

# What is a Waiver?

A request to hire an individual without conducting an open recruitment.

Guidelines for the waiver process can be found out:

<http://academicaffairs.ucsd.edu/aps/adeo/procedure-2306.html#forms-and-reports>

# When is a waiver appropriate?

- Change in series such as:
  - Post doc to Proj Sci
  - Proj Sci to Res Sci
- Spousal recruitment/retention
- Specialized/Rare Skill
- Unique situations

# Change in Series

Very common request and should include:

- Job Evolution
- Continuity - work in same unit/lab with the same supervisor.
- No New Position/No Vacancy
- Contribution – integral part of lab
- Only One – applies in cases when there are multiple people with same position, but not all are being proposed for change in series.

# Spousal Recruitment/Retention

- Spouse is part of a recruitment effort to a position anywhere on campus
- Describe issues related to the recruitment
- Describe background/qualifications of candidate.
- Describe proposed contributions to department

# Specialized/Rare Skill

- Used only for people who possess a skill rare enough that an open recruitment is unlikely to yield any other applicants.

# Unique Situations

Situations come up that are unforeseen and can often be justified, such as...

- In the course of an open recruitment you ID a candidate that isn't appropriate for the recruitment but you want to hire.
- A candidate comes to you with an innovative idea to strengthen your program.
- An extraordinary researcher is being recruited elsewhere, but indicates interest if department is willing to hire.

# Unique Situations (Cont)

- KEY – you must justify why the person is important to your department, why a recruitment would not work (i.e. – an opportunity has come up and you have to seize it), and why the person is qualified for the position.

# Issues

- FTE Waivers
- Funding issues must be addressed
- Research Scientists with no funding
- Waivers for candidates that come out of recruitments sometimes cannot be modified for different series
- Junior level waivers
- Square pegs in round holes



# Structure of Waiver

## In general...

To: Dean Frieder Seible (for LRF) or  
Assoc. Dean Jeanne Ferrante (for non-LRF)  
JSOE

VIA: Carla Solomon, Director  
Office of Academic Diversity and Equal Opportunity

FROM: Dept/Unit Chair  
Department

Re: Request to waive an open recruitment in order to appointment Prof. X

Waiver request text...

# Paragraph 1

- State what is requested; for example: *The Department of (X) requests a waiver of the open recruitment process in order to appoint (full name) to the position of (rank, step), at (%) time, at a salary of (\$), effective (date).*
- You *must* include the requested rank, step, salary, percent of effort, and effective date. If the proposed info changes after the fact, we will inform OADEO and then will revise their records.

## Paragraph 2

- Describe the skills and qualifications of the individual. If the person is at the junior level, describe the educational background and training that has led this person to the threshold of the proposed appointment. If the individual is at a more senior rank, describe the area of research, the person's national or international reputation in the field, and the uniqueness of skills and knowledge.

# Paragraph 3

Provide a justification for hiring the individual without an open recruitment.

Some questions to answer:

- What will this person do for the unit? What functions will the person perform?
- How the skills of the individual be used to perform the function?
- What are the business (i.e., research, teaching) needs of the unit?
- Why is it essential that the unit have someone with the skill set described above?
- Are the skills and qualifications of the individual so unique that no one else could be obtained via an open recruitment to do the job? Explain how or why these skills are so unique. (In other words, fully describe the connection between the unit's business needs, the function of the job, and the skills of the person.)
- For a very senior candidate, how will the skills and qualifications enhance the excellence of the unit and the University?

# Routing/Approval

- Email waiver request to [adeo@ucsd.edu](mailto:adeo@ucsd.edu)
- cc Mindy and Erin
- Waiver is approved first through OADEO, then the JSOE Dean's Office.
- Completed waivers will be signed and will include a waiver number.
- JSOE AP staff will inform you when the waiver is approved.
- You may not submit the appointment file without the approved waiver.

**UCSD WAIVER OF AFFIRMATIVE ACTION COMPLIANCE  
OFFICE OF ACADEMIC DIVERSITY AND EQUAL OPPORTUNITY**

<b>PROPOSAL FOR APPOINTMENT:</b>			
<b>Name:</b> [REDACTED]	<b>Date:</b> 04/10/12	<b>Ref #:</b> W2389	
<b>Title:</b> Assistant Professor	<b>Dept/Unit:</b> NanoEngineering		
<b>Mo:</b> 9 <b>Step:</b> II	<b>Type of Waiver:</b> General	<b>%Time:</b> 100%	
<b>Begin Date:</b> July 01, 2012	<b>Series Change:</b> CS/PSE		
<b>End Date:</b> June 30, 2014	<b>If PI, agency:</b> NIH		
<b>Ethnicity:</b> Non-Minority	<b>Number:</b> 1JK99CA153935-01		
<b>Ethnic Code:</b> F	<b>Total Salary:</b> \$ 76,800		
<b>Gender:</b> Male	<b>Salary fr Grant:</b> \$ 57,600	<b>%Time:</b> 75%	



**JUSTIFICATION:**

Consideration of this request is based on the information contained in the attached memorandum dated (no date), from Kenneth S. Vecchio, Professor and Chair, Department of NanoEngineering.

The end date noted above reflects the normal review/reappointment schedule for this position.

This waiver will remain in effect as long as the individual remains in the tenure-track series.

Notes: Partner/Spousal/Retention hire. Engaged to Jennifer Cha who just recently gained tenure.      Post Audit: \_\_\_\_\_  
Date: \_\_\_\_\_

<b>Reviewed by Office of Academic Diversity and Equal Opportunity:</b>	
<b>Signature:</b> <i>Carla Solomon</i>	<b>Date:</b> 4/26/12
<b>Name/Title:</b> Carla Solomon, Director – Office of Academic Diversity and Equal Opportunity	<b>DB#:</b> 6100
<b>APPROVED:</b>	
<b>Signature:</b> <i>Frieder Seible</i>	<b>Date:</b> 4-30-12
<b>Name/Title:</b> Frieder Seible, Dean, Jacobs School of Engineering	
<b>Revisions to Proposed Information/Notes:</b>	



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