

SUBJECT: Student Affairs

Policy: 312.1 Employer / Recruiter

Effective: June 2014

Revised:

Reviewed:

Introduction & Purpose

Great Falls College MSU strives to assist employers in interacting with our students/alumni to inform them of career and employment opportunities. The following policy has been established to determine eligibility of an employing organization to utilize employer services at Great Falls College MSU.

Employer Eligibility

Approved employers recruiting at Great Falls College MSU must agree to and abide by the following:

- Comply with the nondiscrimination requirements of Equal Employment Opportunity, Age Discrimination in Employment Act, Americans with Disabilities Act and Title VII of the Civil Rights act of 1964.
- Comply with the policies and guidelines of Great Falls College MSU and the Career Services Office.
- Follow the *Principles of Professional Practice for Career Services and Employment Professionals* as outlined by the National Association of Colleges and Employers (NACE) located at <http://www.nacweb.org/principles/>.
- Not ask, or allow, any Great Falls College MSU employee to screen applicant materials (e.g., resumes/cover letters, transcripts, references) for any purpose, including the giving of College employee's advice to recruiter/company on which applicants should be interviewed, recruited or hired.
- Make reasonable accommodations for a person with a disability so that they may participate in the recruitment process.
- Not solicit or sell products/services or offer any financial promotional offerings during the course of the recruiting process.
- Not use or disclose student information for any reason, other than recruiting purposes for the posted position, including selling student information to other entities for a fee or other forms of compensation.
- Not charge Great Falls College MSU or any student any fee for services; all fees must be paid by the employer.
- If a paid position, the rate of pay is at least the State of Montana minimum wage (calculated over any time scale such as hourly, weekly, semi-monthly, monthly or annually.)

An employer-employee relationship exists when a student/alumni is hired by an organization and placed on their payroll. These employees are considered W-2 employees. The employer will deduct taxes, report tax withholdings to the IRS and will provide workers' compensation insurance as required by state law.

General Job Posting

Internships and full-time/part-time jobs shall be posted by employers via the College's online employment database and job posting system.

The permission to use Great Falls College MSU's system does not imply College approval or endorsement of the policies, practices or products of the recruiting organization.

The Great Falls College MSU Career Services office reserves the right to refuse any company access to all services.

Great Falls College MSU will not host or post jobs for organizations such as:

- Franchise and/or pyramid-type organizations
- Organizations that require a financial investment, purchase of supplies or equipment or pay a fee as a condition of employment unless such fees are required in accordance with applicable State and Federal laws

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- Positions that would employ students by a private individual with an un-established business and no employment or work-for-hire contract (e.g., babysitting, nanny, caretaker, tutor).
- Employer registrations or job postings for teaching and/or tutors abroad
- Commission Based Positions

Third Party Recruiters (e.g., Employment Agencies, Search Firms, Staffing Services, Temp Agencies, On Line Job Board Services, Contract Recruiters) may be approved to recruit or post opportunities under the following conditions:

- No fee is charged to the student/applicant.
- The name of the hiring company is released to the applicant and Career Services staff and is approved by Career Services.
- The hiring company is an Equal Opportunity Employer.
- All student information obtained from the College's online employment database and job posting system is kept confidential unless students consent. This is consistent with Family Educational Rights and Privacy Act (FERPA).
- Resumes obtained through the College's online employment database and job posting system cannot be kept for further searches without written student consent.

Internship Posting

The Internship opportunity must:

1. Be directly related to a program of study at Great Falls College MSU
2. Have clearly outlined role description and expectations including duties, responsibilities, required skills, hours, pay, supervision and training
3. Verify an employment relationships does not exist under the Federal Labor Standards Act (FLSA)

On-Campus Recruiting

All recruiting activities should be arranged through the Career Services Office. Any College facilities provided for the use of employers in the recruiting process are to be used solely to speak with eligible students/alumni of Great Falls College MSU. Exceptions to this policy must be requested of Career Services in advance.

Permission to use College facilities does not imply College approval or endorsement of the policies, practices, or products/services of the recruiting organization/individual.

