

New York University

UNIVERSITY POLICIES

Title: Recruiting and Hiring Policy and Procedure for Full-Time Faculty and for Professional Research Staff – New York, District of Columbia, & California
Effective Date: February 13, 2020
Supersedes: January 18, 2019
Issuing Authority: Vice Provost
Responsible Officer: Associate Provost for Academic Appointments

Statement of Policy

This Policy governs the recruiting and hiring process for Full-Time Faculty and for Professional Research Staff, as set forth below.

To Whom the Policy Applies

This Policy applies to the recruiting and hiring process for the following positions at New York University in New York:¹ (i) Full-Time Faculty, including Tenured/Tenure Track Faculty, Full-Time Continuing Contract Faculty, and Other (Full-Time) Faculty² (together, “Full-Time Faculty”); and (ii) full-time and part-time Professional Research Staff, including research scientists and scholars (all ranks), and postdoctoral associates (together, “Professional Research Staff”).

This Policy supplements guidelines on academic approval of Full-Time Faculty search and appointment procedures issued from time to time by the Office of the Provost; and policies described fully in the NYU [Faculty Handbook](#).

This Policy does *not* apply in cases of re-appointment of Full-Time Faculty and of Professional Research Staff.

Policy and Procedures

I. RECRUITING PROCESS

A. Job Openings

Full-Time Faculty. Searches for all Full-Time Faculty, whether for a newly created or vacant position, require prior approval from the Provost through the review of annual school Faculty Hiring Plans submitted by the Dean of the School or Director of the Institute (“Deans and Directors”) or

¹ This Policy also applies to the recruiting and hiring process for Full-Time Faculty and for Professional Research Staff at New York University in Washington, D.C. and California.

² Definitions of Tenured/Tenure Track Faculty, Full-Time Continuing Contract Faculty, and Other Faculty, and list of research titles can be found in the Faculty Handbook, [Faculty Titles](#). For purposes of this Policy, Other Faculty includes full-time faculty who are Courant Institute Instructors, Assistant Professor/Faculty Fellows, and Acting Assistant Professors of Law.

through consideration of *ad hoc* requests made throughout the year. As part of the recruitment process, the School or Institute shall follow any necessary steps for position management in *PeopleSync*, the University's online personnel system. These steps can vary depending on whether the position is new or vacant, and may require varying levels of budgetary and salary approval.

Professional Research Staff. When recruiting for a newly created or vacant position for Professional Research Staff, the School shall first follow any necessary steps for job management in *PeopleSync*.

B. Job Searches/Postings

Unless granted an exemption in the manner set forth below, a search must be conducted when recruiting to fill a Full-Time Faculty or a Professional Research Staff position, whether for a newly created or vacant position. As part of the search process, the job description or requirements for the position must be posted for at least five (5) business days on *Interfolio*, the University's applicant tracking system. (*Interfolio* will assign each posting a URL for applicants to access; the URL should be included in all advertisements.) All positions posted on *Interfolio* will automatically be posted on the [NYU Careers site](#). From this site, the posting will be linked to the Higher Education Recruitment Consortium ([HERC](#)) for distribution through its regional and national higher education career websites, the New York State Job Bank, and to diverse job seeker venues (in development).

Note: Given the nature and practice of postdoctoral recruiting and hiring, for purposes of filling a *postdoctoral research associate position in the sciences, technology, engineering, or mathematics*, a School or Institute may: (i) post a position in the manner set forth above, or (ii) at the beginning of *each* academic semester (Fall, Spring, and Summer), post an advertisement on *Interfolio* seeking "expressions of interest" from prospective postdoctoral research associates in the given *discipline* in the manner set forth below.

- There shall be a separate, standalone advertisement for *each* discipline for which the School or Institute is seeking "expressions of interest." The advertisement must be removed at the end of the academic semester and, when recruiting for the next academic semester, a new advertisement must be posted in its place.
- To submit an "expression of interest," the prospective postdoctoral research associate must apply through *Interfolio* in accordance with Section II below. No decisions regarding the basic qualifications of the prospective postdoctoral research associate shall be made, however, until there is a job opening for a newly created or vacant position. If and when there is a job opening, all prospective postdoctoral research associates who submitted an "expression of interest" *in the discipline* may be considered to determine whether they meet the basic qualifications.

