

ARTICLE 11 INITIAL HIRE

The University and Akron-AAUP recognize

- that the preferred timeline to hire bargaining unit positions is to approve positions in the spring or summer, to begin searches by the early fall and to make offers by early spring, following the standard practices of academia;
- that all aspects of the search process should be conducted quickly and efficiently;
- that budgeting uncertainties and other issues, such as sudden retirements and resignations, may make it difficult or impossible to follow the preferred timeline for all searches, but that the timeline should be followed as often and as closely as possible; deviances from the preferred timeline are not grievable.

Section 1. Procedures for Appointment of Bargaining Unit Members

A. Academic Unit

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. Bargaining Unit Member Eligibility

All tenured, tenure track and non-tenure track bargaining unit faculty are eligible to serve on the search committee and to vote on recommending and ranking of candidates.

C. Search Committee

1. The minimum size of the search committee is three (3) members. At least sixty percent (60%) of the members of the search committee must be elected from among the bargaining unit faculty.
2. Any search committee members from outside the academic unit are eligible to vote on the departmental recommendation.

D. Position Approval Process

1. The academic unit, with approval of the dean, shall submit a Position Request for a bargaining unit position to the Provost by the beginning of the fall semester, whenever possible. The academic unit chair/director is responsible for providing a mechanism (for example, a meeting with prior notice, or an email exchange) for discussion within the academic unit to develop the request. If there is not a consensus, the academic unit may vote to finalize the search criteria. Once the criteria are finalized, the chair shall submit the Position Request, which shall include the job title, salary range, start date, and a suggested makeup of the search committee membership.
2. The Provost shall act to approve or modify the Position Request as soon as possible. The Provost (or designee) may request further information or clarification from the dean and/or academic unit chair/director. Approval of the Position Request may include the addition of committee members (in compliance with the membership ratio defined in Section 1C).
3. If the Provost approves, the search committee shall be formed and convened as soon as possible.
4. The search committee shall elect a chair from its members.
5. The search committee shall develop a search plan that includes a list of search criteria and the proposed advertisement. The search plan shall be approved by the academic unit. The search plan shall be submitted to the Provost for approval. The Provost shall act to approve or modify the search plan as soon as possible. The Provost (or designee) may request further information or clarification from the dean and/or academic unit chair/director. Any other substantive modification, such as altering the search criteria or advertisement, must be approved by a majority of the bargaining unit faculty in the academic unit.
6. The proposed advertisement should contain the following information:
 - a. the expected rank and starting date;
 - b. a statement on the discipline areas sought by the department;
 - c. applicant degree requirements;
 - d. a statement on teaching and research expectations;
 - e. list of required submission materials;

- f. an indication of when the review process begins;
- g. appropriate EEO statements;
- h. department and/or university web URLs.

7. Approved search plans shall be submitted by the Provost to Human Resources for approval. If changes to the search plan are recommended, representatives from this office shall communicate the issue/s and discuss changes to the search plan with the search committee chair as soon as possible.
8. All search committee members must complete HR training before screening the applications.
9. After the search plan has been approved, it cannot be changed without the approval of the administration and a simple majority of the bargaining unit faculty of the academic unit.
10. Once advertisements are approved, they shall be submitted to the appropriate advertising venues as soon as possible.

E. Search Process

1. The search committee shall execute the approved search plan in conformity with legal requirements and academic unit guidelines.
2. 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 the academic unit chair/director and forwarded to the dean. If the chair/director and dean approve, the proposed short list shall be forwarded to the Provost. Should the chair/director or dean not approve, they shall confer immediately with the search committee to achieve a resolution. If the Provost approves, he/she shall forward the short list and rationale to Human Resources for review of equal employment opportunity and other legal requirements.
4. Upon confirmation of legal requirements, the Office of Human Resources shall notify the academic unit chair/director and the

search committee chair. The on campus interview process shall commence upon such notification.

