



Policy for Waived, Modified or Internal Searches	
Responsible Official: Special Assistant to the President for Strategic Initiatives; and, Director, Human Resources	Responsible Office: Equity & Diversity; and, Human Resources

### Policy Purpose

In compliance with the university's affirmative action plan and the human resources' search procedures, all regular positions should be advertised. However, under certain circumstances, recruitment efforts may be waived or modified after the appropriate review and approval.

### Policy Statement

East Tennessee State University (ETSU) specifically finds that diversity of faculty, administrators and staff is a crucial element of the educational process and reaffirms its commitment to enhancing education through affirmative action to increase diversity at all levels. ETSU will take affirmative action and document good faith efforts to identify and employ minority, veteran, and applicants with disabilities.

### Authority

*Search Guidelines for Filling Faculty, Administrative, and Clerical/Support Vacancies;*  
Affirmative Action Plan

### Definitions

#### **Waived Search Options:**

Generally, promotions, voluntary demotions, and lateral transfers occur through the initiative of the employee applying for advertised job vacancies. Promotion, demotions and lateral transfers are acceptable upon request of the hiring manager and without advertisement; however, they must be achieved within the parameters of the affirmative action plan.

**Promotion:** A promotion is defined as an increase in position or rank brought about by means of assuming the duties of a vacant position of higher classification, or assuming duties which warrant a reclassification of present position to one at a higher level.

**Demotion:** A demotion is defined as a decrease in position or rank brought about by means of assuming the duties of a vacant position of lower classification.

**Lateral Transfer:** An internal transfer occurs when an employee applies for and/or is appointed to a newly created or existing open position, thus vacating their former position. When appointed to a position that is in the same pay level as the one from which he/she is transferring, a lateral transfer occurs.

**Direct Hire:** The direct hire of an external job applicant without the use of the university's search procedures is only permitted when it is based upon the recommendation of the Affirmative Action Officer, and with the final approval of the University President. Approval of the direct hire will be based upon affirmative action goals and the need to recruit and retain minority, veteran, and applicants with disabilities.

### **Modified Search Options:**

**Internal Only Search:** Internal only job postings are acceptable upon request of the hiring manager and without external advertisement; however, they must be achieved within the parameters of the affirmative action plan. Additional requirements include:

- The position must be posted on the *eJobs* job vacancy site with a designation that it is an internal campus search.
- Only currently employed regular employees (temporary employees excluded) may apply.
- The job vacancy must be designated as campus-wide, or it may be restricted to departmental personnel only.
- The vacancy must be posted for a minimum of two weeks.
- The hiring manager will notify all currently employed regular personnel within the department of the pending job vacancy.

**Advertising Time Period:** Under the *Search Guidelines for Filling Faculty, Administrative, and Clerical/Support Vacancies*, all faculty and administrative positions must remain open for a minimum of 30 days (calculated from the date the advertisement appears in national journals); and, all clerical/support positions must remain open for a minimum of 14 days. Requests to deviate from these advertising periods must be approved by the Office of Equity and Diversity prior to advertisement.

### **High-level Athletic and Coaching Positions:**

For high-level athletic and coaching hires, the advertising/hiring process may require a level of speed and confidentiality that other searches may not require. The hiring manager will provide the Office of Equity and Diversity with a memorandum requesting a modified or waived search. Following written approval, the hiring manager will maintain documentation of the search process including but not limited to the following:

- Estimate of the number of contacts from interested applicants

- Examples of direct contacts initiated by the campus –
  - Current/former conference commissioners
  - Current/former athletic directors
  - Current/former college coaches
  - Current/former NFL coaches
  - Black Coaches Association
  - NCAA
- Estimate of the number of minority, veteran, and candidates with disabilities that were considered
- Basis for the final candidate recommendation (in relation to an existing position description)
- Information regarding salary recommendation for new hire and how it compares to salary earned by the last person holding the position

#### Policy History

Effective Date: New Policy

Revision Date:

#### Procedure (s)

1. A vacancy exists when the division's vice president authorizes a position to be filled. The receipt of a letter of resignation does not necessarily establish a vacancy in a particular department. The need for a line replacement must be established with approval from the appropriate dean and the vice-president/president. This approval is documented through the submission of an advertising request through *eJobs*.
2. Standard search procedures as outlined in the *Search Guidelines for Filling Faculty, Administrative, and Clerical/Support Vacancies*, should be followed for all searches.
3. Issues to be considered when requesting a waiver or modification:
  - a. the hiring unit's past affirmative action efforts
  - b. the hiring unit's and/or the university's affirmative action goals
  - c. the availability of a vacant position number
  - d. the existence of a qualified, diverse internal applicant pool
  - e. the option to advertise and back-fill a similar position
  - f. the need for budget reductions, position freezes and/or eliminations, or reductions in force

4. The hiring manager shall submit to the Office of Equity and Diversity a memorandum providing the justification for a modified, internal or, waived search.
5. If approved, the hiring manager will upload the approval memorandum into the electronic *eJobs* system, or attach the approval to the Request to Hire paperwork.
6. The offices of Equity and Diversity will work with Human Resources and the hiring manager to properly fill the vacancy.

Procedure History

Effective Date: New

Revision Date:

Related Form(s)

None

Scope and Applicability

	Governance	
	Academic	
	Students	
x	Employment	
	Information Technology	
	Environmental Health and Safety	
	Business and Finance	
	Facilities and Operations	
	Communications & Marketing	
	Advancement	