

# NYIT Career Services Employer Policy

The New York Institute of Technology's (NYIT) Career Services office is happy to work with employers who meet the following criteria:

- Organizations which accurately describe the responsibilities and requirements for their opportunities including the name and location of the organization in all public communications.
- Organizations which clearly publicize all conditions for advertised positions. This includes (but is not limited to) unpaid internships and commission-only positions;
- Organizations which meet New York State minimum wage guidelines for paid positions (\$8.00/hr effective January 2014);
- Organizations which comply with all Federal, State, and local government equal employment opportunity laws and regulations, along with all NYIT policies and provisions;
- Organizations that do not require upfront payment of any kind or the purchase of products or work equipment or tools.

## RECRUITING POLICY FOR INTERNSHIPS

The Internship Program at NYIT provides students with the opportunity to apply theoretical learning gained in the classroom to fields related to their career interests. Students are instructed by NYIT Career Services staff members on resume writing, interviewing skills, professionalism, and other career-related issues. In the short term, internships should integrate with and complement the student's classroom learning; in the long term, internships should aid the student's transition to the working world as a postgraduate professional.

### **Internships must:**

- **Be related to the student's major or career goals and provide meaningful work experience.** The following types of positions will not be approved: jobs based solely on commission, telemarketing, or child care.
- **Offer training and supervision regardless of work-site location.** If the student is working virtually the employer must be available to the intern via phone, Skype, or other medium for regularly scheduled weekly meetings. The employer must clearly state how interns will be supervised, develop professionally, and receive training outside of a traditional work environment (see Virtual Internships below).
- **Be at a company or agency that is registered with the appropriate Department of Labor.** The site must also have a published/working telephone number and if requested, promotional literature.
- **Be supervised,** so that students may receive feedback and mentoring.
- **Be arranged around the student's academic schedule,** so as not to interfere with the student's classes or other academic requirements (please note: we recommend no more than 20 hours/week during Fall and Spring terms, and full-time only during the summer or holidays).
- **Provide exposure to key business practices common to that industry.** (Some "grunt work" is fine, but above all the internship should be a meaningful learning experience.)
- **Offer financial compensation to the intern for the work being performed for the company, unless the employer can prove ALL of the following (as pursuant to the Fair Labor Standards Act) :**
  - The training, even though it includes actual operation of the employer's facilities, is similar to training that would be given in a vocational school.
  - The training is primarily for the benefit of the student.
  - The student does not displace regular employees, but works under the close observation of a regular employee.
  - The employer provides the training and derives no immediate advantage from the activities of the student. Occasionally, the operations may actually be impeded by the training.
  - The student is not necessarily entitled to a job at the conclusion of the training period.
  - The employer and the student understand that the student is not entitled to wages for the time spent training.

### **The role of the employer in internships is to:**

- Develop a job description for Career Net which accurately describes the student's responsibilities, preferred hours, skills, and wage. NYIT Career Services is happy to work with employers on improving their job descriptions to maximize student interest and provide prevailing wage information for a variety of internship positions.

- Provide daily supervision of interns while on the job.
- Keep NYIT Career Services staff informed of career-related interactions with students, including interviews, hiring decisions, and concerns/problems on the job.
- Designate an appropriate supervisor, who will meet with the student on a regular basis to provide feedback and guidance.
- Provide a safe and functional work environment and appropriate work assignments.
- Complete student evaluations as requested by the College.
- Permit an NYIT Career Services staff member or NYIT faculty member to meet with the student's direct supervisor and/or visit the student in the work environment as needed. A photo may be taken of the student in front of the organization's marquis or sign for publicity purposes.

**Students who believe they have been hired as unpaid interns unlawfully do have legal recourse.** Please be advised that a student's service as an intern for no wages may be a violation of the Labor Law by the employer, and upon the completion of the internship the student can file a claim with the New York State Department of Labor, Division of Labor Standards. The intern is advised to keep copies of any materials that they produce so that there will be evidence for the division's investigation, including time sheets and a log of daily responsibilities requested of the employer. For more information: New York State Department of Labor, Division of Labor Standards, 75 Varick Street, 7th Floor, New York, New York 10013, (212) 775-3719.

