Human Resource Issues: Understanding the Fair Labor Standards Act and Conducting a Successful Search
Fair Labor Standards Act (FLSA) Update

Zandria Conyers, NCAA
FLSA Changes – Proposed Overtime Rule

• The proposed rule.
  o What we’ve done; steps towards implementation.

• Update on legal proceedings.
  o Changes the path; continued uncertainty.

• Moving forward.
  o What to watch for; persisting issues.
Key Takeaways

• Look for opportunities to partner and insight/information gained throughout implementation preparations.

• Get comfortable with uncertainty.

• Stay tuned......
Conducting a Successful Search

Zandria Conyers, NCAA
Ellen Heffernan, Spelman Johnson
John Neese, Hardin-Simmons University
Darryl Sims, University of Wisconsin-Oshkosh
Campus Perspective

John Neese, Hardin-Simmons University

Darryl Sims, University of Wisconsin-Oshkosh
Step 1: Know your institution’s culture

One of the most significant leadership roles is that of developing and managing organizational culture, as culture can determine whether or not an organization is able to deliver on its strategic promise.

(Chatman and Kennedy, 2008).
• Culture should be strategically relevant.

• Culture should be strong, meaning that people both agree about what is important and care. (O’Reilly, 1989).

• Core values need to focus on innovation and adaptation and change if the organization is to sustaining high levels of performance over time. (Sorenson, 2002).
Step 2: Identify the Need

- A position request has to be submitted to human resources for approval.
- A noninstructional academic staff position.
- Position of trust.
Step 3: The Search Committee?

• Procedures:
  
  o Approval of Director of Equity and Affirmative Action (Women, Minorities) with goal of achieving racial/ethnic and gender diversity.
  
  o Size of committees based on the position, number of applicants and respective interests of the governance. (6-13 committee members)
  
  o (1) Chair, (2) Faculty, (2) Student-Athletes, (2) Coaches.
  
  o Confidentiality Agreement.
Step 3: The Search Committee?

• Why Not?
  o Committee member or members may try to overpower the rest of the committee.
  o May lose the valuable feedback that you can obtain in a one-on-one setting.
  o Challenges in having all committee members available for meeting time.
Step 4: Advertise

- Review and approve advertisement plan.
- Athletics website.
- Institution’s human resources website.
- Minority Opportunities Athletic Association website (MOAA).
- Local and regional media publications.
- NCAA Market.
- NACWAA.
Interactive Poll Question #1

Have you used the NCAA Market to advertise for a job within your athletics department?
Step 5: Narrowing Down

• Telephone/SKYPE Interview.
• Interview guidelines and interview question theme areas.
• Review reference calls (google checks, social media).
• Select pool for preliminary interviews.
  • How many?
• Finalize preliminary interview question theme areas and assignments.
Step 6: Interviewing

• Interview Questions.

• Be transparent with candidates.
  o Share campus successes and challenges.
  o Emphasize areas of improvement.
  o Strong need for candidate to see full picture of campus.
Step 6: Interviewing

- Who should meet with the candidate?
  - President.
  - Student-athletes.
  - Department coaches and support staff.
  - Faculty Athletics Reps (FARs).
Interactive Poll Question #2

Do you include student-athletes in the interview process when you are hiring a coach? An administrator?
Step 6: After the Interviews

- Background checks and degree verification.
- Review campus input (open forums).
- Review off-list reference calling. Make a list of acceptable candidates (unranked) to the chancellor/provost/department head (with strength/weaknesses).
Step 7: After the Hire

• Call other candidates.

• Mandatory meeting with HR/orientation.

• Mentor Program for new employee.
Key Takeaways

• Be clear about job description.
• Have a diverse committee pool.
• Try to have a diverse candidate pool.
• Be competitive in salary (retention).
Key Takeaways

• Know your campus culture.
• Be transparent (open forums).
• Involve student-athletes.
• Create a Mentor Program.
Legal Perspective

Zandria Conyers, NCAA
Hiring Practices Through A Legal Lens

• Have an articulated process and criteria.
  o Consistency is key; thoughtful consideration of candidates.

• Be mindful of social media.
  o A risky approach.

• Nepotism beware.
  o Avoiding problems before they occur.

• Not just X’s and O’s.
  o Ethical, moral and off-the-field issues.
Key Takeaways

- Stay on script and have a process.
- Consistency in sleuthing (i.e., use of social media, background checks).
- Know your core competencies.
- Don’t trip over hiring illegalities (i.e., race, gender, age, etc.).
- Hire for the “what ifs” not just the “what nows.”
Search Firm Perspective

Ellen Heffernan, Spelman Johnson
"I have neither foresight nor hindsight. I was going to hire somebody with those qualities, but it turns out I didn’t."
DIVERSE
HIRING
Viola Davis
Emmy Award Winner
2015
Best Actress Drama

THE ONLY THING THAT SEPARATES WOMEN OF COLOUR FROM ANYONE ELSE, IS OPPORTUNITY.
Resources

CUPA-HR (www.cupahr.org)


Creating Inclusive Communities: http://diversity.cupahr.org/

*Diversifying the Faculty: A Guidebook for Search Committees*, C.S.V. Turner, AACU, 2002

The Diverse Workforce: Recruitment and Retention Basics for Division III Athletics Departments (will be handed out at the Div. III Business Session)
Questions