

RECRUITMENT & SELECTION

The objective behind any recruitment and selection policy is to get the right person for the job with the appointment of the best candidate qualified for and suitable to the job. The selection procedure should therefore be based on both the job description and the objective requirements of the job.

Discrimination

In the case of any selection process companies need to ensure that they do not discriminate against one candidate over another. The Employment Equality Acts 1998 & 2004 (see section 7 on 'Employment Equality') make it illegal to discriminate on the following 9 specific grounds:

- Sex
- Marital status
- Race
- Religious belief
- Age
- Disability
- Family status
- Sexual orientation
- Membership of the travelling community.

Discrimination is described as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation under any of the nine grounds.

Discrimination can take a number of forms including:

(a) **Direct discrimination**

Direct discrimination occurs when an employer treats a person less favourably than others on the basis of the nine headings outlined above. If an individual is asked questions at an interview which are related to one of the nine grounds this could be construed as discrimination.

(b) **Indirect discrimination**

Indirect discrimination is more common and arises when the same condition or requirement is applied, for example to both genders, but:

- (1) the ability of persons of one gender to comply is proportionately smaller than the other; and
- (2) it is not justified irrespective of gender.

For example, setting criteria for selection, which are to the detriment of women or persons from ethnic minorities because only a small proportion can apply.

Vicarious Liability

Generally employers are held responsible for the actions of their employees and this includes in the recruitment process. For instance an employer may become liable for discriminatory actions by employees actively involved in the recruitment and selection process. It is essential therefore that all staff are properly briefed with regard to all aspects of the Company's recruitment and selection processes.

Steps in the Recruitment & Selection Process

Job Specification

The starting point in any recruitment and selection process must be the completion of an accurate job specification analysis, which will allow you to evaluate a job and determine a number of factors about the role, e.g.

- What are the key tasks that need to be carried out?
- What are the skills and aptitudes required to undertake these tasks?
- When do these tasks need to be done?
- What are the competencies required to effectively undertake the role?

The job analysis is the first step in determining what skills and experience will be required of the successful candidate for the role, and the outcomes from the job analysis will form the pillars of the Job and Person specifications used in the recruitment campaign. These should, in turn, form the basis for selection criteria used to screen candidates' initial application forms as well as their subsequent performance at interview. It is important therefore to ensure that the requirements for the position are legitimate, and do not discriminate on any of the nine grounds, unless this could be objectively justified.

When putting together the specification you should ensure that only those specifications that are absolutely essential in order to do the job adequately are used and never introduce criteria into a job description that is not necessary and could be deemed to be discriminatory. For example, if the position on offer requires job applicants to undertake tests, such as physical lifting, which are not relevant to the work in question, this may be deemed to be discriminatory against females or individuals with disabilities.

Advertising the Position

If advertising the position externally ensure that your advertisement does not indicate or could be construed as indicating an intention to discriminate.

Any advertisement should contain the following:

- Employer's name and contact details
- A brief description of employer
- The job title
- A brief outline of responsibilities and duties

- The location of work
- The level of experience required
- The required education/qualifications

Best practice suggests that any advertisement should contain a statement to the effect that “This Organisation is an Equal Opportunities Employer”. However, an organisation displaying such a logo should ensure that their recruitment practices reflect the statement. When writing an advertisement due consideration should be given to the Employment Equality Acts, 1998 and 2004.

The Application Form

If a Company use application forms in the selection process consideration should be taken of the following:

- (1) Everybody who wishes to apply for the job can get an application form.
- (2) That the form does not contain questions that are either discriminatory or could be construed to be discriminatory.

Where application forms are used, they should contain questions seeking only relevant information such as:

- general information (name, address, telephone number and e-mail address)
- employment record
- education/qualifications
- skills and abilities
- referees
- Job specific criteria (e.g. minimum educational qualification – degree in finance related discipline)

Due consideration should be given to the type of questions asked to ensure they are not discriminatory. Questions should never be asked relating to any of the nine grounds outlined above e.g. regarding marital status, or whether the applicant has children.

Screening Candidates/Shortlisting

This is the stage where it is decided what candidates are going to be called for interview. However, in order to reduce the risk of discrimination and to identify the best potential candidates, it should involve a systematic and careful comparison of each candidate’s information against the pre-defined requirements of the job. A fair system of scoring each candidate should be established to ensure that discrimination does not become an issue.