Employer / Recruiter Requirements

All employers must be deemed by Great Falls College MSU's Career Services office to be a legitimate organization with verifiable: business name, physical address, email address, phone number, and name of a contact who can be reached at the address listed by telephone and email.

Reasons for discontinuation of access by employers to the College's online employment database and job posting system may include, *but are not limited to*:

- invalid employer e-mail addresses (which includes any email without a company extension, e.g., hotmail, gmail, and msn);
- an incomplete profile;
- potential risks to the health and safety of students;



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- inappropriate messaging, or any other practice which is inconsistent with the mission and values of the College;
- asking students to solicit friends, family or other members of the Great Falls College community for any reason;
- any employers that have complaints reported to the Career Services office regarding unethical work practices or treatment of students; and
- if at any time it is brought to our attention that an employer has claims of being involved in scams or a poor Better Business Bureau rating.

Definitions

Network Marketing Organizations / Franchises: Network marketing organizations and franchises are not considered employers for the purposes of recruiting at Great Falls College MSU. Such organizations are those that engage in one or more of the following practices:

- Sponsorship of an individual in setting up his/her own business for the purpose of selling products or services and/or recruiting others to set up their own business.
- Requirement of an initial investment from individuals with the organization itself serving as an umbrella or parent corporation. The initial investment may be a direct payment of a fixed fee, payment to attend an orientation or training session, and/or purchase of a starter kit.
- Compensation is in the form of straight commission, fees from others under their sponsorship in the organization, and/or a percentage of sales generated by others.
- Requirement of “employee” to collect and deposit gross amount then organization holding back money for advertising, promotions, administrative, or other back office costs before the remainder is released as a net paycheck.

Commission Based Positions: The organization needs to fully disclose compensation package and business costs incurred up through the first year of employment. This includes salary, duration of salary, training allowance, incentive programs, stock options, commission structure, benefits and any costs borne by the applicant/employee including testing, licenses, classes, travel expenses and equipment. All positions must pay at least minimum wage as a base salary.

Internship Posting

Internship may be offered as paid or unpaid opportunities. Your compensation decision needs to be clearly indicated within the internship posting description. *The employer must have signed and returned an “Agreement of Responsibilities” to the Internship Supervisor prior to the hire date of a current Great Falls College MSU student.*

Documents can be obtained from the faculty advisor for the internship. In addition to the Great Falls College MSU criteria, the Federal Government has established an “Internship Programs Under the Fair Labor Standards Act”. For complete information: <http://www.dol.gov/whd/regs/compliance/whdfs71.htm>. Below is a portion of the U.S.

Department of Labor Wage and Hour Division six guidelines to be considered:

1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under close supervision of existing staff;
4. The employer that provides the training derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
5. The intern is not necessarily entitled to a job at the conclusion of the internship; and



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6. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

If all of the factors listed above are met, an employment relationship does not exist under the FLSA, and the Act's minimum wage and overtime provisions do not apply to the intern. This exclusion from the definition of employment is necessarily quite narrow because the FLSA's definition of "employ" is very broad.

On-Campus Recruiting Activities

Recruiting activities shall be understood to mean any formal inquiry, request, or visit by an outside agency, business, institution, or organization, the primary purpose of which is to interest students/alumni in employment, independent contracting, service, or educational opportunity with that agency, business, institution, or organization. Recruiting activities include, but are not limited to: on-campus interviews, career fairs, presentations, campus information tables, and opportunities advertised on College bulletin boards or via College online services.

Career Services Disclaimer

The Career Services office makes no recommendations, representations, or guarantees about the employer or the particular positions posted, does not endorse any employer and urges students to use good judgment in all of their interactions with employers. Furthermore, Great Falls College MSU Career Services Office is not responsible for safety, working conditions, or other aspects of off-campus employment. Students are urged to research the integrity of any employer in which they are interested and request business references for unknown organizations before interviewing with them off campus. It is the obligation of Great Falls College students/alumni to seek information and/or legal representation if they feel they are being discriminated against or mistreated in the employment process or in the workplace.