

# SOUTHERN ILLINOIS UNIVERSITY EDWARDSVILLE

## **SIUE Search Waiver Policy**

### Restatement of Commitment

Southern Illinois University Edwardsville (SIUE) is firmly committed to equal opportunity, affirmative action, and the diversity and inclusivity of its workforce. This commitment is reflected in the University's mission, vision and values. As an equal opportunity employer, SIUE does not discriminate against persons or groups of persons based on race, color, national origin, ancestry, religion, sex, sexual orientation or gender identity, age, disability, marital status, military or veteran status. This commitment applies to all employment decisions, including recruiting, hiring, and promotions.

The search procedures established by the University have been developed to ensure an open, inclusive and competitive process to fill vacant positions. Thus, every effort should be made to advertise, and conduct search processes for vacant University positions. Additionally, promotional opportunities should typically be filled through a competitive process. Filling vacancies through fair and competitive search processes ensures that the University maintains compliance with Federal and State affirmative action requirements, in addition to offering assurance that units are hiring the candidate best suited to advance the University's mission. However, in some limited circumstances, an appointment or promotion may be made without conducting standard search procedures.

## **Search Waiver Procedures**

Deviations from established search processes require approval by the appropriate Vice Chancellor or the Chancellor (for positions not reporting up to a vice chancellor), as well as the Director of Human Resources, and the Office of Equal Opportunity, Access & Title IX Coordination (EOA). When possible, candidates hired or promoted through the search waiver process should still be selected from a group (i.e. more than one person) of qualified individuals.

To make a request for a search waiver, the hiring unit should submit a request for the position and the waiver, via the University's electronic position management/hiring platform. The request must include appropriate justification and documentation to support the request. At a minimum, all requests must include:

- a. For A/P positions, a copy of the position description (PDQ) approved by the Office of Human Resources for the position to be filled;
- b. For faculty positions, a summary of the required duties of the position;
- c. The resume or curriculum vitae of the individual that the unit seeks to hire or promote;
- d. A statement of the individual's qualifications for the position, based upon the position description or institutional need; and
- e. An explanation of why a search to fill the position is not feasible.

A hiring unit may not extend a formal or informal offer (written or verbal) until a search waiver request is approved by the appropriate Vice Chancellor or the Chancellor, the HR Director and the EOA Office.

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Examples of circumstances for which a search waiver request may be appropriate include:

1. In situations where the needs, health, safety or welfare of students require an immediate hire. Examples of such needs include but are not limited to: immediate departmental/unit teaching needs or immediate coaching needs in Athletics, that cannot be addressed through the normal search process, due to sudden resignation, sickness, death, etc.;
2. In situations where a department wishes to secure a time-limited/visiting faculty member with substantial professional distinction;
3. In situations where a grant, contract, or other agreement specifies the employee to be hired for the position;
4. In situations where a person may be appointed temporarily, to fill a position while a search is being conducted (i.e. an interim or acting appointment);
5. When promoting qualified, internal staff members, where the department/unit has considered all qualified internal candidates for a promotional opportunity; or
6. To facilitate an approved spousal/partner hire, where the primary spouse/partner has been hired through an established search process.

Except for promotional purposes, situations where a grant, contract or other agreement specifies the employee to be hired, or approved spousal/partner hires, appointments established by the use of a search waiver shall have a term of a maximum of one year. A search waiver appointment for a longer period of time may be approved under exceptional circumstances. Under certain circumstances, a department or unit may identify a candidate whose special qualifications will enhance the unit in such a way that a search waiver for a multi-year or continuing appointment may be granted. In such cases, the hiring unit must submit a request to hire the individual on a multi-year or continuing appointment and provide sufficient written rationale for granting such a waiver, including but not limited to, why a search is unlikely to result in identifying a better or more qualified candidate for the position. The appropriate Vice Chancellor or Chancellor (for positions not reporting up to a vice chancellor), the HR Director and the EOA Office must approve such a request, prior to any offer of employment to the candidate.

This Policy does not apply to circumstances where an administrative/professional staff employee on a continuing appointment is being converted to a one-year (or less) term appointment, and being re-assigned with new duties and/or a new title for the period of that term. In such situations, neither a competitive search nor a search waiver is necessary to fulfill the University's obligation to the affected staff member pursuant to SIU Board of Trustees Policies.

*Approved by Chancellor effective 3/23/23*