

# Utah Tech University Policy

## 305: Hiring



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### I. Purpose

- 1.1 Utah Tech University (“the University”) establishes and follows hiring practices in accordance with federal and state laws governing employment, including equal opportunity, affirmative action, nepotism, immigration, and Advertising requirements.

### II. Scope

- 2.1 This policy applies to all employment where the incumbent is employed and paid by the University.

### III. Definitions

- 3.1 **Acting Appointment:** The appointment of an existing employee to another position due to leave for a period of time of an incumbent who has not indicated an intention to terminate employment or vacate the position. Acting Appointments can last the length of the incumbent’s leave.
  - 3.1.1 Not all position vacancies due to leave require an Acting Appointment, as Acting Appointments are temporary in nature. Other temporary solutions include the position’s supervisor absorbing duties or reassigning duties to other employee(s).
- 3.2 **Advertising:** Promoting a job opening to Applicants through the University’s employment website and through media such as newspapers or websites, including those that target a field or profession.
- 3.3 **Applicant:** An individual who has submitted a formal application for a vacant position.
- 3.4 **Appointing Authority:** The individual who will be selecting an existing full-time employee to fill the acting or Interim Appointment. Can be the next-

level supervisor of the position or a higher-level employee as designated by the applicable vice president/President or President direct-report, who may retain the authority themselves.

- 3.4.1 The Appointing Authority will delegate the workload, when necessary, in an equitable manner to an employee or employees who are able to perform tasks in a competent manner.

3.5 **Candidate:** An individual who is selected from the Applicant pool.

3.6 **Interim Appointment:** Appointment of an existing employee to temporarily perform the duties of a vacant or new position during the period when a search is conducted to select a permanent successor.

- 3.6.1 Not all position vacancies require an Interim Appointment. Other temporary solutions include the position's supervisor absorbing duties or reassigning duties to other employee(s).

- 3.6.2 Prompt recruitment can help avoid the need for an Interim Appointment. However, when a search is unsuccessful or unfeasible, an Interim Appointment may be needed.

- 3.6.3 Interim Appointments are temporary in nature and rarely last longer than one (1) year. If special circumstances exist, the approval of the appropriate vice president and Human Resources is required to extend the Interim Appointment for a period longer than one (1) year.

3.7 **Internal Applicant:** A current University employee who has submitted a formal application for a vacant internal position that is either:

- 3.7.1 A full-time employee (0.75 FTE or higher) who is no longer on probation. See University Policy 325.

- 3.7.2 A part-time hourly employee (less than 0.75 FTE) who has either worked a minimum of 600 hours during the twelve (12) consecutive months immediately prior to the position's advertisement OR who was previously a full-time employee with the University who has remained an active part-time employee since resigning their full-time position.

- 3.7.3 A part-time instructor or faculty member teaching at least six (6) credit hours per semester for at least two full semesters immediately prior to the position's advertisement.

3.8 **Job Announcement:** Derived from an employee's job description, a detailed

account or explanation of the duties, qualifications, and contact information of the organization Advertising a vacant or new job for the purpose of attracting applications and determining a new hire.

#### **IV. Policy**

- 4.1 Human Resources is the central recruiting office responsible for the establishment of hiring guidelines. All faculty and staff positions (both full-time and part-time) must be advertised through the Human Resources office and require an approval process, including submission and review of a Job Announcement, meeting establishing posting requirements, and confirmation of budget/secured funding, prior to advertisement.
  - 4.1.1 Positions where on-going funding is expected but not yet available may be announced as “contingent upon funding” and must be approved by the Budget Office, Human Resources, and the applicable vice president.
  - 4.1.2 Student employment Advertising and recruitment is handled through Career Services with associated job boards. Departments are strongly encouraged to advertise all student positions with either the Financial Aid Office for work-study positions or Career Services for other University student employment. Selection and advertisement of student employment is at the discretion of department heads and/or budget administrators. Upon selection of student employee hires, University Policy 310 outlines procedures governing their employment.
- 4.2 After the required approvals have been obtained, the position will be posted on the Human Resources employment webpage and advertised by the Human Resources office in an effort to recruit eligible Applicants. Positions shall be advertised in appropriate publications according to federal and state laws, the geographic scope of the search, affirmative action goals, and the needs and resources of the hiring department and the University.
  - 4.2.1 Applicants are required to apply online through the Human Resources employment webpage for all salaried positions. Job postings for part-time positions may allow online application through the Human Resources employment webpage or may submit their application materials differently as specified on each part-time posting.
- 4.3 Whether the position is a new position or a replacement position, all full-time positions will be advertised internally and externally simultaneously

for a minimum period of ten (10) business days for staff positions and for a minimum period of 30 days for faculty positions.

- 4.3.1 Searches for salaried positions may be limited to Internal Applicants where there is a possibility of recruiting a current University employee with the appropriate skill set and qualifications. Such internal announcements must advertise for a minimum of five (5) business days and receive the appropriate vice president and Human Resources approval. Internal Applicants must qualify under the definition outlines in this policy for their application to be considered.
- 4.3.2 Acting or Interim Appointments require a minimum of five (5) business days to the internal University community and receive the appropriate vice president and Human Resources approval. The announcement must indicate that the position will be opened for recruitment in the future or that reorganization is being considered and the position may not exist in the future.
- 4.3.3 Expectations to external and/or internal Advertising and opening of a position are at the discretion of the University President or applicable vice president, in consultation with Human Resources.
- 4.3.4 Reassignment by the University President or applicable vice president may be made in lieu of opening a position. See University Policy 351, in consultation with Human Resources.
- 4.3.5 The Vice President of Academic Affairs and Provost, with approval from the University President and ratification of the Board of Trustees, has final authority to appoint members of the faculty.
- 4.4 Whether the position is a new position or a replacement position, all part-time staff positions at the University (paid on an hourly basis) will be advertised internally and externally simultaneously for a minimum period of five (5) business days.
- 4.5 Whether the position is a new position or a replacement position, all adjunct faculty positions at the University (paid on a credit-hour basis) will be advertised internally and externally simultaneously on a continuous basis throughout the year in an effort to build a pool of qualified Candidates for adjunct teaching.
- 4.6 Hiring search committees for full-time positions will meet with Human Resources to receive training on: appropriate hiring procedures, regulations and policies relating to equal opportunity and affirmative

