

North Dakota State University

Policy Manual

SECTION 107

EMPLOYMENT QUALIFICATIONS

SOURCE: SBHE Human Resource Policy Manual
SBHE Policy Manual, Section 603.2
NDSU President

1. North Dakota State University will employ persons based on qualifications and performance requirements of the job. Discrimination as described in [Policy 100](#), in appointment, promotion, salary or conditions of employment is prohibited.

Discrimination against an employee or applicant for employment, with respect to working conditions, work place assignment, or other privileges of employment, merely because the employee's or applicant's spouse is also an employee is prohibited. This prohibition does not apply to employment of the spouse of a person who has the power to hire or fire, or make evaluations or performance, with respect to the person involved. Employment in a department or institution headed or supervised by the employee's spouse is permitted only if the spouse does not have the power to hire or fire or make evaluations of performance and such employment is consistent with SBHE Policy.

2. At NDSU in order to be considered an "applicant", an individual is responsible for the following:
 - 2.1 To submit all materials required as part of the application through the Online Employment System for an advertised position opening;
Individuals who do not submit all the requested materials will not be considered.
 - 2.2 To assure that these materials are submitted online and acknowledged by the Online Employment System by the announced closing date; In the cases where the announced date is not an absolute closing date; the hiring official or the search committee will determine a date beyond which they will not review additional applications and that date will be used consistently for all subsequent applications.
 - 2.3 To respond in a timely manner to all requests for additional information or for information about availability for interview.
Potential applicants who fail to respond to correspondence or to return phone calls related to the application process will no longer be considered applicants.

Only materials for specific, advertised position openings will be accepted. Paper applications, faxes and e-mails are not accepted and unsolicited resumes will not be added to any applicant pool. Unsolicited resumes will be returned to sender or discarded; they will not be kept in anticipation of a future opening.

3. Appropriate tests may be required to evaluate qualifications of an applicant for a position.
4. After a conditional offer of employment, an applicant may be required to complete a medical statement form and may be required to have a physical examination. All such examinations shall be job related and consistent with operational necessity. Examinations will be provided at the expense of the University. Failure to meet the physical requirements for a position may disqualify the

applicant. See NDSU Policy Manual, [Section 155.1](#) regarding drug and alcohol testing requirements for some positions following a conditional offer of employment.

5. Child Labor: Special provisions apply to the employment of individuals below the age of 18.
 - 5.1 Candidates who have not reached the age of eighteen are ineligible for regular employment. Candidates below the age of 14 are not eligible for any employment.
 - 5.2 Candidates between the ages of 14 to 16 years of age must obtain a work permit and submit it to the Human Resources/Payroll Office. Work permits may be obtained through the school in which the candidate is attending or through the Superintendent of Schools office.
 - 5.3 Candidates between the ages of 16 or 17 years of age may work at any time for unlimited hours in all jobs declared not hazardous. The labor laws do not prohibit 16+ years of age from mowing and tilling. <http://www.nd.gov/labor/publications/docs/youth.pdf>
 - 5.3.1 Employment in hazardous occupations is prohibited below the age of 18. Hazardous occupations include operating licensed, motor vehicles; working with radioactive and explosive material; operating certain power-driven woodworking (such as circular and band saws), metal working and bakery machinery; operating various types of power-driven hoisting apparatus, such as non-automatic elevators, forklifts and cranes.
 - 5.3.2 Child Labor Agriculture Exemption Regulations for 16+ years of age: Once a young person turns 16 years old, he or she can do any job in agriculture. Per 29 CFR 570.70, Agriculture includes farming in all its branches and among other things includes the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in section 15(g) of the Agricultural Marketing Act, as amended), the raising of livestock, bees, fur-bearing animals, or poultry, and any practices (including forestry or lumbering operations) performed by a farmer or on a farm as in incident to or in conjunction with such farming operations, including preparation for market or to carry for transportation to market (This exemption includes the Research and Extension Centers). See: <http://www.dol.gov/dol/topic/youthlabor/index.htm> and for employer qualifications: http://www.dol.gov/dol/allcfr/Title_29/Part_780/29CFR780.117.htm
 - 5.4 Individuals below the age of 16 may not be employed during school hours, for more than eight hours a day, or for more than 40 hours a week. Employment is also prohibited in the hazardous occupations listed above. In addition, employment is prohibited which involves power driven machines such as mowers, hoisting or lifting apparatus, pits, racks, tire repair equipment, and certain processing operations.

HISTORY:

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