Exemptions from Job Searches/Postings

Full-Time Faculty Exemptions. Exemptions from the search and posting requirements set forth in this Policy may be considered:

- (i) where a position is being created to hire a "target of opportunity" based on his or her distinction in the field, typically for senior Faculty who hold tenure at other institutions;
- (ii) where an offer of a position is made to a qualified individual to secure the recruitment or retention of the individual's tenured or tenure-track faculty spouse or partner;
- (iii) for a temporary appointment (e.g., a visiting appointment) not to exceed one academic year, to fill an immediate business need (e.g., to teach a course about to begin or in progress); (Note: should the School seek to fill the position upon conclusion of the temporary appointment, a search will be required in the manner set forth above);

- (iv) where the recruitment is being managed by an external search firm; or
- (v) on the occasion of an academic, scholarly, or business unit being incorporated into the University.

In cases where exemptions are warranted, Schools and Institutes must submit this [Waiver Request Form \(Full-Time Faculty Positions\)](#) to the Office of Equal Opportunity (OEO). Requests for waivers must be made and approved before making an offer of employment to a candidate. Requests will be reviewed on a case-by-case basis by the OEO and the Provost's office, which will make a determination based on the circumstances under the applicable exemption categories listed above.

Professional Research Staff Exemptions. Exemptions from the search and posting requirements set forth in this Policy may be considered:

- (i) for an individual who completed the doctorate or program of postdoctoral study at NYU within the last six (6) months and completion of all degree requirements is documented;
- (ii) for an individual who presents exceptional and distinctive skills and credentials for the particular position;
- (iii) for an individual who was previously identified by name on a written research proposal submitted by the Principal Investigator to an external funding agency;
- (iv) where the School is seeking candidates for the position only from within NYU;
- (v) for a temporary appointment, not to exceed the end of the current grant year, to fill an immediate business need (e.g., to meet the requirements of the grant or contract); (Note: should the School seek to fill the position upon conclusion of the temporary appointment, a search will be required in the manner set forth above);
- (vi) where an offer is made to a qualified individual to secure the recruitment or retention of the individual's tenured or tenure-track faculty spouse or partner;
- (vii) where the recruitment is being managed by an external search firm; or
- (viii) on the occasion of an academic, scholarly, or business unit being incorporated into the University.

In cases where exemptions are warranted, Principal Investigators overseeing the recruitment or their designees must submit this [Waiver Request Form \(Professional Research Staff\)](#) to the OEO. Requests for waivers must be made and approved before making an offer of employment to a candidate. OEO and the Provost's Office will review requests on a case-by-case basis under the applicable exemption categories listed above.

C. Affirmative Action Outreach and Equal Employment Opportunity (EEO)

In accordance with applicable law and the University's [Affirmative Action and Equal Employment Opportunity Policy Statement](#), to assemble a qualified and diverse workforce, the School or Institute recruiting Full-Time Faculty, and the Principal Investigator recruiting Professional Research Staff shall make outreach and recruiting efforts to attract qualified women, racial and ethnic minorities, persons of minority sexual orientation or gender identity, veterans, and individuals with a disability.

In addition to widely publicizing the position in traditional print and electronic media outlets, outreach and recruitment efforts may include traditional outreach through professional networks; contacting colleagues at peer institutions; posting on disciplinary listservs; attending job fairs and career events; contacting professional associations, female and minority professional organizations, and community-based organizations; and participating in mentoring programs.

EEO Tagline. In accordance with applicable law, all job postings shall include the following tagline:

EOE/AA/Minorities/Females/Veterans/Disabled/Sexual Orientation/Gender Identity.

Postings also may include the University's broader [Affirmative Action and Equal Employment Opportunity Policy Statement](#): "NYU is an Equal Opportunity Employer and is committed to a policy of equal treatment and opportunity in every aspect of its recruitment and hiring process without regard to age, alienage, caregiver status, childbirth, citizenship status, color, creed, disability, domestic violence victim status, ethnicity, familial status, gender and/or gender identity or expression, marital status, military status, national origin, parental status, partnership status, predisposing genetic characteristics, pregnancy, race, religion, reproductive health decision making, sex, sexual orientation, unemployment status, veteran status, or any other legally protected basis. Women, racial and ethnic minorities, persons of minority sexual orientation or gender identity, individuals with disabilities, and veterans are encouraged to apply for vacant positions at all levels."

Assistance. OEO is available for a range of services—including workshops—for department chairs, senior administrative staff, chairs of search committees, and faculty engaged in search and hiring processes. The Office of Academic Appointments provides support for *Interfolio*-related questions.

II. APPLICATION PROCESS

All candidates for a Full-Time Faculty position or for a Professional Research Staff position, even where the search was waived, must complete an application in *Interfolio* and upload all relevant materials as indicated in the posting. Interested parties who make general inquiries via phone or who mail or email materials to the University will be directed to submit an application through *Interfolio*. As part of this process, the applicant will be required to complete an application form and attest to the accuracy of its contents.

