Process for Recruiting and Hiring a Foreign-Based Worker (Indirect Hiring)

I. Purpose

The purpose of the "Process for Recruiting and Hiring a Foreign-Based Worker" is to ensure that projects comply with ASU and sponsor recruiting and hiring policies, provide inclusive communication among all stakeholders, and hire the brightest and best candidates. Global Operations encourages the project team to complete the following steps in the order in which they are provided when seeking to recruit new foreign-based workers.

II. Terms

- **Foreign-Based Worker.** An individual employed on behalf of ASU by a Professional Employer Organization (PEO), or similar employee leasing company, whose primary work location is other than the U.S. or its territories.
- **Professional Employer Organization (PEO).** A PEO hires individuals on behalf of another organization (indirect hiring). PEO employees report to ASU on technical matters and the PEO on administrative matters. ASU utilizes this hiring mechanism abroad as ASU does not have the infrastructure in place in most countries to hire foreign-based workers as ASU employees (direct hiring).

III. Process

A. Recruit

1) Identify staffing need

Use *Appendix A. Guidance Document for Staffing Global Projects* to determine the appropriate pathway for staffing your global project. Hiring a foreign-based worker is generally a costly and time-consuming process. Thus, hiring an individual as a consultant, U.S.-based employee, or via a subrecipient is almost always preferable.

2) Complete and submit International & ID Hire Request Form

Complete *Appendix B. International & ID Hire Request Form* and send a copy to Global.Ops@asu.edu.

3) Post and advertise position

Once Global Operations approves your Request Form, in consultation with the appropriate people, the position may be posted and advertised. As the individual hired for this position will not be hired by ASU, it is the department's responsibility to ensure a well-qualified, diverse applicant pool. Examples of advertising sources include but are not limited to: publications, other colleges/universities, websites and listservs, professional organizations, special committees, employment assistance organizations, diversity organizations, direct contact with potential applicants. DevEx.com is a website commonly used to advertise global development jobs.

B. Screen and Select

1) Develop screening questions

Develop screening questions and assign score values to those questions. The questions should be based on the minimum and desired qualifications of the job description. See *Appendix C. Resources* for example screening questions.

2) Submit screening questions and applications

Submit the screening questions and applications to Global.Ops@asu.edu. Global Operations will review screening questions and applications then distribute them back to the search committee's primary contact.

3) Screen applications

The search committee will be responsible for screening applications for minimum and desired qualifications. See *Appendix C. Resources* for recommended qualifications interpretations. An applicant must meet the required / minimum qualifications to be eligible for an interview. Direct knowledge of an applicant's qualifications may NOT be used in determining whether the applicant meets the qualifications. Only the information provided via the application materials (cover letter included) may be used to determine whether an applicant meets advertised qualifications.

Once the screening process is complete, the search committee members should come to an agreement on which candidates to interview.

4) Schedule and conduct interviews

Schedule interviews with the candidates and search committee members. See *Appendix C. Resources* for proper uses of email during candidate searches. Please note:

- The interview method, agenda and questions should be the same for all candidates interviewed.
- Search committee members should make every effort to attend all interviews. In the case of an absence or illness, those members who conduct the interview may share their assessment with the absent member(s).
- Tests may not be used as an evaluative tool unless that test has been validated for the position in accordance with the federal Uniform Guidelines on Employee Selection.
- Typically, OKED does not pay for travel related expenses associated with interviews. Under certain circumstances expenses can be paid for with prior AVP approval. Approval must be obtained from the financial officer at the beginning of this process.
- If a candidate requests a disability accommodation to participate in an interview, contact the Office of Equity & Inclusion for assistance before agreeing to or declining the requested accommodation.
- Once the Interview Evaluation Forms have been completed, you may proceed to the next step.

5) Check references

Reference checks are only required for finalists. Reference checks must be completed prior to selecting the final candidate(s). The same basic job-related questions must be asked of each reference.

C. Propose and Notify Final Candidate

1) Propose final candidate and obtain approvals

When you have chosen a final candidate, obtain sponsor approval if required, e.g. for USAID key personnel. The

ASU Knowledge Enterprise Development

financial officer can help you submit the request to the sponsor. Send a copy of the sponsor approval along with the screening and selection documents to Global.Ops@asu.edu. Global Operations will review these documents, do a preliminary background check, and provide you with approval to notify the individual that he/she is the final candidate. It is crucial that you do not tell the candidate, or infer in any manner, that an offer is forthcoming. Such communication must come from the PEO as the individual will not be an ASU employee.

2) Notify final candidate

Once you have received the required approvals, you may notify the individual that he/she is the final candidate. If the individual is interesting in moving forward with being hired by the PEO, proceed as follows, based on the candidate's response:

- If interested, please negotiate a start date with the candidate. Inform Global Operations of the response and agreed upon start date. Global Operations will work with the project team to get the individual hired on ASU's behalf through the PEO.
- If no longer interested, consult with Global Operations for additional options.