Following the completion of the screening process, the most highly ranked candidates should be called to interview, depending on how many people the organisation has decided to see. The most unsuitable candidates should be informed that they have been unsuccessful, and any candidates that fall in the middle may be retained for the moment in case it is not possible to recruit from those initially identified as the top candidates. The reason why a person has not been selected should be recorded and kept with the applicant details in case of a claim being made at some future date.

Interviewing

After you have short listed candidates for the job the Company will most likely set up interviews in order to garner further information about the candidates and to be of assistance in the final selection.

To be fair and reliable interviews should have the following:

- **Careful preparation.** Prior to conducting an interview it is essential that adequate preparation is made including,
 - Understanding the overall role of the job being offered.
 - Designing appropriate questions and ensuring that they are not and could not be construed as discriminatory. (See page 6 for sample interview questions).
 - Outline in advance the appropriate answers to these questions.
 - If more than one interviewer, get agreement on how the interview will be conducted and that all interviewers are familiar with the role. Also assign question areas to each interviewer.
 - be familiar with applications/CVs of interviewees.
- **Conducted by more than one person.** As interviews can be quite subjective it is advised that interviews are conducted by more than one individual.
- **Training.** It is important that whoever is conducting the interview is trained in the process in order to avoid asking questions that could be deemed to be discriminatory. It is also good practice that these individuals are trained in order to help them to collect the required information about interviewees in order to establish the best candidate. An interviewer that is unsure of the structure of an interview may not help in establishing details from a candidate that would prove to be important for the job.
- **Evaluation criteria.** It is vitally important that a scoring scheme is in place that is agreed by all interviewers in order to help reach a decision on the best candidate for the job. It is also important in relation to being able to justify, if requested, why one candidate succeeded over another.
- **Records.** The documentation associated the interview, including interview notes and evaluation criteria, needs to be retained for a minimum of one year.

Appointment

Before making an appointment it may be appropriate to check the references provided by the successful candidate. Checking of personal and/or professional references should be carried out to verify information attained at the interview. It is important to ensure that permission is sought prior to any reference being checked. This is not just best practice, but also a requirement under the Data Protection Acts 1998 and 2003. The recommended forms of reference check are by telephone or face to face discussion. Written references can be vague and uninformative. When satisfied with the references it is normal to notify

the successful candidate by letter with the appointment often subject to the completion of a successful medical examination.

Right to Information

Please note that under the Data Protection Acts 1988 and 2003 an unsuccessful candidate may request details from their interview, including interview notes. It is extremely important therefore that you maintain a record of all notes, questions and evaluation criteria for at least one year. There is no requirement, however, to disclose confidential information.

Redress

Under the Employment Equality Acts 1998 & 2004 an individual who is not an employee can take a claim to the equality tribunal and can receive up to a maximum of two years pay or €12,700 in compensation. Decisions from the tribunal can be appealed to the Labour Court or the Circuit Court.

Common Job Interview Questions

"Tell me about yourself."

"Why do you want to work here?" or "What about our Company interests you?"

"Why did you leave your last job?"

"What are your best skills?"

"What is your major weakness?"

"Do you prefer to work by yourself or with others?"

"What are your career goals?" or "What are your future plans?"

"What are your hobbies?" and "Do you play any sports?"

"What salary are you expecting?"

"What have I forgotten to ask?"

Qualifications

- What can you do for us that someone else can't do?
- What qualifications do you have that relate to the position?
- What new skills or capabilities have you developed recently?
- Give me an example from a previous job where you've shown initiative.
- What have been your greatest accomplishments recently?
- What is important to you in a job?
- What motivates you in your work?
- What have you been doing since your last job?
- What qualities do you find important in a co-worker?

Career Goals

- What would you like to be doing five years from now?
- How will you judge yourself successful? How will you achieve success?
- What type of position are you interested in?
- How will this job fit in your career plans?
- What do you expect from this job?
- Do you have a location preference?
- Can you travel?
- What hours can you work?
- When could you start?

Work Experience

- What have you learned from your past jobs?
- What were your biggest responsibilities?
- What specific skills acquired or used in previous jobs relate to this position?
- How does your previous experience relate to this position?
- What did you like most/least about your last job?
- Whom may we contact for references?

Education

- How do you think your education has prepared you for this position?
- What were your favorite classes/activities at school?
- Why did you choose your major?
- Do you plan to continue your education?