigation in accordance with applicable laws, including ensuring that any information concerning a criminal conviction that results in an adverse determination is job related and consistent with business necessity.

#### **4.4 References**

Caltech 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 Caltech.

Individuals writing personal letters of reference may not use Caltech letterhead or Caltech email or other resources since the use of Caltech resources could improperly imply Caltech's endorsement of the recommendation or that the individual is speaking on behalf of Caltech.

Caltech letterhead may be used in cases where specific information is needed, for example for academic/graduate school requirement, or peer review for a faculty appointment. At JPL, managers should discuss requests for such letters in advance with Human Resources.

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

#### **4.5 Employment Offer**

Offers of employment for staff positions are extended only by Human Resources. No other Caltech employees are authorized to extend an offer of employment for a staff position.

#### **4.6 Post-Offer Physical Examination**

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

#### **4.7 Verification of Employment**

Verifications will only include employment status, job title, and dates of employment. Salary will only be verified with the employee's permission.

### **5.0 Exceptions**

Any exceptions to this policy require approval of the Associate Vice President for Human Resources for Campus staff, or the Director for Human Resources at JPL for JPL staff, or their designee(s).

## Related Policies and Procedures

[Non-discrimination and Equal Employment](#)

[Opportunity Disability and Reasonable](#)

[Accommodation](#)

[Conflicts of Interest](#)

[Outside Activities](#)

[Minors](#)

[JPL Conflict of Interest](#)

[Substance Abuse Testing](#)

[Summary Plan Description \(SPD\)](#)