Appendix A: Guidance Document for Staffing Global Projects

Review the statements in each column to determine the appropriate pathway for staffing your global project. Then, follow the process outlined at the bottom of the chosen column.

CONSULTANT/ INDEPENDENT CONTRACTOR	U.S.-BASED EMPLOYEE	FOREIGN-BASED WORKER
An individual or business whose expertise is required to perform the project. Services are temporary and special or highly technical.	**An individual, eligible to work in the United States and employed by ASU on a full- or part-time basis, including academic professionals, administrators, non-faculty administrators, university staff, and faculty.**	**An individual employed on behalf of ASU by a Professional Employer Organization (PEO), or similar employee leasing company, whose primary work location is other than the U.S. or its territories. A foreign-based worker reports to ASU on technical matters and reports to the PEO on administrative matters.**
An individual or business outside the project who confers with the PI regarding research objectives Does not develop the objectives of the project Is not responsible for the overall outcome of the project Is not responsible in designing or developing the research Is not responsible for conducting the research Is not responsible for reporting the research Is not essential toward the shape, direction, and completion of the project Receives a fee for their services not a salary Provides similar services to other organizations	Is supervised by the PI or other senior personnel May be responsible for developing the objectives of the project May be responsible for the overall outcome of the project May be responsible in designing or developing the research May be responsible for conducting the research May be responsible for reporting the research Is essential toward the shape, direction, and completion of the project Receives a salary and may be eligible for ASU-provided benefits if employed more than 0.50 FTE May serve as senior personnel – e.g., Co-Investigator, Principal Investigator, etc.	Role falls under U.S.-Based Employee as opposed to Consultant with the exception of serving as an Investigator on the project Primary work location is outside the U.S. and its territories as the duties and responsibilities cannot be carried out from the U.S. The project requires an individual to work in a specific foreign country on a full-time basis at ASU's technical direction There is a substantive reason why a subrecipient or other partner organization (especially a local partner) cannot hire the individual

Does not serve as senior personnel – e.g., Co-Investigator, Principal Investigator, etc. Will not use university resources. Provides his/her own work area, tools, materials, and supplies Sets his/her own work schedule, including number of hours and/or days of the week ASU defines the scope of work Consultant determines how to accomplish the work Is not considered an employee of the University and therefore is not eligible for ASU-provided benefits, workers compensation, liability coverage, or unemployment Payment is based upon completion of specific work, rather than time worked Has not been employed by ASU, in a regular or temporary appointment, during the preceding 12-monthsWill not become an ASU employee soon after the consultant agreement ends Is not currently receiving payments from the Arizona State Retirement System Routinely provides the same or similar services outside of ASU to the general public as part of a continuing trade or business	Work area, tools, materials, and supplies are provided by ASU Work schedule is set by ASU Has duties and responsibilities as opposed to a scope of work Is regularly, e.g. annually, evaluated on work performance Primary work location is within the U.S. or its territories	
Follow the procedures outline on the Purchasing website related to retaining consultants and independent contractors.	Follow your department's standard recruitment and hiring process. For recruitment and hiring of future OKED employees, follow these Instructions to submit an HR Recruitment Request through SharePoint.	Fill out the *International & ID Hire Request Form (Appendix B)* and send it to global.ops@asu.edu. If the request is approved, work with OKED Global Operations to hire the individual by following the *Process for Recruiting and Hiring Foreign Workers*.

Appendix B: International & ID Hire Request Form

If you are interested in recruiting and hiring a foreign-based worker, complete this form and send it to global.ops@asu.edu.

1. **Project name:**

2. **Staffing need (please describe):**

3. **Primary work location (city, country):**

4. **Job title:**

5. **Job description/announcement (enter or attach):**

6. **Percent effort/hours per week:**

7. **Nationality of worker:**

8. **Total amount budgeted:**

9. **Account to be charged:**

10. **New position or backfill:**

    ⦿ New   ○ **Backfill (provide name)**

11. **Sponsor approval required:**

    ⦿ No   ○ Yes

12. **Search committee members (indicate primary contact):**

13. **Additional information:**

Appendix C: Resources

I.   Screening Questions

The purpose of screening questions is to help the search committee to filter or rank an applicant pool.   Especially when the applicant pool is large, the screening questions help to significantly narrow the   number of resumes to review. Below are examples of screening questions:

Accountant Senior

Question to address Minimum Qualifications:
(Pulled from the Minimum Qualifications in the Job Description, worded to address potential equivalenciess.)

- Do you have a Bachelor's degree in Accounting or a related field AND two (2) years of professional accounting experience; OR, Six (6) years professional accounting experience; OR, Any equivalent combination of experience and/or education from which comparable knowledge, skills and abilities have been achieved?

