Consistent Processes & Automated Data Capture: The Keys to Complying with Recruiting Regulations

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Recruiting regulations such as Equal Employment Opportunity (EEO) and affirmative action support work environments where respect for differences, diversity and all workers is the norm. Complying with these laws, however, adds another layer of complexity to the work done by health care human resources teams. Job postings, interview questions and hiring decisions must be handled in ways that are consistent among all candidates. Many health care organizations have found that adopting recruiting technology is an effective way to find a highly qualified, diverse talent pool, while reducing legal risks. One example is Union Hospital in Terre Haute, Ind., which integrated technology and automation throughout its recruiting and hiring processes. This organization’s experience demonstrates the value of technology for complying with affirmative action, as well as with accreditation requirements.

Consistency Throughout the Hiring Process

Organizations that are subject to affirmative action requirements strive to fulfill placement goals for groups of jobs with similar characteristics. To comply with affirmative action, organizations are encouraged to participate in community outreach activities to attract qualified individuals. For example, Union Hospital has partnered with WorkOne (a program run by the Indiana Department of Workforce Development) and the Veterans Administration. In addition, the hospital attends job fairs, recruits on college campuses, and reaches out to minority groups.

Another important aspect of affirmative action compliance is interviewing qualified candidates who might help meet placement goals and maintaining interview records to document hiring procedures. Consistency throughout the hiring process is essential, since the Equal Employment Opportunity Commission (EEOC) has the authority to investigate charges of discrimination against employers. Union Hospital’s HR team shared several best practices related to recruiting automation which have helped them conform to legal requirements.

- **Job postings.** Union Hospital has a policy of posting all jobs. “We have one person in HR who is responsible for creating all our job postings. This results in postings that are written in a consistent way,” said Joanne Davignon, Director of HR. Union Hospital’s applicant tracking system is integrated with online job boards. Once postings are written, it’s easy to publicize open positions and attract qualified, diverse candidates.

- **Online applications.** At every stage of the application process, Union Hospital ensures that candidates follow the same procedures. All candidates are required to apply online through an application that is designed to be user-friendly. The applicant tracking system collects candidate EEO data which is used to support affirmative action reporting.

- **Behavioral assessments.** Both regulators and applicants look upon organizations more favorably if they have a consistent approach to evaluating candidates. This can be challenging if a health care system has multiple facilities, or if it’s experienced a merger and needs to unify HR practices across more than one site. Using an automated solution for behavioral assessments and applicant tracking can help. As part of the application process, Union Hospital asks all candidates to complete a behavioral assessment. “Our behavioral assessment system provides a standard set of questions for each job family or position, so every applicant for a job responds to the same set of assessment questions,” said Edith Okoth, HR Manager.

- **Interviews.** Union Hospital’s behavioral assessment software also generates a structured interview guide, so it’s easy for managers to conduct interviews in a consistent way. Recruiting regulations are complex and it’s possible to ask unlawful or even discriminatory questions without realizing it. Having a structured interview guide can help protect managers from this danger. The integration between the behavioral assessment and applicant tracking systems makes it easy for managers and HR to access all information in one place for candidates. The integration also improves the candidate experience. “If an applicant re-applies for the same type of job within a year, their prior assessment results are still valid and on file, so they don’t have to complete the assessment again,” said Okoth.

- **Onboarding.** Once a candidate accepts a job offer at Union Hospital, the HR team uses the applicant tracking system to send a package of forms to the new hire. The paperwork can be completed online and sent back to HR. This seamless process captures all the relevant information for new employees, and paper forms don’t get lost in the mail or misplaced in the office. The complete
and comprehensive data archive provides all the information needed to support recruiting regulations.

**Capturing and Accessing the Right Information**

Although using a consistent approach for recruiting employees is essential for regulatory compliance, it’s only part of the picture. Capturing information about hiring decisions and reporting on them is a central component of affirmative action. Every six months, Union Hospital sends reports with recruiting and hiring information to a consultant for analysis. The hospital’s Affirmative Action Plan mandates that the organization be able to defend all decisions related to employment, whether positions are filled due to hiring or internal transfers.

Rather than manually gathering the necessary information, Union Hospital’s HR team runs a hiring history report from its applicant tracking system, as well as other reports from the HRIS system. These are sent to a consultant to ensure that the organization is complying with its affirmative action placement goals.

Since all the information and documentation needed for regulatory compliance is captured automatically by Union Hospital’s talent management solutions, it reduces the amount of work required of the HR team. “We don’t spend time monitoring whether we have the information we need. The processes we’ve put in place ensure that the data capture happens automatically,” said Okoth. If Union Hospital faced an issue related to regulatory compliance, the HR team feels confident that the information in their systems would be defensible.

**Complying with the Hiring Aspects of Accreditation**

Although policies like EEO and affirmative action are what usually comes to mind when recruitment regulations are discussed, hiring and recruitment practices are also an important part of accreditation for health care organizations. According to The Joint Commission’s Survey Activity Guide for Health care Organizations published in July 2013, for example, recruitment and hiring practices are part of the Staffing Tracer process.

Union Hospital recently passed a full HFAP audit. All of the information that the auditors were looking for related to hiring practices resided in the talent management system. To respond to questions about hiring practices, the HR team sat with the auditors in front of a computer and walked them through the information that is captured during the application, assessment, interviewing and hiring processes. “The auditors were impressed with what they saw,” said Davignon. “They felt that our information and processes were very reliable, valid, and trustworthy.”

Compliance with recruiting regulations begins with an organization-wide commitment to fair hiring practices. However, making that commitment a reality requires disciplined processes and data gathering. As evidenced by Union Hospital, recruiting technologies such as applicant tracking systems and behavioral assessment solutions can help HR teams promote consistent practices throughout the organization and gather the information needed to support regulatory reporting. Not only can these systems reduce noncompliance risk, they can also lessen the workload for HR and frontline managers.

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