### **VIRTUAL INTERNSHIPS**

It is preferred that students intern in a physical work environment with people they could interact with on a regular basis. The benefit of this is that they can learn interpersonal skills, office politics, and the successes and challenges of a professional work environment. In other words, they need to intern in a real world context. Some would argue that with today's technology, working alone in a dorm room is a real world context. In this instance, these guidelines are designed to maximize the learning that would take place in a traditional internship:

- A clear, detailed position description which covers all expectations and which outlines what will constitute a "successful" internship, including specific and measurable goals with time constraints
- Some type of online project management tool -Office 365, Google Docs, or a similar program. This will allow the supervisor to go online and monitor the work which is supposed to be completed. The work is stored in the "cloud" (not on a single PC) so it is always available to those who need it to work on or review.
- A daily email report where the student provides information such as hours worked, challenges or problems encountered, results obtained, and any questions they may have
- A weekly virtual meeting on Skype, Gmail video chat or some similar technology. If that is impossible, then at least a phone conversation. This meeting may be used to affirm the student, correct any issues, and to catch up personally.
- If the virtual internship is "local" -the site is not far from campus, but the employer says the student can work in their dorm room or on campus somewhere, employers should meet with the student in a public place like a Panera Bread once a week. This face-to-face meeting is a time for project planning, review of progress made, feedback, etc.

### **VOLUNTEERING (COMMUNITY SERVICE)**

Volunteer work is unpaid work a person performs for the good of the community. Volunteering allows members of society the opportunity to become civically engaged and solve public problems. Unlike service-learning where there is a deliberate connection of community service to academic learning goals, volunteerism is not inherently a form of experiential education and is not tied to the curriculum. **NYIT defines volunteering as an activity performed for an organization legally holding not-for-profit status, for the benefit of the community and the volunteer, for no financial compensation and in designated volunteer positions only. Volunteers may not replace paid workers nor constitute a threat to the job security of paid workers, and must choose to volunteer of their own free will.** The community service NYIT volunteers perform shall allow them the opportunity to become civically

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engaged and address public problems. Students will not earn academic credits for their volunteer work. Volunteer opportunities can be shared on Career Net (<http://www.nyit.edu/careernet>).

### **INTERNATIONAL STUDENTS**

Hiring F1 Visa students and other foreign nationals does not involve sponsorship or extra paperwork. From the employer's perspective, it is no different than hiring a U.S. student or permanent resident ([http://www.nyit.edu/images/uploads/career\\_services/Hiring-Int-Students.pdf](http://www.nyit.edu/images/uploads/career_services/Hiring-Int-Students.pdf)).

Employers must explain why U.S. citizenship is required-very few employers fit this category. If US citizenship is a requirement of the job, the description must specify the reason for this, otherwise the position must be posted as open to US Citizens, Permanent Residents, and F1 Visa holders (Immigration and Nationality Act § 274B, 8 U.S.C. § 1324b).

For more information see The Office of Special Counsel for Immigration-Related Unfair Employment Practices (<http://www.justice.gov/crt/about/osc/>) and the article "Why some companies hire foreign nationals" (<http://www.wetfeet.com/advice-tools/career-planning/why-some-u-s-companies-dont-want-to-hire-international-mbas-and-others-do>).

### **CAREER FAIRS**

NYIT Career Services offers several career events per academic year. Employers may offer full-time, part-time, contract, internship, and other types of positions. NYIT Career Services reserves the right to deny employer registration for career events as needed, in the best interest of our students (see [Right to Refuse Service, p.5](#)).

Career event space is often limited. Any employer may apply for participation in a Career Fair or any other event, but there is no guarantee of acceptance. NYIT Career Services screens employers to ensure that a wide variety of organizations are represented at our events, in order to reflect the diverse educational programs of NYIT.