5. In the event that the Office of Human Resources determines that equal employment opportunity or other legal requirements have not been met, it shall inform the academic unit chair/director and the search committee chair immediately, and the search committee and a designee from Human Resources shall work jointly to resolve the issue as quickly as possible so that the search process may resume.
6. During the search process, the search committee may discuss current working conditions and reasonable expectations for applicants, but the search committee has no authority to make guarantees to applicants about future terms of employment.

F. Academic unit approval of candidates

1. After the completion of the interview process, the search committee shall present its recommendation on the candidates to the academic unit in a meeting of the bargaining unit members; minority views of the search committee can be expressed.
2. After deliberation, the bargaining unit members and any external search committee members shall use secret ballots to determine whether to recommend or not recommend each candidate. A simple favorable majority of those present is required for a positive recommendation. The recommended candidates shall then be ranked.
3. It is not necessary to recommend more than one candidate per position. If there is more than one position involved in the search, the academic unit shall indicate which candidates are recommended for each position, and shall develop a ranking of recommended candidates for each position.
4. The search committee shall then generate a letter to the academic unit chair/director summarizing the academic unit recommendation for or against each candidate. The letter shall contain (i) a tally of the vote and ranking by the academic bargaining unit members, and (ii) a statement for each candidate that provides a rationale for the recommendation or non-recommendation of that candidate, which may include, for example, lists of perceived strengths and weaknesses of the candidates. Please avoid using the word "unacceptable" in making recommendations. This makes an unnecessarily harsh-sounding public record. The tally and rationale is sufficient for everyone to understand which candidates are not a good fit for UA.

5. In cases of appointment at advanced rank with or without tenure, the supporting evidence in the academic unit recommendation shall indicate how the candidates meet the rank/tenure criteria, and shall reflect an additional positive vote, made only by those in the academic unit eligible to vote on said rank/tenure.
6. Upon receipt of the academic unit recommendation, the chair/director shall make a separate recommendation, considered sequential not hierarchical, and shall submit his/her recommendation, as well as the academic unit recommendation and supporting evidence, to the dean. In colleges without departments, where the dean assumes the role of the chair/director, this step is omitted and the implementation of the process described below in Paragraph 1H occurs next.

G. College and University approval of candidates

1. Upon receipt of the academic unit and chair/director recommendations and supporting evidence, the dean shall make a separate recommendation, considered sequential, not hierarchical. If the top choice of the dean differs from the top choice of the academic unit, the dean shall meet with the academic unit and the chair/director as soon as possible to discuss these differences and attempt to achieve consensus.

After the meeting, the academic unit may prepare a statement to be included with the recommendations and supporting evidence, all of which shall be forwarded to the Provost by the dean. At this point, copies of the dean and chair/director recommendations shall be provided to the academic unit and search committee.

2. Upon receipt of the academic unit, chair/director and dean recommendations and supporting evidence, the Provost shall decide to make offers to any of the recommended candidates, or to declare a failed or reopened search.
3. If the Provost approves making offers to any of the candidates recommended for appointment by the academic unit, that information shall be transmitted to the dean. In the case of either a failed or reopened search, a rationale shall be provided by the Provost (or designee) to the dean, chair/ director, academic unit, and the search committee. If approval to make an offer to a candidate is granted, the candidate shall 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.

4. Specific conditions of employment that were not previously discussed between the candidate and the dean, either during the on campus interview or in discussions that lead to the final offer, cannot be attached to the offer.
 5. 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.
- H. 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.
- I. The guidelines and criteria for individuals with joint appointments must be clearly specified at the time of hire, and shall be determined jointly by the tenured bargaining unit faculty of both the primary and secondary academic units, in consultation with the corresponding academic unit chairs/directors, and with the concurrence of the corresponding dean/s and the Provost. The guidelines and criteria may be those of the primary academic unit or a well-defined hybrid of those of the primary and secondary academic units.

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, 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.