



POLICY MANUAL

OPERATING POLICIES AND PROCEDURES

Number 385

Subject: Appointments of Opportunity

Covered Employees: University Employees

Date of Origin: January 24, 1997

Effective Date of Last Revision: May 20, 2005

385.1 POLICY

At times it may be appropriate to waive normal search requirements (i.e., a competitive process) as outlined in the Faculty and Exempt Staff Employment Policy (USU Policy 394), and the Non-exempt Staff Employment Policy (USU Policy 387), in connection with an appointment. Use of this policy requires review by the Affirmative Action/Equal Opportunity (AA/EO) Office and the Office of Human Resources (HR), and approval by the Office of the Provost. Exceptions to open recruitment and regular hiring procedures may be granted under the following six (6) conditions. Procedures are found by clicking on the link after each category.

This policy should be considered before a search is opened. However, an ongoing search may be suspended/closed due to the availability of a qualified individual as defined in this policy.

This policy should not be construed to be a promise, real or implied, of employment at Utah State University. Utah State University has a commitment to assist in the employment process, but has no legal obligation to provide employment.

1.1 Dual Career Assistance (DCA)

Utah State University recognizes that dual career assistance (DCA) is critical to sustaining its commitment to recruiting and retaining highly qualified and competitive staff and faculty members. The Office of the Provost is committed to supporting DCA in cases that strengthen our capacity to meet institutional missions and objectives. This policy applies to situations in which there are existing positions to accommodate the common interests of the institution and the couple seeking DCA. It also covers instances

in which a new position may be created to utilize the qualifications and occupational interest of a dual career couple. In the latter case, funding from the recruiting and receiving units (academic or administrative) and the Office of the Provost is often necessary for leveraging the establishment of such a position.

While the Office of the Provost is committed to participating as a partner in DCA proposals, the central advocacy role for DCA originates within the primary academic or administrative unit. Department heads, supervisors, directors, deans, and vice presidents in the unit seeking a DCA play a key advocacy role on behalf of the couple requesting DCA. Of course, those individuals seeking DCA also retain some responsibility for nurturing proposals through the DCA process.

The goal of the DCA procedures is to clarify for all participants – the couple seeking DCA, academic and administrative leadership, the HR Office, the AA/EO Office and the Office of the Provost – the steps required for developing a successful dual career employment package with support at all administrative levels. [Procedures for DCA.](#)

1.2 Affirmative Action

When there is under representation in a particular job group by women or ethnic/racial minorities, such qualified individuals may be appointed to open positions in an effort to enhance the University's efforts to meet affirmative action goals. [Procedures for an affirmative action hire.](#)

1.3 Exceptional Merit

Faculty and staff may be appointed who are nationally recognized for outstanding achievement in their areas of expertise. These are individuals whose qualifications are unique and exceptional and whose potential value to the University is great. [Procedures for an exceptional merit hire.](#)

1.4 Temporary Hires

An individual not covered by USU Policy 390 (Employment at Will) or USU Policy 397 (Hourly Employment) may be appointed to an exempt position (as defined by the Fair Labor Standards Act) for a temporary period not to exceed two years. The temporary nature of this position will be specified in the appointment document, and the temporary position will be eliminated from the unit's budget after the temporary period has expired. Non-exempt positions are not available for this temporary appointment opportunity. [Procedures for an exceptional merit hire.](#)

1.5 Employment-at-Will Hires

Certain positions at the University are defined as "at-will" (see USU Policy 390 – Employment at Will) for details. At-will employees are not eligible to participate in the employee grievance process (USU Policy 325) but still have access to USU Policy 305

(Discrimination Complaints) if they feel they have been discriminated against based on a protected category. [Procedures for an employment-at-will hire.](#)

1.6 Written into Sponsored Program Budgets

Qualified individuals may be written into sponsored program budgets to fill appropriate exempt positions. These positions will end when the program ends. [Procedures for employees that are written into sponsored program budgets.](#)

385.2 RESPONSIBILITIES

2.1 Candidate/Employee

Responsible for informing the Department Head or Supervisor of the need for dual career assistance. Responsible for working with HR in the job search process.

2.2 Department Heads and Supervisors

Responsible for informing candidates and new hires about the dual career assistance policy. Responsible for working with HR in identifying opportunities that may qualify under this policy, and working with the Dean/VP, as well as HR and AA/EO, to obtain necessary approvals, initiating hiring documentation, and following the process to completion.

2.3 Deans and Vice Presidents

Responsible for assisting the Department Head/Supervisor to effectuate the appointment of opportunity. Responsible for contacting the Dean/VP in the receiving college or unit to seek cooperation in an appointment of opportunity. Responsible for alerting the Provost regarding the need to seek an appointment of opportunity.

2.4 Office of Human Resources

Responsible to assist USU leadership and other individuals in the overall implementation of this policy and provide assistance in locating available positions in cases of dual career assistance. Responsible to review position descriptions for appropriate title and salary range. Responsible to review requested appointments of opportunity and make recommendations to the Provost.

2.5 Affirmative Action/Equal Opportunity Office

Responsible to assist USU leadership and other individuals on AA- and EO-related issues and in the implementation of this policy. Responsible to review requested appointments of opportunity and make recommendations to the Provost.

2.6 Office of the Provost

The Office of the Provost makes the final decision based on recommendations from the AA/EO Office and the Office of Human Resources.

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