

ARTICLE 11
INITIAL HIRE

Section 1. Procedures for Appointment of Bargaining Unit Members

- A. For purposes of appointment the term “academic unit” is defined as one of the following:
1. A department or school where bargaining unit members hold a primary appointment;
 2. A college without departments/schools where bargaining unit members hold a primary appointment. In such cases, the dean's role shall substitute for that of the chair/director in the following procedures.

- B. The academic unit, with approval of the dean, shall submit a request for a bargaining unit position to the Provost. This request shall include: a strategic rationale for the position; its relationship to the goals and direction that the University is pursuing; a description of the duties and responsibilities of the position; and a suggested makeup of the search committee membership with a rationale which takes into account the size of the unit and the areas of academic expertise of the suggested committee members with respect to the areas upon which the search is concentrated. At least sixty percent (60%) of the members of the search committee must be elected from among the bargaining unit faculty.

The Provost (or designee) may request further information or clarification from the dean and/or chair/director. Approval of a position request may include modifications to said request, including the addition of committee members (while still maintaining the membership ratio referenced above). Any other substantive modification, such as altering the search criteria, must be approved by a majority of the bargaining unit faculty of the academic unit conducting the search. If the Provost gives his/her approval, the search committee shall be formed and a chair elected from among the bargaining unit faculty to commence the search.

- C. The search committee shall develop a search plan and execute the plan in conformity with legal requirements and academic unit guidelines.
1. The offices of the Provost and Human Resources shall approve the plan or recommend changes as deemed appropriate. If changes to the search plan are recommended, representatives from these offices will communicate and discuss the changes with the search committee chair.

2. The search committee will carry out the approved search plan. Applications, held as confidential by the committee, shall be screened and those that do not meet the minimum criteria stated on the search plan shall be eliminated from the pool. The final pool of candidates meeting the minimum criteria may, if the number of applications is large, be reduced to a "short list". This reduction may involve, for example, reference checking and telephone interviews.
3. The short list with a rationale as to why some candidates may have met the minimum criteria but are not being selected for on-campus interviews shall be submitted to Human Resources through the department chair/school director and dean.
4. If Human Resources confirms that equal employment opportunity and other legal requirements have been met, the department/school director and the search committee chairs will be notified and the on campus interview process will commence.

D. Academic unit approval of candidates

1. After the completion of the interview process, the academic unit bargaining unit members shall select by secret ballot candidates to recommend for appointment. A simple majority vote is required. The academic unit should recommend more than one (1) candidate, and these may be in priority order.
2. The search committee will generate a letter to the chair/director and the bargaining unit faculty of the academic unit with its recommendations for appointment, and for non-appointment. A tally of the votes and ranking by the academic unit bargaining unit members will be included, as will supporting evidence such as lists of perceived strengths and weaknesses of each candidate. In cases of appointment at advanced rank with or without tenure, the supporting evidence shall indicate how the candidates meet the rank/tenure criteria and reflect an additional positive vote by those in the department/school eligible to vote on said rank/tenure.
3. The department chair/school director shall make a separate recommendation with regard to which candidates to recommend for appointment/rank/tenure, and both recommendations – considered sequential, not hierarchical - shall be forwarded to the Provost through the dean, who will also make a sequential recommendation for consideration by the Provost. Supporting evidence such as lists of perceived strengths and weaknesses of each candidate shall accompany all recommendations for appointment, and for non-

appointment. In cases of appointment at advanced rank with or without tenure, the supporting evidence shall indicate how the candidates meet the rank/tenure criteria. Copies of the department chair/school director and dean recommendations and supporting evidence shall be provided to the members of the bargaining unit and the search committee.

4. Should any of the search committee, department chair/school director or dean recommendations differ substantively from the department bargaining unit faculty recommendations, a meeting shall be held to discuss these differences. After this meeting, the department bargaining unit faculty may prepare a statement to be included with the recommendations, all of which shall be forwarded to the Provost.
- E. If the Provost approves making offers to any of the candidates recommended for appointment by the bargaining unit faculty of the department/school, that information shall be transmitted to the dean. Otherwise, the search will either be reopened, or declared failed, by the Provost. In the case of either a failed or reopened search, a rationale shall be provided by the Provost (or designee) to the dean, department chair/school director, bargaining unit faculty of the unit, and the search committee. If approval to make an offer to a candidate is granted, the candidate may be contacted by the dean and offered employment at the University pending approval of the Board. The Provost's approval of, and countersignature on, all letters of offer are required.
1. The appointment of bargaining unit members is subject to the approval of the Board. No officer, dean, committee, or other such entity shall have the authority to employ, set the compensation or other terms of employment except the Board. All offers of employment shall be subject to this condition.
- F. The department chair, school director, or the dean in colleges without departments shall provide a copy of the academic unit reappointment, tenure, and promotion guidelines and criteria and a copy of this Agreement to all newly appointed bargaining unit members.

Section 2. Nature of Appointment of Bargaining Unit Members

- A. Unless the University has awarded tenure or a fixed-term contract, all appointments of full-time bargaining unit members are on an annual, temporary, or probationary basis, renewable each academic year at the discretion of the University.

- B. The Board normally appoints all bargaining unit members for an initial period of one (1) academic year. In some cases, appointments for a period of more or less than one (1) academic year may be made, as in the case of initial appointments at midyear or emergency one (1) semester appointments.
 - 1. Upon appointment every bargaining unit member receives from the Secretary of the Board a certificate or letter of appointment as regular or auxiliary faculty, stating the rank or designation appropriate to the bargaining unit member's status, annual salary or periodic salary if part-time, and length of appointment.
- C. Without limiting the authority of the Board as conferred and defined by law to act in such matters upon its own motion, bargaining unit faculty shall be appointed by the Board upon recommendation of the Provost, and the President.