

Hiring FAQs from Bent Ericksen

✓ WHERE CAN I FIND GOOD APPLICANTS?

The following is a list of some potential sources for finding applicants:

- Friends and acquaintances of your present team
- Suppliers
- Vendors
- Schools
- Employment agencies
- Professional associations
- State Employment Development Department
- Patients/Clients/Customers
- Classified ad
- Internet job placement services

✓ SHOULD I SCREEN APPLICANTS BY PHONE? HOW SHOULD I DO IT?

Yes, phone screening saves time in the applicant filtering process. When applicants inquire about the open position, the initial goal is to briefly qualify the applicant and to sustain or increase an interest in the position.

- 1 Ask 2-4 questions regarding work experience. Determine in advance the absolute musts for a person to be a successful candidate. If the applicant does not qualify at the phone screen phase, there is no point in going any further. Politely end the call and move on.
- 2 Briefly answer questions the applicant may have about the job without making any commitments or promises.
- 3 Explain the next phase of the recruiting process like completing an application for employment (if that has not already been done), an interview, background check, personality assessment, skills assessment, etc. and begin getting them scheduled to accomplish said phases.
- 4 Conclude the call and move on to the next potential candidate.

✓ HOW SHOULD I INTERVIEW CANDIDATES?



The principal purpose of the interview is to collect information from the candidate to determine whether he/she will be a good “fit” for the organization. A common hiring mistake is focusing too much on experience and not on the fit. Most skills can be taught, but you can’t teach attitude.

The “data” collected in the interview will confirm the applicant’s knowledge, help predict behaviors, and highlight his/her motivations. A carefully constructed interview will enable the interviewer to make a sound hiring decision based on the overall “fit” as well as experience.

The following are examples of what you are looking to ascertain from the interview:

✓ INTERVIEW PREPARATION

- 1 Review all the information you have available about the applicant. Decide which jobs or experiences are most relevant to the position for which you are recruiting. Note any gaps in employment. Determine what information is unclear and needs more explanation.
- 2 Develop a set of interview questions. (See, *What are examples of good interview questions?*)
- 3 Set up a convenient time for the interview so you won’t feel rushed.
- 4 Hold the interview in a place where you can have privacy and do not allow interruptions from phone calls or other team members. Privacy does not mean being alone in the office with the applicant or necessarily behind closed doors.

✓ OPEN THE INTERVIEW

- 1 Create a relaxed atmosphere where both you and the applicant feel comfortable. Make every effort to put the applicant at ease, be friendly and courteous. Be seated in such a way that you don’t have a large object (such as a desk) between yourself and the applicant. Your objective is to create an environment that invites trust and straightforward communication. You want the candidate to be themselves.
- 2 Greet the candidate and set a positive tone for the meeting. Express appreciation for meeting with you and his/her interest in the organization.
- 3 Explain the purpose of the interview which is for both of you to become acquainted with one another.
- 4 Describe how the interview will progress. Forewarn him/her that you will be taking notes during the meeting. Explain that not only will you ask a set of questions, but that he/she will also have an opportunity to ask questions of you.
- 5 Briefly explain your general business philosophy, culture/environment, work schedule, working conditions, etc.
- 6 Explain the essential functions of the job. If you didn’t already give the applicant the job description during the application process, go over it now with them.
- 7 Conduct the interview using your pre-determined set of questions.

✓ CONDUCTING THE INTERVIEW

As an interviewer, your primary job is to ask questions, to listen, and to observe the responses. A good rule of thumb is that the applicant should do about 75% or more of the talking.

- 1 Let the applicant talk. Don't interrupt unless the applicant strays off the subject and you need an answer. Try to maintain neutrality. Agreeing or disagreeing with the applicant can lead him/her to tailor his/her responses accordingly.
- 2 When you ask a question, give the applicant time to answer. If necessary, pause to create the psychological pressure to respond. Frequently the applicant will add more to an answer if the interviewer doesn't immediately begin talking to fill the silence, or go on to another question.
- 3 Recognize nonverbal cues which may provide additional insight. Watch for techniques used to avoid answering your questions. See examples above.