action, importance of University strategic priorities such as diversity, creating appropriate search timelines, maintaining integrity and confidentiality of the search process, associated hiring forms, etc. Search committee members will be required to comply with hiring procedure and maintain integrity and flexibility in meeting established timelines within the search process.

4.6.1 All actions, deliberations, and recommendations of search committees are personnel actions and must be treated with confidentiality in accordance with policy and law. The rules of confidentiality extend to all search committee members, including non-voting members, and does not expire even after an appointment is made. Committee members are prohibited from discussing any actions, deliberations, and recommendations of a search committee, or any information about Candidates derived from the search. Search committee members who fail to comply with confidentiality (as expected of all employees under University Policy 157) may face corrective and disciplinary action as outlined in University Policy 372.

4.7 Prior to making an offer of employment to a full-time Candidate, search committee chairs (with associated University administrators) must review and work with the Human Resources office on the terms of the offer. Offers of employment are contingent upon verification of identity, verification of degrees/licensures when applicable, successful completion of a background check, and employment eligibility of the Candidate.

4.7.1 In the case of faculty appointments, ratification of hires will be presented to the University's Board of Trustees at the start of each semester.

4.8 In the event an employee leaves employment and is subsequently rehired by the University, the following restrictions may apply:

4.8.1 Full-time employees who leave employment and are subsequently rehired into another full-time position within the University may start in their new position without a minimum required break in service.

4.8.2 Full-time employees who leave employment and are subsequently rehired into a part-time position (whether adjunct faculty or hourly staff) must have a 26-week break in employment, under Federal Health Care Reform guidelines, in order to be considered benefits ineligible. If there is not a 26-week break in employment, the hiring department will be liable to fund any eligible health insurance costs

for the first three (3) months of re-employment. Such re-employment requires the approval of the applicable vice president and Human Resources. Work hours will be governed by University Policy 310.

4.8.2.1 Early Retirees may return to work as a part-time hourly or as adjunct faculty after a 60-day break from full-time employment/pay, but must work less than 50% time in the part-time role while on early retirement.

4.8.3 Part-time employees who leave employment and are subsequently rehired into another part-time position within the University may start in their new position without a minimum required break in service. Work restrictions are found within University Policy 310.

## **V. References**

5.1 University Policy 157: Personal Conduct/Conflict of Interest

5.2 University Policies 301-320: Hiring Practices

5.3 University Policy 351: Job Descriptions, Classification, and Reclassification

5.4 University Policy 372: Corrective and Disciplinary Action

5.5 University Policy 631: Faculty Categories

5.6 University Policy 638: Part-Time Instructor Track Faculty

## **VI. Procedures**

6.1 Hiring procedures for full-time positions (faculty and staff) are located on the Human Resources webpage. These procedures are reviewed with the search committees prior to the screening of applications and will be reviewed with appropriate University administration and shareholders annually to ensure compliance with federal and state laws, as well as efficacy in the hiring process.

6.2 An employee or employees taking on an additional workload through an Acting or Interim Appointment will be provided fair compensation or release from current obligations to complete this additional workload. This is negotiated with the employee and the employee's next-level supervisor, with consultation from the vice president and/or Human Resources.

6.2.1 The Interim or Acting Employee has the right to return to their prior

position unless their employment ends during the period of appointment.

- 6.2.2 Interim or Acting Appointees use that term (Interim, Acting or visiting in the case of faculty) in conjunction with the position title.
- 6.3 Nothing precludes the employee appointment on an Interim or Acting basis from applying for the permanent position once a search is opened or reopened. Should they choose not to apply, they may also serve on the search committee as appropriate and approved by the vice president.
- 6.4 An Interim or Acting Appointment lasts the period of the vacancy unless the individual removes themselves or the supervisor and applicable vice president terminates the appointment. In such a case, if the need for an interim or Acting Appointment still exists, the Appointing Authority, the vice president, and Human Resources will decide whether the new appointment will be made from the Candidates from the original search or a new search will be conducted.
- 6.5 Part-time staff positions (hourly) require a search committee of at least three existing University employees, one of which must be a full-time employee and ideally the part-time staff employee's supervisor or a department head. The search committee is used when screening applications, choosing the qualified Applicants for interview, conducting interviews, and/or recommending a Candidate for hire. It is recommended that one person from each expressed gender serve on the search committee if possible. University Policy 310 outlines employment guidelines for these employees.
- 6.6 Part-time instructor faculty positions require a search committee made up of at least three full- and/or part-time department faculty, usually headed by the department chair. The search committee is used when screening applications, choosing the qualified Applicants for interview, conducting interviews, and/or recommending a Candidate for hire. It is recommended that one person from each expressed gender serve on the search committee if possible. Any final hires must be approved by the division dean prior to completing new hire paperwork with Human Resources. Policies 631 and 638 outline employment guidelines for these employees.

## **VII. Addenda**

- 7.1 Hiring Procedures are found on the Human Resources website, under "Recruitment Resources": <https://humanresources.utahtech.edu/>.

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Policy Owner: Executive Director of Human Resources

Policy Steward: Executive Director of Human Resources

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