

R906-1. Purpose: To outline the Commissioner's Office policies for employing personnel.

R906-2. References

- 2.1. Utah Code [§53B-1-106](#) (Appointment of Commissioner's Staff)
- 2.2. Policy and Procedures [R141](#), Duties of the Commissioner of Higher Education
- 2.3. Policy and Procedures [R907](#), Recruitment of Staff Members
- 2.4. Policy and Procedures [R910](#), Equal Opportunity and Nondiscrimination Employment
- 2.5. Policy and Procedures [R911](#), Employment of Relatives

R906-3. Definitions

- 3.1. **Salaried Personnel:** persons ordinarily employed at 20 hours or more each week in positions expected to last longer than nine continuous months, or persons employed at 30 hours or more each week in positions expected to last longer than four months, and other specific groups of persons designated by Personnel Administration as holding salaried positions.
- 3.2. **Full-Time Hourly Rated Positions (also referred to as "Full-Time Temporary Positions"):** those positions requiring 30 or more hours of work per week which are expected to last not longer than four months.
- 3.3. **Part-Time Hourly Rated Positions (also referred to as "Part-Time Temporary Positions"):** those positions requiring 20 or more but less than 30 hours of work per week, which are expected to last not longer than nine months.

R906-4. Policy

- 4.1. **Equal Employment Opportunity:** The Office of the Commissioner is fully committed to policies of equal opportunity and nondiscrimination. Accordingly, the office pursues a vigorous program of affirmative action in all its classifications of employment in order to prevent any form of discrimination, harassment, or prejudicial treatment on the basis of race, color, religion, national origin, sex, childbirth, pregnancy, pregnancy related conditions, age or status as a person with disabilities, disabled veteran, or veteran of the Vietnam era, or otherwise as provided by law.
- 4.2. **Administrative Responsibilities:** It is the responsibility of all administrative officers of the Office of the Commissioner to make decisions on staff employment matters in accordance with the policies, procedures, and the affirmative action goals established by the Commissioner's Office. Primary responsibility is placed with the responsible Associate Commissioner, subject to accountability to the Commissioner through line management channels.

¹ Approved July 19, 1983, amended June 4, 1999 and March 18, 2005.

4.2.1. To assist organizational units in meeting Commissioner's Office employment policy guidelines, a monitoring program administered by the Director of Human Resources assures that qualified applicants are hired on the basis of their employment qualifications, that appropriate consideration is given to achieving EEO hiring goals, and that required applicant selection records are kept. Apparent deviations from policy guidelines will be called to the attention of the cognizant hiring officers for resolution. If necessary, the final decision will be the responsibility of the Commissioner.

4.3. **Salaried Personnel:** Vacancies in salaried personnel positions, below the Associate Commissioner level, must be posted with Human Resources (HR) for a minimum of seven calendar days. This time begins the day the position is posted on the office bulletin board. The posting time is designed to give equal opportunity to all candidates, and in some instances a posting time longer than seven calendar days will be required. Such instances may include positions underutilized for specific protected groups, or positions which involve the use of search committees and/or national recruitment.

4.3.1. HR will refer qualified applicants to the hiring unit. A listing of all applicants will be maintained by HR. Employment offers may be made only after approval to proceed from HR.

4.3.2. Reference checks are the responsibility of the hiring unit. HR may assist if requested.

4.3.3. Non-selected applicants will be notified by HR unless the hiring department directs otherwise.

4.4. **Advertising of Positions:** HR will assist the hiring unit to advertise job information posting a listing on the office web site, in various locations at the office, at Job Service, and in the community. Any additional advertisements including position announcements, newspaper ads, or flyers concerning staff employment must be approved by HR prior to distribution or placement.

4.5. **Exceptions to Posting of Job Opportunities:** The following are exceptions to the requirement to post job opportunities:

4.5.1. **Intra-Office Transfer/Promotion:** Candidates for the filling of vacancies may be limited to current salaried Commissioner's Office employees if notice of the vacancy has been posted internally in a reasonably visible and timely manner. If a suitable qualified replacement is found within the office, the position need not be advertised or posted outside the office. In such cases a personnel request with the name of the current employee considered for the promotion will be forwarded to HR for approval, prior to the actual job offer. The related record keeping for the position, including the names of all employees who applied and the reasons for selection, will be retained by the hiring entity, with a copy to HR.

4.5.2. **Hourly to Salaried:** Posting is not required when a position is changed from hourly to salaried within the office, and (1) the position for which the hourly employee was originally hired was listed and filled through procedures approved by HR, and (2) the new permanent salaried position is logically relevant to that original assignment.

4.5.3. **Waiver:** In exceptional situations, the cognizant Associate Commissioner may, by written memorandum to the Director of Human Resources, waive the posting requirement.

4.6. **Promotions and Transfers:** It is the policy of the Commissioner's Office to promote from within whenever feasible, and for this purpose preference will be given qualified Commissioner's Office employees in filling vacancies.

4.6.1. Interoffice transfer-promotions will not usually be considered until after six months of continuous employment. Upon evidence of a mutual agreement between the hiring unit and the employee, an earlier transfer may be approved by HR.

4.7. **Recruitment Actions:** All recruiting actions must be in conformity with applicable Commissioner's Office policies, including the Commissioner's Office equal employment opportunity policy.

4.7.1. Approved costs of recruiting, such as advertising, employment agency fees, interview and recruitment travel, and long distance telephone calls will be borne by the hiring unit.

4.7.2. Only approved Commissioner's Office employment applications are to be used. Any pre-employment tests administered by hiring units must be submitted, in advance of use, to Human Resources for review and evaluation to insure compliance to federal guidelines.