Negative Techniques To Watch For:

- A sudden change of pace in talking or in the rate of reply
- An attempt to change the subject or to laugh it off
- Sudden nervousness, blushing, stammering, fidgeting
- Not answering the question
- Insists on giving more information before answering
- Repeats the question either aloud or to self
- Asks another question back
- "I don't remember"
- Defends, rationalizes or justifies
- Being vague, inaudible, or apologetic
- Silence
- "I would rather not talk about it"
- Gives more than one answer

- 4 Take into consideration that an applicant is likely to be nervous and therefore might not express his/her self to the best ability. If you suspect this to be true and are interested, you may want to schedule a second interview.
- 5 Take notes and paraphrase for clarification and confirmation.

✓ CONCLUDING THE INTERVIEW

- 1 Be sure you allow time for the candidate to ask you questions.
- 2 Explain any additional steps in the process that they may be asked to participate in, but be sure not to include specific time frames.
- 3 Inform the applicant that you will let them know your decision one way or another.



✓ WHAT ARE EXAMPLES OF GOOD INTERVIEW QUESTIONS?

Interview questions are typically broken down into four categories:

Credential, technical, experience, and behavioral-based. During the course of an interview, you should ask a variety of questions that will cover the four different areas in order to give yourself the best possible picture of a potential hire.

✓ THE 5 KEY COMPONENTS TO BEHAVIORAL-BASED QUESTIONING ARE:

- 1 What was the situation?
- 2 What specific actions did the applicant take and why?
- 3 What were the results of their actions?
- 4 Get references to validate their statements.
- 5 Evaluate their responses.

Question Types:

- › **Credential** questions focus on education and certification (if applicable). This type of information can be verified using other sources (background checks, reference checks).
- › **Technical** questions focus on the job's minimum performance standards. These are questions designed to determine whether a candidate has the kind of technical knowledge necessary to do the job.
- › **Experience**, or work experience, questions focus on past duties and responsibilities.
- › **Behavioral-based** questions focus on work-related job experiences by asking detailed accounts of specific events. Behavioral-based questions are the most valuable for learning or discovering information about how well (or not) the applicant will fit the position and meet your expectations. The theory being that "the best predictor of future behavior is past behavior."

✓ QUESTION EXAMPLES

Question Examples:

The list below will provide you with questions you can use during your interview. We recommend you create an interview form with planned questions and space for writing notes during the interview. Ask the same questions to each applicant to avoid possible claims of discrimination.

✓ CREDENTIAL

- 1 What was your major?
- 2 What degree(s) do you hold?
- 3 What license(s) do you hold?
- 4 What special recognition have you received?
- 5 What was your grade point average over the last two years of school?
- 6 Have you taken any courses in _____ (insert appropriate course)?



✓ TECHNICAL

These questions are dependent upon the job for which you are recruiting. You will need to develop these questions on a case-by-case basis to uncover the skill you require for each position.

- 1 How do you add two columns in excel?
- 2 What do you do when an insurance company has declined payment?

✓ EXPERIENCE

- 1 How long did you work at your previous job?
- 2 Please describe in detail the kind of work you did in your last job.
- 3 Describe the specific skills you learned there.
- 4 Why did you specifically leave each of your former employers? If currently employed, ask: Why do you want to leave your present job?
- 5 What are three aspects of a job that you are looking for in a new position that you didn't get at your previous employer?
- 6 What did you like the most about the job? Why?
- 7 What did you like the least about the job? Why?
- 8 How will your current (or former) employer describe your work performance?
- 9 What would your former teammates say about you as a co-worker?
- 10 Tell me about the last time you were praised or recognized for your work.

✓ BEHAVIORAL-BASED

- 1 Describe a time when your supervisor indicated that your performance was below standards. What did you do to improve? What was the result of your actions?
- 2 Describe a time when you felt the least effective or were most frustrated in your efforts to deal with a conflict between yourself and a co-worker. What did you do? What was the result?
- 3 Describe a time when you accomplished something that made you feel proud.
- 4 Things aren't always busy at work. Tell me about the slowest time on your last job. What did you do? What was the result?
- 5 Describe a time when you were selected as a leader or representative of a group. What project(s) did you lead? What was the result?
- 6 Describe a situation in which you had to adjust quickly to a significant change in the organization, department, or team priorities. How did the change affect you? What did you do? What was the result?
- 7 In your job at _____, how did you ensure that your patient's needs were met? Describe your procedure with one patient.
- 8 Every job produces different levels of stress. What was the most stressful aspect of your job at _____? How did you react to this?
- 9 In your position with _____, how did you define doing a good job? Did you do a good job? How did you know? Give me an example.
- 10 Describe a typical day on the job at _____. What have you done to maintain efficient productivity levels from the beginning to the end of your shift?

