385.1 POLICY

At times it may be appropriate to waive competitive search requirements as outlined in the Faculty and Exempt Staff Employment Policy (Policy 394), and the Non-exempt Staff Employment Policy (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) (See procedures under each category). All actions require approval by the Office of the Provost (for positions in academic areas) or the Office of the President (for positions in non-academic areas). Exceptions to open recruitment and regular hiring procedures may be granted under the following conditions. Procedures are found by clicking on the link after each category.

The intent of this policy is to assist in the initial appointment of individuals under specific circumstances as presented in the policy. Use of this policy for further placement at Utah State University is discouraged. 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. University leadership 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 interests 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 or the Office of the President is sometimes necessary for leveraging the establishment of such a position.

While University leadership 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 these four groups—the couple seeking DCA, academic and administrative leadership, the HR Office, and the AA/EO Office—the steps required for developing a successful dual career employment package with support at all administrative levels. DCA appointments must be approved by the Executive Vice President and Provost. Procedures for DCA Appointment.

1.2 Affirmative Action

When there is under-representation in a particular job group by women or ethnic/racial minorities, persons with disabilities, or protected veterans, such qualified individuals may be appointed in an effort to enhance the University’s efforts to meet affirmative action goals. Procedures for an Affirmative Action Appointment.

1.3 Institutional Need

Faculty and staff may be appointed who are nationally recognized and/or highly regarded 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 Institutional Need Appointment.

1.4 Temporary Position

An individual not covered by Policy 390 (Employment at Will) or 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 three 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 a Temporary Position Temporary.
1.5 Employment-at-Will

Certain positions at the University are defined as “at-will” (see Policy 390 Employment at Will). At-will employees are not eligible to participate in the employee grievance process (Policy 325 Grievance Procedures) but still have access to Policy 305 (Discrimination Complaints) if they feel they have been discriminated against based on a protected category. Procedures for an Employment-at-Will Appointment.

1.6 Written into Sponsored Program Budget

Qualified individuals may be written into sponsored program budgets to fill appropriate exempt positions. The Qualified individual must be named in the budget portion of the grant. These positions will end when the program ends. Non-exempt positions are not eligible for this opportunity. Procedures for employees who are written into sponsored program budgets.

385.2 RESPONSIBILITIES

2.1 Candidate/Employee

Responsible for informing the Department Head/Supervisor of the need for an appointment of opportunity. Responsible for working with department heads, supervisors, directors, deans, and vice presidents within the primary academic or administrative unit in the job search process.

2.2 Department Heads and Supervisors

Responsible for informing candidates and new hires about the Appointments of Opportunity 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,AA/EO, and the Office of the Provost or Office of the President to obtain necessary approvals, initiate hiring documentation, and follow the process to completion.

2.3 Deans and Vice Presidents

Responsible for communicating support for this policy to the Department Head/Supervisor to effectuate an interview (for the DCA option) or implementation of the appointment of opportunity. Responsible for alerting the appropriate University leadership office regarding the need to seek an appointment of opportunity.

2.4 Office of Human Resources

Primary responsibility for the implementation of this policy. Responsible to assist USU leadership and other individuals in the application of this policy and to 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 Office of the Provost or the Office of the President.

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 Office of the Provost or the Office of the President.

2.6 Office of the Provost

Responsible to make the final decision relating to faculty and staff in academic areas seeking appointments of opportunity based on recommendations from the AA/EO Office and the Office of Human Resources.

2.7 Office of the President

Responsible to make the final decision relating to staff in non-academic areas seeking appointments of opportunity based on recommendations from the AA/EO Office and the Office of Human Resources.