

# The University of Wisconsin System UPS OPERATIONAL POLICY: TC 1



**SUBJECT:** Recruitment Policies

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**Original Issuance Date:** July 1, 2015

**Last Revision Date:**

## 1. POLICY PURPOSE:

The purpose of this policy is to provide a framework for UW System institutions to use in the development of merit-based recruitment, selection, and hiring processes that produce a talented, effective workforce and that reflect UW System's commitment to the principles of equal employment opportunity, non-discrimination, and cultural diversity.

## 2. POLICY BACKGROUND:

[Wis. Stat. § 36.09\(1\)\(e\)](#) authorizes the Board of Regents to appoint the requisite number of limited appointees, faculty, academic staff and other employees. Several Regent actions have served to delegate much of the appointment authority to the System President who in turn further delegated this authority to the Chancellor (see Operational Policy GEN 1, Authority for Personnel Actions).

Faculty and academic staff recruitment policies are outlined in [UWS 3.02](#) and [UWS 10.02\(1\)](#) of the Wisconsin Administrative Code, respectively. The majority of limited appointee recruitments follow established university recruitment policies. However, recruitment procedures for chancellors, senior vice presidents or vice presidents are outlined in [Regent Policy Document 6-4](#).

Prior to July 1, 2015, [Chapter 230](#) of Wisconsin State Statutes provided both state agencies and institutions of higher education with civil service employment policy and provisions that covered classified and select unclassified positions. Effective July 1, 2015, [Wis. Stat. § 36.115\(4\)](#) allows the University of Wisconsin System to establish a personnel system for all employees that incorporates certain provisions specific to a civil service system but that is separate and distinct from the personnel system defined under [Chapter 230](#).

Effective July 1, 2015, this policy provides for the establishment of merit selection principles for university staff.

## 3. POLICY DEFINITIONS:

Please see the Definitions Operational Policy for a list of general terms and definitions.

**Definitions specific to this policy:**

“Civil service system” means employment in government with positions filled based on merit determined by competitive examinations or screening.

“Competition” means using an objective method or process when opening a vacant position which evaluates an applicant’s ability to perform the duties of the job, and which is consistent with essential job functions.

“Equal Opportunity and Affirmative Action” means “an active effort to improve the educational and employment opportunities of members of minority groups and women.”

“Final candidate” as stated in [Wis. Stat. § 19.36\(7\)\(a\) and \(b\)](#) means "... each applicant for a position who is seriously considered for appointment or whose name is certified for appointment and whose name is submitted for final consideration to an authority for appointment to any state (unclassified) position, ... 'Final candidate' includes, whenever there are at least 5 candidates for an office or position, each of the 5 candidates who are considered most qualified for the office or position by an authority, and whenever there are less than 5 candidates for an office or position, each such candidate. Whenever an appointment is to be made from a group of more than 5 candidates, 'final candidate' also includes each candidate in the group." (See below for additional explanation)

“Merit” means the qualifications, experience, standard of work performance, and capabilities of those persons that are relevant to the performance of those duties.

#### 4. POLICY:

It is the policy of the University of Wisconsin System that merit-based principles are used in the recruitment and selection process. Recruitment shall be an active process consistent with sound personnel management practices and in a manner that assures a diverse, highly qualified group of applicants. Selection shall be made according to merit selection principles through a competitive process. As appropriate, internal recruitment may be utilized if consistent with equal employment and affirmative action objectives as well as institutional practices.

UW institutions should consider affirmative action principles and inclusive excellence in all recruitments to ensure that equal employment opportunity, diversity, and affirmative action goals are addressed. Depending on institutional practices and processes, this may include, but is not limited to, activities such as participation in review and/or approval of a recruitment plan which includes consideration of affirmative action goals and targets for advertising to increase diversity of pools, appointment and orientation of search and screen committee members, development of position descriptions, development of interview questions, and review of finalists.

The University of Wisconsin System provides equal employment opportunity by ensuring that all personnel actions including hire, tenure or term, and condition or privilege of employment are based on the ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, disability, sex, national origin, ancestry, sexual orientation, or political affiliation.

#### **Release of names of applicants and nominees for faculty, academic staff and limited appointee positions including the names of finalists.**

Wisconsin’s public records law, [Wis. Stat. § 19.36 \(7\)](#), provides that, upon request, the university and all public employers in the state must release the names of “each of the 5 candidates who are considered most qualified for the office or position” for any state unclassified (faculty, academic

staff, limited appointees) recruitment. [Wis. Stat. § 19.36\(7\)\(b\)](#) permits those nominees and applicants who request confidentiality in writing to have that request honored until and unless the nominee or applicant achieves "final candidate" status. It is important to note that the Wisconsin Attorney General has issued several opinions advising that the obligation to release at least five names applies even where there are fewer than five finalists for a position. Search committees and hiring authorities must strictly adhere to the policy of notifying all nominees and applicants of the statutory requirement including a process to provide written notice of the person's request for confidentiality. Upon request, the chair of the search and screen committee, or appropriate institution official, should compile and release a combined list (in alphabetical order) of all nominees and applicants who did request confidentiality in writing. The list should carry the underlined language in the caption preceding the list.

