

Request for Search Waiver

This form does not require live signatures. It should be forwarded in an e-mail chain through the approval process.

1. **Department Chairs and Directors:** Prepare and submit request and justification/recommendation to Vice President or Dean.
2. **VP / Dean:** If you concur with request, please add your electronic signature to the form and forward the e-mail with attachments to employment@louisville.edu.

Person to be Hired: _____ Start Date: _____

Position Number: _____ New Position: Yes No

Title: _____

Department: _____

UofL EEO/AA Policy: As an Equal Opportunity / Affirmative Action employer and educator, the University of Louisville is committed to and will provide equal educational and employment opportunity for all of its students, faculty, staff, and applicants for admission and employment without regard to race, color, religion, age, sex, national origin, sexual orientation, gender identity, genetic information disability, or veteran status – except where age, sex, or ability are bona fide occupational qualifications for employment. Under limited circumstances, as defined below, the Dean/VP with the concurrence of the EEO/AA Officer may determine that a search waiver is in the best interests of the institution.

Please Note: A waiver request will not be considered if the internal candidate's position is being eliminated. Contact your Employment Representative to determine if the Reduction in Force process is applicable.

STEP ONE

Waivers must fall under one of the following categories. Please check the applicable category:

- Executive and top-management positions as defined by regulation¹.
- Internal positions as defined by regulation².
- Positions lasting three days or less.
- Reinstatement of employee within 18 calendar months of reduction in force.

STEP TWO

Please check the applicable justification for the request:

Critical Work Stoppage. To acquire the services of an individual critical to institutional needs when operating requirements are immediate and a public search would result in undue delay or disruption.

Special Skills. To acquire the services of an individual whose academic, research, or professional qualifications are responsive to an express need of the institution and are so noted in their discipline as to negate a reasonable presumption that a better-qualified candidate would result from an open search.

Faculty Reassignment or Lateral Transfer. In the instance of a nine-month faculty member being appointed to a 12-month academic or administrative role.

Reinstatement. To reinstate an employee who separated from UofL within the past 18 calendar months as a result of a reduction in force.

¹ 41 CFR 60-300.5 - Equal Opportunity Clause. (2014)

² Ibid.

WRITTEN RECOMMENDATION FROM DEPARTMENT HEAD OR CHAIR:

ATTACH THE FOLLOWING DOCUMENTATION AND ROUTE FOR NECESSARY APPROVALS, IN SEQUENCE:

1. The curriculum vitae or resume of the person you seek to hire without a search.
2. A current organizational chart showing position to be filled.

Manager/Supervisor Recommendation
_____ Date _____
Dept Head/Chair Recommendation
_____ Date _____

Dean/VP Approval
_____ Date _____
EEO Approval
_____ Date _____

Definitions

Executive/Top Management Position

(1) Any employee (a) compensated on a salary basis at a rate of not less than \$455 per week (or \$380 per week, if employed in American Samoa by employers other than the Federal Government), exclusive of board, lodging or other facilities; (b) whose primary duty is management of the enterprise in which the employee is employed or of a customarily recognized department or subdivision thereof; (c) who customarily and regularly directs the work of two or more other employees; and (d) who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees are given particular weight; or (2) any employee who owns at least a bona fide 20-percent equity interest in the enterprise in which the employee is employed, regardless of whether the business is a corporate or other type of organization, and who is actively engaged in its management.

Internal Positions

Employment openings for which no consideration will be given to persons outside the organization (including any affiliates, subsidiaries, and parent companies) and includes any openings which the organization proposes to fill from regularly established "recall" (i.e. Reduction in Force) lists. The exception does not apply to a particular opening once an employer decides to consider applicants outside of his or her own organization.