

Title/Subject: **SEARCH WAIVERS**

Applies to:  faculty  staff  students  student employees  visitors  contractors

Effective Date of This Revision: February 2016

Contact for More Information: Civil Rights and Institutional Equity, Faculty Personnel Services and Human Resources

Board Policy  Administrative Policy  Procedure  Guideline

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**BACKGROUND:**

Central Michigan University (CMU) values a diverse workforce. In accordance with state and federal law and the Equal Opportunity and Affirmative Action Protocol, CMU is committed to providing equal opportunity in employment through non-discriminatory open recruitment, equitable hiring practices, and affirmative action programs. Exceptions to the standard recruitment practices or policies may be made pursuant to this Search Waiver Policy, where such waiver of the standard recruitment process demonstrates a compelling and extraordinary need.

**PURPOSE:**

The purpose of this policy is to establish that there may be rare cases in which the university believes it is necessary to waive the standard search and selection process for benefit eligible positions and place an individual into a position without a search. In addition, this policy is to establish the search waiver process and outline a procedure that is designed to create uniformity in the search and selection process utilized by CMU.

**DEFINITIONS:**

**Standard Search and Selection Process:** A comprehensive search process conducted in good-faith as established by university policies that supports equal opportunity and affirmative action.

**Senior Manager:** All Senior Officers and Directors who report directly to a Vice President/Provost or the President.

**POLICY:**

Positions are to be filled by the standard search and selection process as established and defined by University's equal opportunity and affirmative action policies and guidelines. Exceptions to CMU's standard hiring process described in these documents are allowed only in rare circumstances. Requirements for waiving a search are very stringent and must demonstrate a compelling and extraordinary reason to waive the search process and place someone into a position.

Collective bargaining staff positions must be advertised and recruited for as outlined in the applicable collective bargaining agreement.

Requests to waive the search process for Professional & Administrative (P&A) and Senior Officer (SO) positions must be submitted in writing to Human Resources (HR), Director/Employment and Compensation. Requests to waive the search process for Faculty positions must be submitted in writing to Faculty Personnel Services (FPS), Director/Faculty Employment and Compensation. Each applicable employment office will make a recommendation to the Executive

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Director/Civil Rights and Institutional Equity who has final authorization for all search waivers. For SO positions, the President must support the search waiver request prior to forwarding a recommendation to the Executive Director/Civil Rights and Institutional Equity.

In determining the appropriateness of a search waiver, factors that may be considered include, but are not limited to, emergencies requiring immediate hire, the unavailability of a reasonable number of qualified applicants as demonstrated by a prior standard search within the last year, the existence of highly specialized qualifications and requirements for a particular position, or other compelling business reason. Other compelling business reasons may include, supporting employees who request a transfer to a different location, moving an employee into a position with less responsibility, or returning an individual to the same position after separating employment with the University.

No verbal or written offer of employment shall be made to the desired individual until final approval is granted by the Executive Director/Civil Rights and Institutional Equity. Candidates hired through a search waiver are subject to CMU's policy on criminal history checks. University policies regarding employment and reference checks must continue to be followed, even in circumstances where search waivers are granted.

**PROCEDURE:**

1. The hiring manager must complete the Search Waiver Request Form available from FPS or HR. The hiring manager must compare the duties and responsibilities of the position with the qualifications of the recommended candidate and provide the justification for the waiver request.
2. The hiring manager will submit the Search Waiver Request Form along with the job description of the vacant position and resume/vitae of the recommended individual to the Senior Manager for approval. If a job description is not available, a description of the duties must be submitted.
3. The Senior Manager will submit the approved Search Waiver Form and supporting documents to HR or FPS.
4. For Senior Officer positions, HR will then forward the request and supporting documents to the president for review. The request will be returned to HR; requests that are supported by the president will continue to be processed as outlined below.
5. Human Resources or FPS will include any additional information that may be relevant to the request and forward the form to the Executive Director/Civil Rights and Institutional Equity, along with the supporting documents, for final review and approval.
6. The Executive Director/Civil Rights and Institutional Equity will review the submitted information and communicate the final decision to HR or FPS.
7. Human Resources or FPS will communicate the final decision to the hiring manager/Senior Manager.

*Central Michigan University reserves the right to make exceptions, modify or eliminate this policy. This document supersedes all previous policies, procedures and directives relative to this subject.*

*Please refer questions or concerns to the Originating Department.*