To ensure compliance with the public records law, the following confidentiality language should be included in all unclassified (faculty, academic staff, limited appointee) UW job announcements:

*The University will not reveal the identities of applicants who request confidentiality in writing, except that the identities of "final candidates" must be revealed upon request. According to the Attorney General, "final candidates" under Wisconsin law means the five candidates who are considered most qualified for the position. See [Wis. Stat. § 19.36\(7\)\(a\)](#).*

The practice in some searches has been to inform applicants that their names will be kept confidential unless they agree to be finalists. This is not a promise that we can make given the statutory requirements. Because there are not always five finalists for a given position, it is important to inform applicants regarding the limits of the ability to protect confidentiality. It is recommended that all applicants at the "semi-finalist" stage be informed that if they agree to participate as a semi-finalist in the selection process, there is a possibility their names could be released publicly even if they are not publicly named as a finalist. As recruitments vary, there may not always be a "semi-finalist" stage; therefore, we suggest that Human Resources Directors raise this issue with search committees and bring in legal counsel where necessary to determine the right timing for this conversation with the candidates. For those recruitments where a search consultant is used, it is crucial that the search consultant understand this aspect of Wisconsin law, and advise applicants accordingly.

#### **Interinstitutional Recruiting Protocol for Faculty, Academic Staff and Limited Positions**

**(formerly UPG #6):** Before a UW System institution reaches the point of extending a formal offer of employment to a faculty, academic staff or limited appointee in another UW System institution, the official responsible for initiating such action must first notify the appropriate vice chancellor (or UW College dean) of the other UW institution.

#### **Letters of Appointment**

The terms and conditions of an appointment shall be specified in a written letter of appointment. The appointment letter shall be signed by an authorized official of the institution and should contain details regarding the following:

- type of appointment (e.g., fixed term, probationary, or expectation of continued employment);
- duration of the appointment (starting date, ending date);
- salary (hourly for nonexempt; salary for exempt);
- general position responsibilities;
- definition of operational area;
- the length of the probationary period (if appropriate); and
- recognition of prior service as part of the probationary period (if appropriate).

Accompanying the appointment letter shall be an attachment detailing institutional and UW System employment regulations, rules, and procedures. If the appointment is subject to the approval of the board, a statement to this effect must be included in the letter.

**5. RELATED DOCUMENTS:**

**Appendix 1 –Options for University Staff Recruitment and Assessment**

**6. POLICY HISTORY:**

Wis. Stat. § [230.01, Statement of policy](#)

Wis. Admin. Code Chapter [UWS 3, Faculty appointments](#)

Wis. Admin. Code Chapter [UWS 10, Academic staff appointments](#)

Wis. Admin. Code Chapter [ER-8, Entry professional program](#)

Wis. Admin. Code Chapter [ER-10, Limited term appointments](#)

Wis. Admin. Code Chapter [ER-30, Career executive employment](#)

Wis. Admin. Code Chapter [ER-34, Project employment provisions](#)

Wis. Admin. Code Chapter [ER-MRS 1, Definitions](#)

Wis. Admin. Code Chapter [ER-MRS 6, Recruitment and examination](#)

Wis. Admin. Code Chapter [ER-MRS 7, Appointing procedure for unskilled labor and service classes](#)

Wis. Admin. Code Chapter [ER-MRS 8, Procedures for corrections and entry professional positions](#)

Wis. Admin. Code Chapter [ER-MRS 10, Limited term appointments](#)

Wis. Admin. Code Chapter [ER-MRS 11, Employment registers](#)

Wis. Admin. Code Chapter [ER-MRS 12, Certification and appointment](#)

Wis. Admin. Code Chapter [ER-MRS 13, Probationary periods](#)

Wis. Admin. Code Chapter [ER-MRS 14, Promotion](#)

Wis. Admin. Code Chapter [ER-MRS 15, Transfer](#)

Wis. Admin. Code Chapter [ER-MRS 16, Reinstatement and restoration](#)

Wis. Admin. Code Chapter [ER-MRS 17, Demotion](#)

Wis. Admin. Code Chapter [ER-MRS 27, Exceptional methods and kinds of employment](#)

Wis. Admin. Code Chapter [ER-MRS 30, Career executive employment](#)

Wis. Admin. Code Chapter [ER-MRS 32, Acting assignments](#)

Wis. Admin. Code Chapter [ER-MRS 34, Project appointment](#)

## Options for University Staff Recruitment and Assessment

### Recruitment and Assessment Options

It is the Board of Regent's policy to promote the development of university personnel systems that allow UW institutions to attract, develop, and retain a diverse and highly qualified workforce that will effectively and efficiently pursue the missions of the UW System and each UW institution. These university personnel systems shall include merit-based recruitment and assessment policies and practices.