### **ON-CAMPUS RECRUITING (OCR)**

The Office of Career Services uses a 100% pre-select, web-based interview scheduling system within NYIT Career Net. With a preselect schedule, only those students whom an employer has selected online may sign up for an interview. Career Services will set up the initial schedule and the employer will manage candidate pre-selection, notification, and printing of final schedules online. Students have access to employer recruiting information online twenty-four hours a day, seven days a week. Employers will receive instructions on how to use this system when their requested date for on-campus recruiting (OCR) is approved by Career Services.

### **Offer Policy**

We encourage a reasonable time frame for acceptances and prohibit any practice that improperly influences and affects job acceptances including the use of bonuses, the ability to choose a particular department, and exploding offers to induce early acceptances.

### **Deferred Start Dates/Rescinded Offers**

Should there be a need for your organization to defer start dates or rescind offers for NYIT students, we ask that you notify our office prior to contacting those students who are impacted by this decision. We would like the opportunity to discuss with you the student(s) involved and the particular circumstances surrounding the deferred start date or rescinded offer (i.e., compensation issues, new start date, etc.).

The consequences for not abiding by this policy will be that employers will forfeit the use of career services, including on-campus interviewing, career fair attendance and employer information sessions for the following academic year.

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### **THIRD PARTY EMPLOYER POLICY**

New York Institute of Technology (NYIT) recognizes that a variety of third party employment agencies exist in our current business world. Most agencies are very reputable, efficient at their craft, and a credit to the profession. Some engage in unethical and illegal registration, recruiting, interviewing and selection practices. Such practices are damaging to all parties involved. We do not support or promote such activity because it generally violates current affirmative action and equal opportunity employment legislation, and especially the Family Educational Rights and Privacy Act of 1974 which governs our operation as a college career center. Because such activity exists we must safeguard NYIT, our staff and our graduates by carefully examining the agencies who approach us for services. In an effort to help provide every possible employment opportunity to our registrants, we choose to work with selected third party employment services that meet NYIT approval and agree to comply with the following:

1. No fees are charged or assessed to the candidates with whom this employment agency provides service. If fees are assessed by this agency then all are to be paid by the employer.
2. The employment agency must actually be representing an organization and recruiting for a legitimate job within that organization. The employment agency understands and expressly agrees that it shall provide any candidate materials only to the bona fide employer it is currently representing. Should NYIT discover the employment agency re-discloses information, NYIT will cease working with the employment agency and require the return of all candidate information previously distributed.
3. The employment agency will provide a letter from the employer with whom they have contracted, verifying their representation and purpose if requested by NYIT.
4. If requested by NYIT, the employment agency will disclose ALL the following to NYIT Office of Career Services:
  - o The employer with whom the agency is working.
  - o The address of the employer, telephone number and primary contact person.
  - o The job title, requirements and salary range of the position for which candidates are being sought.
5. The employment agency gives the NYIT Office of Career Services permission to contact the employer to verify their contract, the job and any related information.
6. NYIT's Office of Career Services will endeavor to guard the identity of confidential clients who have contracted with the employment agency, but reserve the right to disclose information to our candidates if deemed necessary, and with prior notification to the employment agency.
7. The employment agency agrees to follow all current Affirmative Action and Equal Employment Opportunity/Americans with Disabilities legislation, and to work within a framework of professionally accepted recruiting, interviewing, and selection techniques as specified by the National Association of Colleges and Employers in the current Principals of Professional Conduct (available upon request).
8. The employment agency agrees to comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) and insure that re-disclosure of student information for other purposes, including other recruiting contracts, occurs only with the written consent of the student, gained through the NYIT Office of Career Services. Thus, any student information disclosed by NYIT Office of Career Services is for one use only and not to be retained or re-disclosed for future contracts by the employment agency.
9. NYIT Office of Career Services holds the right to act as a conduit for information to be provided from the agency to the applicants/students. Information concerning second interviews or further data requests should either come directly from the company or via NYIT Office of Career Services to the student/applicant.
10. The employment agency will provide a letter indicating they understand and will comply with our stated policy and will work cooperatively with our office.

