POLICY TITLE
Third Party Recruiting

POLICY NUMBER
5.11

PRIMARY RESPONSIBILITY
Office of the Vice President for Student Success

CREATION / REVISION / EFFECTIVE DATES
Created July 2011/Effective July 2011; revised September 2017/effective immediately

PURPOSE
To guide Career Services in making appropriate decisions about the use of third-party, contractual, and staffing services in their operations, including career fairs, using NACE principles as a guideline. These standards are also designed to provide guidance to third-party recruiters who recruit college graduates through the college recruitment process. These standards are not to be construed as requiring, encouraging, prohibiting or discouraging the use of third-party recruiters by college or employer professionals.

ORGANIZATIONAL SCOPE OR AUDIENCE
Students, Staff, Community employers

DEFINITIONS

*EEO – Equal Employment Opportunity*: Laws that make it illegal to discriminate against a job applicant or an employee during hiring, termination, promotion, harassment, training, wages and benefits based on the applicant or employees race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetics.

*Leasing Agencies*: Organizations that contract with client organizations to provide a specific functional area that the organization no longer desires to perform, such as accounting, technology services, human resources, cafeteria services, etc. Individuals hired by the outsourcing or leasing firm are paid and supervised by the firm, even though they work on the client organization's premises.

*NACE - National Association of College and Employers*: A professional association connecting college and university career services professionals with HR/staffing professionals focused on college relations and recruiting.

*Outsourcing Contractors*: See Leasing Agencies

*Staffing Services*: Organizations that contract to provide individuals qualified to perform specific tasks or complete specific projects for a client organization. Individuals perform work at the client organization, but are employed and paid by the agency.
Temporary Agencies:  See Staffing Services

Third party recruiters: Agencies, organizations, or individuals recruiting candidates for temporary, part-time, or full-time employment opportunities other than for their own needs. This includes entities that refer or recruit for profit or not-for-profit, and it includes agencies that collect student information to be disclosed to employers for purposes of recruitment and employment.

POLICY
College personnel and employment professionals are required to uphold standards of professional conduct. Career Services adheres to the National Association of College and Employers’ (NACE) Principles and expects that potential employers and third-party recruiters will abide by the same principles and standards.

PROCEDURE
Third-party recruiting organizations charge for services using one of the following fee structures:

1. Applicant paid fee—the applicant pays the third-party recruiter a flat fee for services rendered or a fee based upon the applicant's starting salary once the applicant is placed with an employer;
2. Employer paid fee:
   a) Retainer: the employer pays a flat fee to the third-party recruiter for services performed in the recruiting of individuals to work for the employer.
   b) Contingency fee: the employer pays a percentage of the applicant's starting salary to the third-party recruiter once the applicant is hired by the employer.
   c) Fee for service: the employer pays a fee for specific services, e.g. job postings, access to resumes, booth space at a job fair, etc.

Third-party recruiting organizations include but are not limited to:

1. Employment Agencies: Organizations that list positions for a number of client organizations and receive payment when a referred candidate is hired. The fee for listing a position is paid either by the firm listing the opening (fee paid) or by the candidate who is hired;
2. Search Firms: Organizations that contract with clients to find and screen qualified persons to fill specific positions. The fees for this service are paid by the clients;
3. Contract Recruiter: Organizations that contract with an employer to act as the employer's agent in the recruiting and employment function;
4. Online Job Postings or Resume Referral Services: For-profit or commercial organizations that collect data on job seekers and display job opportunities to which job seekers may apply. The data collected on job seekers are sent to prospective employers. Fees for using the services may exist for the employer, school, or job seeker.
Temporary agencies, staffing services, outsourcing contractors, and leasing firms are considered employers, not third-party recruiters and will be expected to comply with the professional conduct principles set forth in the policy for Employer Professionals. However, should these firms actually recruit individuals to be employees of another organization, then the third-party professional conduct principles shall apply.

Third-party recruiters will be versed in the recruitment field and work within a framework of professionally accepted recruiting, interviewing, and selection techniques. They will follow EEO standards in recruiting activities in a manner that includes the following:

1. Referring qualified students to employers without regard to the student's race, color, national origin, religion, age, gender, sexual orientation, or disability;
2. Reviewing selection criteria for adverse impact and screening students based upon job-related criteria only, not based upon the student's race, color, national origin, religion, age, gender, sexual orientation, or disability;
3. Refusing, in the case of resume referral entities, to permit employers to screen and select resumes based upon the student's race, color, national origin, religion, age, gender, sexual orientation, or disability;
4. Avoiding use of inquiries that are considered unacceptable by EEO standards during the recruiting process;
5. Affirming an awareness of, and sensitivity to, cultural differences and the diversity of the workforce;
6. Investigating complaints forwarded by the Career Services office or the employer client regarding EEO noncompliance and seeking resolution of such complaints.

Career Services Representatives may choose to advise students to approach with caution third-party recruiters who charge a fee. Members are encouraged to make available to students the NACE publication, "A Student's Guide to Interviewing With Third-Party Recruiters."

Third-party recruiters will disclose information as follows:

1. Third-party recruiters will disclose to students the name(s) of the client, or clients, that the third-party recruiter is representing and to whom the students' credentials will be disclosed;
2. When determined by the Career Services office to be necessary, third-party recruiters will disclose information upon request to Career Services that would enable verification that the recruiting is for a bona fide job opportunity. Information should include contact information for the organization for which the third party is providing recruiting services. Career Services must respect the confidentiality of this information and may not publish it in any manner.

Third-party recruiters will not disclose to any employer, including the client-employer, any student information without obtaining prior written consent from the student. Under no circumstances can student information be disclosed for other than the original recruiting purposes nor can it be sold or provided to other entities. Online Job Postings
and Resume Referral Services must prominently display their privacy policies on their web sites, specifying who will have access to student information.

Third-party recruiters attending career fairs will represent employers who have authorized them and will disclose to Career Services the names of the represented employers.

REFERENCES
NACE - http://www.naceweb.org
Immigration Reform and Control Act - http://www.uscis.gov/portal/site/uscis
5.9 Employment Professionals http://www.ivytech.edu/policies/career-services.pdf

RESOURCE PERSON
Vice Chancellor for Student Success