Each UW System institution is responsible for its recruitment and assessment processes. These processes may include: criteria for determining the scope of recruitments (internal versus external); vacancy posting criteria (how, where and how long should vacancies be announced); establishment of screening or assessment criteria (what knowledge, skills and abilities are essential to the specific vacancy); choice of assessment tool(s) (which recruitment tool or combination of tools provides the most effective/efficient screen of the applicant pool).

### **Scope of Recruitment (Internal and External)**

At the beginning of the recruitment process institutions will determine if the recruitment will be an internal or external recruitment as described below.

- UW institution level (internal): consideration is available only to employees (both those employees with an expectation of continued employment and temporary employees) within the UW institution.
- UW System level (internal): consideration is available to employees (both those employees with an expectation of continued employment and temporary employees) across all UW System institutions, including UW System Administration.
- External posting: consideration is provided to all applicants internal to the UW System as well as outside the UW System.

The recruitment options may occur simultaneously. The order of applicant consideration is determined by each institution's process. Included in the process will be determining if a more qualified and diverse applicant pool may be found by broadening the recruitment area. Consistent with equal opportunity and affirmative action goals, an external search would be recommended if the job category is underutilized within the UW institution.

**University Staff (Nonexempt) Assessment Options:** Numerous options are appropriate for assessing applicants. For example:

- **Written Assessment:** Develop a short screening tool which includes criteria based on position duties and responsibilities. Per instructions, applicants would detail their experience/training related to the identified criteria. More than one individual who is familiar with the job responsibilities or knowledgeable about the critical aspects of the position would screen the applicant pool.
- **Observational Assessment:** Applicants perform a hands-on task to demonstrate their skill level. Computer-based simulation or manual demonstration may be appropriate, depending on the position. Examples include a typing test, a customer service phone call scenario, a file

organization task, memo composition, software application tests (such as developing an excel spreadsheet), etc.

- **Oral Assessment:** A preliminary phone interview/assessment is conducted which incorporates behavioral interview questions that reveal the extent to which a candidate possesses the core characteristics or competencies desired. Questions are pointed, probing, and more specific than traditional interview questions and geared towards exploring the candidates' demonstrated behaviors in their previous work experience. Instead of asking how a candidate would behave, the interviewer would ask how a candidate did behave. Behavioral interview questions should be the preferred method of assessment for all interviews – preliminary and final.
- **Security (Police Officer) Candidate Assessment:** Applicants would be required to demonstrate minimum qualifications by obtaining a Law Enforcement Standards Board certification. Additional assessment options might include background checks, personality tests, and physical agility tests.

**Continuous Recruitment** (suitable for positions with a high turnover rate): Job vacancies may be posted continuously on the UW System institution website. Applicants complete an initial screening questionnaire, and those applicants considered minimally qualified are interviewed, preferably by a minimum two-person panel. The panel evaluates these applicants further based on job related criteria to determine whether they should become active members of the applicant pool. They may remain in the pool for the next six months (or until it is determined that the applicant pool needs replenishment) at which time the pool expires and the process may be repeated.

**Secondary Screens:** If the applicant pool is still large after an initial assessment, secondary screens may be developed and used prior to a final interview process. Examples of secondary screens could include a brief phone interview or utilizing a job expert to rate application materials based on important job requirements in the position description.

**University Staff Temporary Appointments:** UW System institutions will develop their own recruitment and assessment method for hiring temporary staff.

**WiscJobs:** After July 1, 2015, WiscJobs registers may be utilized, at an additional cost to the UW System, for vacancies at the UW institutions. The registers may be 'polled' to obtain interested, eligible candidates. The expanded certification rules within WiscJobs regarding veterans, minorities, women, and handicapped eligible individuals will not be utilized.

### **Training**

Education and training on recruitment and assessment practices will be offered to all human resources staff, supervisors and appointing authorities. Topics include: development of position descriptions; development of a recruitment plan that ensures diversity of applicants and consideration of affirmative action goals; and interview and assessment processes and criteria. Orientation also will be provided to search and screen committees relevant to their roles in the recruitment and assessment process.