NYIT requires all employment agencies to comply with the above stated requirements. If the agency is unable to comply, NYIT will be unable to provide services, access to our campus, our faculty and students, or our Office of Career Services office registrants. Our attempt is not to alienate employment agencies but to prevent association with agencies involved in questionable, unethical and/or illegal recruiting practices. Additional guidelines outlining Principles for Employment Professionals can be found on [www.nacweb.org](http://www.nacweb.org).

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## **Grievances**

NYIT Career Services staff will investigate complaints by users of our services involving employers, job postings, or work assignments. If it is determined that the complaint is justified, we reserve the right to deny requests for future recruitment activity.

## **RIGHT TO REFUSE SERVICE**

All job listings are posted at the discretion of NYIT's Office of Career Services. NYIT Career Services is committed to the principles of equal opportunity, respect, and fair treatment for all regardless of race, color, sex/gender, age, ethnicity, religion, national origin, sexual orientation, disability, marital status, or status as a military veteran. Accordingly, we reserve the right to refuse any prospective employer whose postings, policies, or procedures appear to violate this commitment.

Additional factors that may lead to exclusion from recruitment activities at NYIT include: fraud; misrepresentation; breach of confidentiality; complaints by or harassment of NYIT students, alumni, or staff; failure to adhere to NYIT policies; any violation of federal, state, or local laws; and/or requiring personal information (e.g., bank and/or social security numbers) when not part of the hiring process.

All jobs posted must pay at least the current minimum hourly wage in the state in which the work is to be performed. We do not post jobs that require an initial monetary investment from the student, or jobs posted by a third party, unless a third party contract is signed and on file with the Office of Career Services. We do not thoroughly research the integrity of each organization or individual person who lists, or responds to a job with us. **Therefore, all job seekers/posters are urged to perform due diligence when offering, applying for, or accepting private off-campus employment, as they are doing so completely at your own risk.**

## **LEGAL NOTICE TO PARTICIPATING EMPLOYERS FOR THE USE OF CAREER NET**

**Employers who wish to utilize our online system, NYIT Career Net, must agree to the following:**

The Office of Career Services has undertaken, in association with CSO Research, Inc., a career services offering called Career Net. The purpose of Career Net is to enlarge the career opportunities of participating NYIT students and graduates by making confidential information on those students and graduates (the "student information") available, online, to a prospective employer or employers (in each case, a "Participating Employer") and, conversely, to bring to the attention of Participating Employers NYIT students and graduates seeking employment.

The Participating Employer understands and agrees: (a) that the student information being made available to it is confidential information, and may be used only for the purposes of evaluating a given student's suitability for employment with the Participating Employer, and for no other purpose; (b) that the student information to which the Participating Employer is gaining electronic access has been posted directly by the student, without opportunity for review or correction by NYIT and that, accordingly, NYIT cannot and does not guarantee its accuracy; (c) to share or disclose the student information, within the operations of the

Participating Employer, only on a need-to-know basis; (d) to destroy the student information, on the expiration or termination of this agreement, in a manner that completely protects the confidentiality of the student information; (e) that the person who, on behalf of the

Participating Employer, agrees to these terms and conditions by clicking as provided below, shall be conclusively deemed to have the authority to do so and to bind the Participating Employer to this agreement; (f) that any failure by the Participating Employer to comply with the requirements of (a) through (e) will result in immediate cancellation of its access privileges to the student information, and in

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The logo for NYIT, consisting of the letters "NYIT" in a bold, black, sans-serif font.

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such claims against it as may be asserted under applicable law; and (g) to defend, indemnify, and hold NYIT and its employees, trustees, students or former students, and agents (collectively, the “Indemnitees”) harmless for any loss, cost, damage or expense suffered by any Indemnitee as a result of the Participating Employer’s noncompliance with any of the requirements set forth above.

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