

# THE CITY UNIVERSITY OF NEW YORK

Interpretive Memo: 5-01

Date: 1-17-01

Personnel Policy Number:

Regulation Reference No.: 5.6.

Index Reference: Recruitment Policy  
University Standard Search Process  
RSSL: Section 211 Search Process

**Subject:** The following correspondence was received in response to a request to the University Coordinator for Compliance and Diversity Programs regarding the University-wide search process guiding the posting and search requirements in effect for hiring staff who require a Section 211 waiver in order to continue receiving a public financed pension. The guidance was sought in clarifying whether a college request to rely solely on the University and college website for posting had fulfilled University Affirmative Action recruitment procedures when a Section 211 wavier was sought for a candidate by the college. This same recruitment process should be followed when making appointments to titles in compliance with Section 211 of the Retirement and Social Security Law when the position being posted is either a classified service or unclassified service instructional and non-instructional positions.

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**TO:** Rosemarie O'Rourke  
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**FROM:** Rhonnye Ricks  
Coordinator, Compliance and Diversity Programs

**SUBJECT:** University Recruitment Procedures and the Section 211 Waiver

**DATE:** January 16, 2001

In general, vacancies for full-time and adjunct faculty titles, non-teaching instructional staff titles (HEO Series, Registrar Series, CLT, RA, Hunter HS/ES), and provisional appointments to classified staff job titles are filled through the use of the University's *Standard Search Procedure*. The University's Standard Search Procedure requires aggressive outreach to potential applicants at the regional and national level. Vacancy advertisements must be placed in publications with regional and national circulation (such as *The New York Times*), in professional publications, and posted as Personnel Vacancy Notices (PVNs) on a college website. If appropriate and timely, advertising a vacancy by networking at professional conferences also is recommended. To assist the college in its recruitment efforts, the University Personnel Office routinely posts college vacancies on the University's website and circulates vacancy notices to certain local and national organizations (e.g., the Center for the Disabled, the National Urban League, the New York State Division of Veterans' Affairs, etc.). These recruitment activities by both a college and the University serve to demonstrate aggressive outreach efforts.

In the case of new appointments and incumbent appointments using the Section 211 Waiver, a college must be able to demonstrate that it has engaged in the most aggressive search possible. Therefore, the University's *Standard Search Procedure* must be used to recruit for an initial search resulting in an appointment with a Section 211 waiver, and in subsequent recruitment efforts to fill the position. Section 211 appointment procedures require a statement certifying that a college's recruitment efforts failed to locate any qualified non-retired individual. If a college has not engaged in the widest search possible, this statement cannot be substantiated.

Under certain limited circumstances, a college may engage in a University-wide search to fill a HEO Series vacancy or to fill a vacancy for a classified staff promotional title on a provisional basis. The University-wide Search Procedure relies on the distribution of a vacancy to a variety of local and national organizations and placement of a PVN on a college's website to produce an adequate applicant pool. Please note that if a University-wide search results in a college not being able to locate a qualified non-retired individual to fill a position, the college may be required to re-open or extend the search using the University's Standard Search Procedure.

APPROVED

1/16/01

University Personnel Director