

MICHIGAN STATE UNIVERSITY

February 6, 2018

TO: Deans, Directors, and Chairpersons and HR Unit Representatives

FROM: Theodore H. Curry II, Associate Provost and Associate Vice President
for Academic Human Resources

Paulette Granberry Russell, Director of the Office for Inclusion and
Intercultural Initiatives and Senior Advisor to the President

SUBJECT: Summary of Academic Hiring Processes

This is communication #2 in a series of communications regarding changes to the academic hiring processes.

Effective May 21, 2018, academic hiring will occur under three processes:

- Posted Position/Posted MSUE Position
- Requested Exception to the posting process
- Direct Appointment

This memo provides details about each process.



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Posted position / Posted MSUE position

All employment openings, with three previously noted exceptions (please see the memo dated 1/22/2018 for details), must be posted with the appropriate employment service delivery system (ESDS). To satisfy this requirement, MSU will post all faculty and academic staff openings locally through our applicant tracking system (PageUp) as well as through Michigan Talent Connect. MSU Human Resources will be responsible for managing the posting process through Michigan Talent Connect. Units will continue to post openings through PageUp. With the elimination of several previously approved waivers to posting requirements, we anticipate the majority of employment openings will be posted.

Requested exception to the posting process

While most employment openings will be posted, MSU will maintain the ability for hiring units to request an exception to the posting process. These requests shall be made under very limited circumstances. To request an exception to the posting process, the hiring unit will choose from the following reasons and will provide written justification for the request:

- Executive management or senior management – This category of employment has been deemed an exception to the posting requirements by the Office of Federal Contract Compliance Programs (OFCCP). The OFCCP's definition of executive or senior management is any employee: (a) compensated on a salary basis at a rate of not less than \$455 per week, exclusive of board, lodging or

other facilities; (b) whose primary duty is management of the organization in which the employee is employed or of a customarily recognized department or subdivision thereof; (c) who customarily and regularly directs the work of two or more other employees; and (d) who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees are given particular weight.

While in some cases position openings in MSU's executive management category will meet OFCCP's definition of "executive or senior management", we will strongly encourage a posting and search process for these openings.

- Positions filled internally within MSU – The OFCCP provides an exception to the posting requirement for positions filled internally within MSU. We have determined that these positions will include those in which an appointment category shift occurs (i.e. fixed-term to tenure/continuing and promotions in rank) and retirees rehired within two years of retirement.
- Positions lasting for three days or less.
- Recruitment/Retention Contingent Hire (Spousal or Non-Spousal) – The recruitment and retention of world-class faculty and academic staff often rely upon support for the accompanying partner/spouse of the recruited individuals. MSU will continue to facilitate contingent hiring as an exception to the regular posting requirements, as these positions are not considered openings. In other words, were it not for the recruited individual, the position of the accompanying spouse/partner would not exist. Similarly, we will apply this policy to the hiring of non-spousal/partner recruitment contingent academic staff (i.e., research faculty and postdocs from the lab of a recruited individual).
- Emergency Hire – We will retain in our policies the ability for units to hire quickly in situations that may warrant an exception to the standard posting requirements. We will not attempt to define an emergency; however, we expect that these requests will be few and will focus around a unit's inability to carry out mission-critical functions (i.e. instruction or patient care).

All requests for exceptions to the posting requirement will be reviewed by the Office of the Provost and the Office for Inclusion and Intercultural Initiatives.

Direct Appointment

Positions that are not required to be posted will be filled utilizing the appointment form. These positions include:

- No Pay Appointments – Faculty and academic staff appointments that are unpaid may be appointed without a search. Employees may not "transition" from an unpaid status to a paid position – if a unit has a paid position opening, the opening will need to be filled utilizing the posting process.
- Fellow/Resident selected from a national pool – Individuals hired for residencies in our medical colleges are vetted through a national pool process, and therefore are exempt from the posting requirements, as these positions are not considered openings.

- Reappointments – Reappointments of fixed term faculty meet the definition of internally filled. This also includes faculty reappointed in recurring appointments (i.e. fall only/spring only appointments).
- Assignment into an administrative role – Units will retain the ability to appoint individuals to administrative appointments in which the administrative responsibilities are 50% or less of the total duties. The incumbent may have additional non-administrative duties assigned to the role.
- Visiting Scholar – MSU will maintain the ability to hire faculty and academic staff who are visiting from other institutions (i.e., on a sabbatical leave) and international scholars participating in a federally sponsored exchange program. These appointments are short-term (i.e., two years or less). This category is not intended to cover research associates and shall not be used to circumvent the posting requirements for hiring research associates and other faculty/academic staff.
- Summer only appointment for graduate students hired as faculty – Graduate students are occasionally afforded the opportunity to teach during the summer in faculty appointments. The faculty appointment serves to augment the educational experience and training of the graduate student. These assignments are not considered openings; the assignment exists only because of the student’s status as a graduate student at the university. Graduate students may not “transition” into an open faculty role after graduation - if a unit has an employment opening, the opening will need to be filled utilizing the posting process.

Subsequent communications will target the transition of specific hiring practices. Academic Human Resources together with Human Resources will offer training sessions on March 30 and April 19 focused on academic hiring processes.

Questions may be directed to Academic Human Resources (517-353-5300), the Office for Inclusion and Intercultural Initiatives (517-353-3924), or Human Resources (517-353-4434