✓ GENERAL

- 1 What led you to apply for work here?
- 2 What kind of hourly/weekly/monthly wage are you expecting?
- 3 Describe a skill you learned in school that you've put to practical use.
- 4 What was the most difficult course you took in school? How did you master it?
- 5 What training have you had that will help you in this position?
- 6 What additional training do you feel is required for you to achieve better or full proficiency?
- 7 What is it about this job that attracts you the most? Why? What else?
- 8 What is it about this job that attracts you the least? Why? What else?
- 9 Describe your strongest qualities, skills or abilities.
- 10 Describe the best boss you ever had. The worst?
- 11 Tell me what you think constitutes a good attendance record.
- 12 How many days have you been absent in the past 2 years? (Do not ask how many days the person was sick or why the person was absent.)
- 13 What are your short-term career goals? Long-term? How does this job relate to what you have planned?
- 14 Define what "success" means to you.
- 15 Describe the strengths you will bring to this position.
- 16 Describe what motivates you to succeed.
- 17 Describe some aspects to effective communication that you consider valuable.
- 18 What further information would you like to say about yourself? Your qualifications?

✓ **WHAT TYPES OF QUESTIONS SHOULD I AVOID ASKING IN AN INTERVIEW?**

In general, all questions and conversations must be geared towards work-related aspects. Below is a list of subjects to avoid during the pre-hire stage. This is not intended to be an all inclusive list.

- Lineage, ancestry, or national origin
- Marital status
- Children and/or child care arrangements
- Pregnancy, child bearing or birth control
- Race or color
- Disabilities
- Birthplace of applicant or any family members
- Military records or discharge information
- Religious denomination or affiliation
- U.S. citizenship
- Volunteer activities, club memberships, societies, etc, to which the applicant may belong
- Age, unless hiring minors



▼ ARE WORKING INTERVIEWS LEGAL?

To start, we have to look at the government's definition of an "employee." Simply put, employment is defined very broadly and considers an individual an employee if he/she "suffers or is permitted to work" by an employer.

In some practices, the working interview is paid time for one or a few days. In terms of wage & hour rules this is not a problem, provided the person is receiving compensation for his/her time, the rate in effect during that time is at least minimum wage and the individual is paid for applicable overtime hours.

In many other practices, the working interview is conducted for one or a few days and is not paid. Clearly, based on the very broad definition stated above, this is simply not allowable. If you ask an applicant to perform work at your practice, whether

"officially hired" or not, and no matter how short the time period, it is work time and must be paid.

Since the individuals in the examples above are considered your employees, for good or bad, then your workers' compensation insurance comes into play if the person is hurt on the job, and you will likely be considered the person's most recent employer if the person does not remain employed and seeks unemployment compensation. Unfortunately, there is no avoiding this problem when conducting working interviews.

You may ask, "Is there a way to test an applicant's skill before hiring that keeps him/her from becoming an employee and risking all of the above?" If so, see "What Is A Skills Assessment?" below.

▼ WHAT IS A SKILLS ASSESSMENT?

A skills assessment is similar to a working interview, but differs in a few key respects. The primary advantage is minimizing liability for wage & hour claims, unemployment claims, and worker's compensation claims. In order to conduct a skills assessment legally, the following guidelines must be applied:

