

**CALIFORNIA INSTITUTE OF TECHNOLOGY  
STAFF PERSONNEL MEMORANDA**

Subject:  <b>Employment</b>	Memo No. 9 Pages: 6 Date: October 14, 2020
<b>Approved by:</b> Julia McCallin, Associate Vice President for Human Resources & CHRO	

**(This supersedes Memo No. 9, dated January 14, 2015)**

- 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,
- 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 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 / TMS**

A term employee is hired for a specific assignment over a specified time period which Caltech may end at any time at its discretion. Such assignments are not to be considered contracts and will be so specified in offer letters to prospective term employees. 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 Benefits Handbook for specific requirements.)

At JPL, the Term Employee category is called TMS. TMS assignments may be renewed if business needs necessitate, up to a maximum duration of 36 months.

A term or TMS employee is not eligible for separation benefits.

## **2.4 Temporary Employee**

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

Temporary assignments are not to exceed one year. If the assignment will extend beyond one year, it needs to be posted as a full time or part time regular position. Exceptions to this need to be approved by the CHRO at Campus or the Director for HR at JPL, or their designee(s).

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 Benefits Handbook 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. They may not work more than 999 hours in a calendar year and Caltech may end their assignment at its discretion. An occasional employee is not eligible for Caltech benefits, except those required by State or Federal law.

Those who work under JPL's Interim Employment Program (IEP) are occasional employees. 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 Benefits Handbook for details.)

## **2.6 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 Benefits Handbook for details.)

## **2.7 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 benefits unless required by state or federal law.

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

## 2.8 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 minors on Campus or at JPL. Please refer to the protection of minors website for 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 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 INTRODUCTORY PERIOD

**3.1** 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

**3.2** While on an initial 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.

- 3.2 The standard introductory period is six months but can be one year upon approval by CHRO or their designee. The Introductory Period is considered complete at the end of the specified introductory period. Completion of the introductory period does not guarantee continued employment. Extensions to introductory periods are generally not permitted. Management should work with Human Resources in advance if it is anticipated that an introductory period extension is needed due to special circumstances.

## 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, 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.
- Such employment will not result in a direct reporting relationship
- At Campus, any indirect reporting relationship in the management chain must be assessed and approved by Human Resources in advance.
- No employee will seek preferential treatment or attempt to improperly influence the employment of a relative (as defined below).
- Participating on a search committee or otherwise factoring into the hiring decision if a relative is a candidate is prohibited.

Relatives are defined as any family member, including but not limited to, parents, grandparents, 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.

At JPL, the Ethics policy "Conflict of Interest" applies to the employment of relatives. Reference "Employment of Relatives and Personal Relationships" section of the COI policy.

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, prior to the formal employment process. No offer of employment can be made without an approved nepotism form (Campus) or COI review and/or mitigation plan (JPL). Job applicants must list any relatives, as defined above, working at Caltech 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 employees marry, become related, or otherwise engage in a personal and/or intimate relationship which results in the appearance of or creation of a conflict of interest, 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 location, 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.

## 4.3 Pre-employment Background Investigations

Caltech conducts background investigations to, for example, verify employment history and academic records, or to become aware of any relevant criminal convictions that may impact an individual's eligibility for a specified position. Additionally, at JPL, a pre-employment drug test is conducted upon offer accept. Reference JPL's [Substance Abuse Testing](#) procedure.

Background investigations are conducted on:

- All newly hired staff employees at campus and all employees at 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.
- Caltech wishes to ensure that individuals who are employed by Caltech, or in certain circumstances are present in Caltech facilities, or who participate in Caltech activities, have no criminal conviction(s) which is relevant to their position or activities.

**Note:** At JPL there are additional, new and periodic background investigation processes as 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 criminal information 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 stationery or Caltech email or other resources since the use of Caltech resources could improperly imply Caltech concurrence and that the individual is speaking on behalf of the Caltech.

Caltech 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. 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 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.

#### **4.5 Employment Offer**

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

#### **4.6 Post-Offer Medical 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 only will be verified with the employee's permission.

### **6.0 EXCEPTIONS**

Any exceptions to this policy require approval of the Associate Vice President for Human Resources & CHRO 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](#)

[Conflicts of Interest](#)

[Outside Activities](#)

[Minors](#)

[JPL Conflict of Interest](#)

[Substance Abuse Testing](#)