Questions to address Desired Qualifications:
(Pulled from the Duties and Responsibilities and the Knowledge, Skills and Abilities sections of the Job Description.)

- Do you have experience as a supervisor?
- Do you have experience in preparing accounting reports?
- Do you have experience analyzing data and providing solutions?
- Do you have experience with Advantage?
- Do you have experience using Excel spreadsheets in the work environment?

📖 **Additional Information: Scoring Basics**
- Questions are answered as either **"Yes" or "No"**. Only "Yes" answers receive points.
- Default point value for Minimum Qualifications **(MQs)** is 200.
- Default point values for Desired Qualifications **(DQs)** is 10, but they can be weighted based on each question's importance.
- An answer of **"No" to the MQ question** will result in the applicant being rejected.
- The **total point value assigned to the MQ's & DQ's** may not exceed 999 points.
- The **total point value of all the DQ's** may not exceed 799 points.

💡 **Best Practices: Key considerations on adding candidate questions**

- **The MQ Question is required for staff requisitions,** but DQ questions are not required.
  - Why? If the applicant does not respond "Yes" to this question, he/she can be automatically excluded from consideration, and will automatically receive an appropriate email stating such.
- **You may need no questions for Student Workers.**
  - Why? Student reqs may have no MQs beyond those required for any student worker.
- **Questions are best used with larger applicant pools** (30+ as a rule of thumb).
  - Why? If you are likely to have a small applicant pool, you will probably look at at all resumes anyway. The addition of questions would not necessarily add value to your review.
- **It is best to keep the number of questions under 10.**
  - Why? Too many questions could frustrate your applicants and may not bring you the added results you'd like.
- **You may not need to weight your questions.** Again, this will be more valuable with larger pools.
  - Why? Weighting the questions adds complexity and time to work with the Recruiting Team members, who are the only ones who can change the point assignments.
- **ALL responses must be validated.**
  - Why? While the applicant's responses give you information to work with, you are still required to ensure that they really do meet that requirement by review of the resume.

II.   Recommended Qualification Interpretations

1. **Experience**
   - Years of experience is generally based on full-time (i.e. 40 hours/week).
   - Part-time or volunteer experience should ideally indicate hours/week to be counted toward meeting experience requirements.
   - Titles without an explanation of duties may not reliably show whether or not an applicant has specific experience (e.g. the title of Director does not indicate someone has supervisory experience).

2. **Equivalency Phrase** (i.e. "any equivalent combination of education and/or experience from which comparable knowledge, skills and abilities have been achieved")
   - This should only be interpreted as one year of experience is equal to one year of education or vice versa.
   - When a degree is counted as the equivalent of experience, the degree should be in a discipline that is relevant to the experience; when experience is counted as equivalent to a degree, the experience should be relevant to the discipline(s) of the required degree.
   - One year of education is generally equal to 24 credit hours
   - A bachelor's degree is generally equal to four years of experience; a master's degree is generally equal to six years; a juris doctorate is generally equal to seven years; a doctorate is generally equal to eight years.
   - Dates of attendance at a post-secondary institution may not reliably show whether the applicant meets the equivalency interpretation unless credit hours earned are provided or an earned degree is identified.

3. **Degrees, Certifications and Trainings**
   - Should ideally be complete at the time of application if a degree is a required qualification.
   - Certifications and trainings may be considered equivalent up to six months total experience. Whether they have four or one certificate, it is generally considered a total of six months only.

III.   Guidelines for Use of Email in Searches

Remember that use of email in searches establishes a record that becomes part of the search material that must be retained for three years. Additionally, email may be forwarded (with or without changes) without the original sender's permission. Email may be considered a public record that must be made public under certain circumstances; therefore, the following guidelines are provided to assist in assuring appropriate confidentiality of the search process.

1. **Acceptable uses of email by search committee members:**
   - Setting search committee meeting times/locations.
   - Distributing/discussing recruitment process information, e.g., drafts of ad copy, search plans, interview itineraries and questions, reference questions/process, criteria to evaluate whether qualifications are met.
   - Appropriately communicating with applicants; e.g., provide information about the status of the search, request reference names, provide itinerary/information about interviews and offer option to provide missing application material.
   - Appropriately communicating with references; e.g., set appointments for telephone reference calls.
   - Contacting potential applicants to alert them to vacancies, provide ad copy, and provide general information in the public domain about the department, college and/or university.

2. **Unacceptable uses of email by search committee members:**

- Discussing by name individual candidates' qualifications and status in the search (e.g., on the short list, to be interviewed, etc.).
- Discussing specific reference information about named candidates or named references.
- Providing confidential search information to anyone, i.e., if the information is confidential, it is best not to share even with appropriate individuals via email. Soliciting additional or clarifying information from an applicant on an ad hoc basis.