- 1 Never have applicants replace regular workers, or fill-in for workers who are off. This could appear as though the person is an employee, or temporary employee, because he/she is being treated as one by replacing another.
- 2 Do not have the applicant perform a skills assessment for more than 1-2 hours.
- 3 Refrain from providing any form of compensation, even something as little as a gift certificate, for participating in the skills assessment. Recent interpretations state that an employment relationship does not exist if there was no contemplation of payment to begin with.
- 4 Be sure no productive work is performed, or "no productivity is derived," by the applicant's participation, such as would occur when an applicant provides services to clients, which are billed for, like a hygienist cleaning a patient's teeth. In the case of a dental assistant or a hygienist, working on patients, potential colleagues, or anyone else who may benefit from the work or fulfill an employer's obligations, is considered performing productive work and should not be done. Instead, assess the applicant's skills on a ceramic model, yourself or an employee who does not receive dental treatment as part of a dental benefits program. For other employees, billing insurance companies, receiving payment from patients, scheduling patients, calling cancellations, etc. is also considered productive work and should be avoided.
- 5 Prior to conducting the skills assessment, each applicant should sign the Skills Assessment Interview Agreement Form. This agreement outlines that a) the skills assessment is an extension of the interview process and is voluntary, b) there is no promise of employment, c) no employment relationship exists, and d) no compensation will be provided. Get the applicant's signature on this form.

One final note about skills assessments - if a person is hurt on your premises, you may still have to deal with a personal liability claim through your general liability insurance.

✓ WHAT SHOULD MY INITIAL ORIENTATION LOOK LIKE?

Orientation is the planned introduction of new employees to their job, co-workers, and the business. Use the New Employee Orientation Checklist Form to create an orientation program for all new hires on the first day of employment.

The program should accomplish the following:

- Welcome the employee
- Introduce employee to co-workers
- Ensure all required forms are completed
- Establish employee's identity and right to work (the I-9 Form)
- Provide an opportunity to read the Personnel Policy Manual
- Outline job duties and responsibilities
- Enable the employee to be productive as quickly as possible

✓ HOW LONG SHOULD I KEEP RESUMES/APPLICATIONS ON FILE FOR APPLICANTS I DID NOT HIRE?

Three years from the date the hiring decision was made; if charges of discrimination are filed, keep until final disposition of the charge or the action.

✓ WHAT DOES A BACKGROUND CHECK INCLUDE?

The comprehensiveness of the background check will depend on the position to be filled. You should only be obtaining background check information on an applicant if it relates to the position for which the individual is applying. For example, a driving record should not be obtained on an applicant who will not need to drive on behalf of the company. This is particularly relevant for credit reports/summaries. More and more states are restricting employer's use of credit reports/summaries in the hiring process.

The following are examples of information you may be able to obtain:

- Social security verification
- Criminal conviction report
- Employment verification
- Reference check
- School & license verification
- Driving record
- Credit report
- Bankruptcy filing summary
- Civil record search



✓ HOW DOES THE BACKGROUND CHECK PROCESS WORK?

Obtaining background check information from a third-party resource requires that you adhere to the Fair Credit Reporting Act (FCRA) because the information provided is considered a consumer report. Be sure you understand those requirements for your particular state. Following are some general guidelines:

- 1 Obtain the applicant's authorization for a background check, including a description of the nature and scope of the investigation, and provide information about the applicant's rights.
- 2 Request a background check.
- 3 Provide us necessary information (contact information, previous addresses, previous employers, social security number, driver's license number, etc.).
- 4 Receive background check report after about 5-7 business days.
- 5 Review results and finalize hiring decision.
- 6 If adverse action will be taken against the applicant based upon the information in the report, the employer must:
 - a. Give the applicant notice of the adverse action
 - b. Provide applicant with the contact information of the reporting agency
 - c. Inform applicant that the reporting agency didn't take the adverse action against the applicant
 - d. Notify the applicant that he/she can dispute the findings of the agency by taking up the matter with them
 - e. Inform applicant that he/she is entitled to a free report from the agency if request is made within 60 days

✓ SHOULD I DO REFERENCE CHECKS ON PROSPECTIVE EMPLOYEES?

We recommend completing reference checks for every prospective employee regardless of position. If you use a third-party to obtain this information, the report from the third-party is considered a consumer report and is regulated by the Fair Credit Reporting Act (FCRA). Be sure you understand those requirements for your particular state.



✓ WHAT KINDS OF QUESTIONS CAN I ASK WHEN CONDUCTING A REFERENCE CHECK ON A PROSPECTIVE EMPLOYEE?

You may ask questions that relate to the job and the person's performance on the job.

