Employment Policy

Section:  V: Human Resources
Chapter:  3
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3.1 Employment Policy

The University of Texas at El Paso is an Equal Opportunity/Affirmative Action Employer. The University, in the administration of its employment policies and practices, will not discriminate against employees or applicants for employment because of race, color, national origin, sex, religion, age, disability, genetic information, veteran’s status, sexual orientation, or gender identity. The University will take affirmative steps to insure that applicants are employed and employees are treated, during employment, in a non-discriminatory manner. The University’s commitment to equal opportunity principles applies to all aspects of employment, including recruitment, promotion, compensation, benefits, and training.

Our institutional commitment to these policies provides for selection procedures based upon objective, defensible qualifications; promotions based upon documented performance, merit, and potential achievement and performance evaluations which are accurate and unbiased. In addition, the University commits itself to increased recruitment efforts to assure that qualified minorities, women, veterans, and individuals with a disability are represented in the applicant pool and are evaluated equitably by search committees or administrative personnel.

Responsibility for implementation rests with every member of the University community: administrative officers, deans, department chairpersons, management and supervisory personnel, and members of search committees.

For information on transfers, promotions, demotions and other employment actions, please see http://admin.utep.edu/DesktopDefault.aspx?tabid=6543.

3.2 Employment of Non-Citizens

Subject to security restrictions applicable to certain Federal contract or grant funded activities, aliens may be employed at the University provided they have been issued the appropriate visa and work permit by the Federal Government. Before any commitment is made to a non-citizen applicant who is under consideration for a faculty or staff position, he/she must be referred to the Human Resource Services Office for a determination of visa status and eligibility for employment.
3.3 Security Sensitive Positions

Security sensitive positions are those that require receipt and review of a criminal history record on all applicants for employment. Security sensitive positions will be identified as such in both the job description and the advertisement for the position. See Chapter 12 of this Section of the Handbook for policies regarding Criminal Background Checks.

3.4 Age Requirements

3.4.1 Employment of Minors

The minimum age for employment at the University is 16 years. Due to federal restrictions on type of work suitable for those under 18 years, the Human Resource Services Office must be contacted for review and approval when the hiring department is considering the employment of a person under 18 years. Supervisors may require certification of the age in instances in which there is reasonable doubt regarding a minor’s age.

3.4.2 Maximum Age of Employment

In accordance with Regent’s Rules and Regulations, Rule 30301, Part 2, Subsection 1, there is no compulsory retirement age for its employees with the exception of law enforcement officers. A law enforcement officer will not be employed beyond the end of the fiscal year that includes the officer’s seventieth birthday.

3.5 Drug and Alcohol Testing Requirements

All applicants for employment as Commissioned Police Officers, in positions that involve the duties or activities that require possession of a Commercial Driver’s License, and certain other security sensitive positions will be required to provide a urine sample for testing for the presence of illegal drugs or to undergo alcohol testing as provided below.

3.5.1 All published or posted notices of vacancies in positions covered by this policy shall state that all applicants will be required to consent to a urinalysis for the purpose of testing for the presence of illegal drugs and an alcohol concentration test for the purpose of testing for the presence of alcohol.

3.5.1.1 Applicants who refuse to consent to a urinalysis and alcohol concentration test or who test positive for the presence of illegal drugs or alcohol in prohibited concentrations will not be considered for employment in a position covered by this policy and may not reapply for such employment for a period of six months.

3.5.1.2 Prior to signing the consent form, applicants will be informed of the testing procedure either orally in writing.
3.6 Veteran's Employment and Workforce Reduction Preference


As authorized in Chapter 657 of the Texas Government Code and The University of Texas System Regent's Rules and Regulations Rule 30107, an individual who qualifies for a veteran's preference is entitled to a preference in State employment over other applicants for the same position who do not have greater qualifications.

3.6.1.1. Subject to the terms of Chapter 657 of the Texas Government Code the following individuals may be entitled to the hiring employment preference:

3.6.1.1.1. a veteran
3.6.1.1.2. a veteran's surviving spouse who has not remarried
3.6.1.1.3. an orphan of a veteran

3.6.2. Preference Applicable to Workforce Reduction

3.6.2.1. An individual entitled to a hiring preference under 3.6.1 above is also entitled to a preference in retaining employment in the event of workforce reduction in accordance with Section V. Human Resources, Chapter 10, Reduction in Force Policy of this Handbook of Operating Procedures.

3.6.2.2. The preference granted applies only to the extent that a reduction in workforce involves other employees of a similar type or classification.

3.6.3. Complaint Regarding Employment Decision.

An individual entitled to a veteran's employment preference who is aggrieved by a decision of the University, relating to hiring or to retention of the individual in the event of a workforce reduction, may appeal the decision by filing a complaint with the Vice President (Vice President that oversees the Human Resource Services). The appeal must be filed within 10 working days from the time that the individual is notified of the employment decision. The decision of the Vice President shall be final.

3.7 Employment and Workforce Reduction Preferences for Former Foster Children.

3.7.1. Preference in Employment.

As authorized in Chapter 672 of the Texas Government Code and The University of Texas System Regent's Rules and Regulations Rule 30108, an individual 25 years of age or younger who was under the permanent managing conservatorship of the Department of Family and Protective Services on the day preceding the individual's 18th birthday is entitled to a preference in State employment over the applicants for the same position who do not have greater qualifications.
3.7.2. Preference Applicable to Workforce Reduction.

3.7.2.1. An individual entitled to a hiring preference under 3.7.1 above is also entitled to a preference in retaining employment in the event of workforce reduction in accordance with Section V. Human Resources, Chapter 10, Reduction in Force Policy of this Handbook of Operating Procedures.

3.7.3. Complaint Regarding Employment Decision.

A former foster child entitled to an employment preference who is aggrieved by a decision of the University relating to hiring or to retention of the individual in the event of a workforce reduction may appeal the decision by filing a complaint with the Vice President. The appeal must be filed within 10 working days from the time that the individual is notified of the employment decision. The decision of the Vice President shall be final.