Here are some sample questions:

- 1 Why did the applicant leave your employment?
- 2 What was applicant's beginning and ending date of employment?
- 3 What was applicant's salary at termination?
- 4 What were the applicant's major job responsibilities?
- 5 How would you rate the applicant's quantity of work? Quality of work?
- 6 Results of any performance evaluations?
- 7 How was the applicant's punctuality and attendance history?
- 8 Would you rehire the applicant?
- 9 How would you characterize the relationship between the applicant and other team members? How about between the applicant and patients, clients, and/or customers?
- 10 What were the applicant's principal strengths? Outstanding successes? Significant failures?
- 11 How would you compare the applicant's performance with the performance of others with similar responsibilities?
- 12 Were you satisfied with the applicant's management skills? (where applicable)
- 13 How would you describe the applicant's success in training, developing and motivating coworkers?
- 14 What other information do you have that would help develop a more complete work-related picture of the applicant?

✓ HOW SHOULD I GIVE INFORMATION FOR A REFERENCE CHECK ON ONE OF MY FORMER EMPLOYEES?

- 1 Obtain an authorization to give references and waiver of legal action in writing from the prospective employer. This can be done in one of two ways:
 - a. Ask workers who have been terminated to sign our Authorization To Give References Form that acknowledges the company's right and intent to respond truthfully to inquiries and waives any legal claims that might arise from reference giving. Keep this form on file.
 - b. Have the prospective employer fax or mail to you a copy of an equivalent authorization form signed by the former employee.
- 2 Assign responsibility for answering inquiries to one person who is trained in the legalities of reference giving. Instruct other employees not to make any comments or to respond to any questions about another employee's performance.
- 3 Ensure that information given is factual and without malice or ill will toward the former employee. In addition:
 - a. Be sure you have proper documentation to prove the truthfulness of any statements you make
 - b. Don't volunteer any information that is not requested. Only answer the questions asked.
 - c. Don't make misleading or exaggerated statements.

✓ I'M HIRING AN ASSOCIATE DENTIST/DOCTOR, WHAT DO I NEED TO DO?

Hiring an associate implies that this new person will not be a partner/co-owner of the business, nor will he/she be an independent contractor. If that's the case, there is little difference in the hiring steps of an associate versus a regular employee. This person would be treated the exact same as other employees in terms of paperwork, orientation, etc. Associate dentists often have a separate contract that outlines benefits and termination of employment agreements, which supersedes benefit policies in the policy manual, but that's not required. If there is a contract, work with an attorney to create this and ensure that you're covered legally. Even with a contract, all other policies not handled in the contract will apply to the associate and he/she can be held accountable to them, much like other employees.

✓ WHAT DO I DO IF AN APPLICANT VOLUNTEERS INFORMATION ABOUT A PROTECTED CLASS DURING AN INTERVIEW?

The simplest answer is to ignore it, pretend you didn't hear it, refrain from engaging in the conversation further, and do not document anything about it. Whether it was brought up by you or the applicant, any knowledge of a protected characteristic during the pre-hire stage can be used against you and is best avoided. Keep everything you discuss and document strictly job-related.

✓ CAN I HIRE STUDENTS AND/OR PROVIDE AN INTERNSHIP?

You can both hire students and provide an internship. If the student is under 18 years of age, then you need to follow rules in your state for employing minors. If it's an internship, then you'll need to follow the internship program established by the school the person is attending.

The real question is whether or not you can do any of the above and not pay the person. A student not involved in an internship has to be paid at all times, just like any other employee. For a person in an internship not to be paid for his/her time, then the internship must meet the criteria established by federal and state regulations.

According to federal rules, if all of the following criteria are met, then interns can be unpaid:

- 1 The training, though it may include actual operation of the employer's facilities, is similar to training that would be given in a vocational school;
- 2 The training is for the benefit of the student;
- 3 The student does not displace regular employees, but works under close observation;
- 4 The employer who provides the training receives no immediate advantage from the activities of the trainees or students and, on occasion, his/her operations may even be impeded;
- 5 The student is not necessarily entitled to a job at the conclusion of the training period; and
- 6 The employer and the student understand that the student is not entitled to wages for the time spent training.

States generally impose stricter standards. Just know that if it doesn't pass the federal test, it definitely won't pass a state test.

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