The University and its constituent Schools and Institutes must abide by certain federal affirmative action requirements, including: inviting all applicants to voluntarily self-identify their gender, race, ethnicity, disability status, and veteran status at the pre-offer stage of employment. As such, candidates will be asked to self-identify in this manner when completing the application in *Interfolio*. Submission of this information is voluntary and refusal to provide it will not subject the applicant to any adverse treatment. Responses will remain confidential within University Human Resources (HR), Office of Equal Opportunity (OEO), Office of Academic Appointments, and Institutional Research, as applicable, and will be used only for purposes of the University's affirmative action planning and to satisfy reporting requirements. When reported in the aggregate, data will not identify any specific individuals.

III. APPLICATION REVIEW

The Department or School faculty search committee (in the case of Full-Time Faculty) or the Principal Investigator or his or her designee (in the case of Professional Research Staff) should conduct an initial review of the pool of applications (including attached cover letters and resumes) to determine which of the applicants meet the minimum qualifications of the position. Where necessary and appropriate, the initial review also may include a phone screen to confirm whether the applicant meets the minimum qualifications of the position, as well as to establish a first impression, clarify an applicant's credentials, confirm salary expectations, determine the applicant's availability, and allow the applicant

to ask questions about the position. Inquiries made during phone screens should comply with the guidelines discussed in the Interview Process section, below.

IV. INTERVIEW PROCESS

Interview questions should be job-related, without any reference to protected status (as that term is defined in the EEO statement above). Below are some examples of acceptable and unacceptable interview inquiries:

- **Age:** Unacceptable: Questions about age, date of birth, or dates of attendance or completion of school. Acceptable: A statement that age will be verified for legal age requirements (e.g., are you at least 18 years of age? If not, can you submit a work permit upon hire?)
- **Birthplace or Citizenship:** Unacceptable: Questions about the birthplace or citizenship of an applicant, or regarding the applicant's parents, spouse, or other relatives. Acceptable: Are you authorized to work in the United States?
- **Caregiver Status:** Unacceptable: Questions regarding child care, the care of a relative with a disability, or the care of any other person with a disability who lives with the applicant.
- **Color or Race:** Unacceptable: Questions about the race of the applicant or color of his or her skin.
- **Credit Standing or Criminal Record:** Unacceptable: Asking the applicant about his or her credit standing or criminal record.
- **Disability or Predisposing Genetic Characteristics:** Unacceptable: Asking if the applicant has any mental or physical conditions, or other impairments; about the applicant's general health; about any predisposing genetic characteristics, or if the applicant has ever received worker's compensation benefits. Acceptable: Is the applicant able to perform the essential functions of the position for which he/she has applied with or without reasonable accommodation?
- **Ethnicity or National Origin:** Unacceptable: Questions about the ethnicity or nationality of the applicant or the applicant's spouse, parent, or other relatives; the applicant's native tongue; how the applicant acquired the ability to read, write, or speak a foreign language. Acceptable: Asking the applicant about foreign languages the applicant reads, speaks or writes, if job-related.
- **Familial, Marital, Parental, Partnership, or Pregnancy Status:** Unacceptable: Questions regarding the name of a spouse/domestic partner, parent, or child (unless otherwise provided below); concerning the number or ages of children or dependents; about reproductive health decision making, pregnancy, childbearing or birth control; whether the applicant is a victim of domestic violence. Acceptable: Statement of policy regarding work assignment of employees who are related. Asking for the names of the applicant's relatives already employed by the University.
- **Gender, Gender Identity, Sexual Orientation:** Unacceptable: Questions about an applicant's gender, gender identity, or sexual orientation.

- **Organizations.** Unacceptable: Asking the applicant identify all organizations, clubs, societies, and lodges to which he or she belongs. Acceptable: Asking about membership in organizations that the applicant considers relevant to his or her ability to perform the job.
- **Prior Lawsuits.** Unacceptable: Asking if the applicant has filed a past lawsuit, complaint, or charge.
- **Religion or Creed.** Unacceptable: Questions regarding the applicant's religion, doctrine, or beliefs; religious days observed; if the applicant's religion or creed prevents him or her from working weekends or holidays. Acceptable: A statement of regular days, hours, or shifts to be worked.
- **Salary History.** Unacceptable: Inquiring about an applicant's prior salary, benefits, or other compensation (collectively, "salary history"). Acceptable: Informing the applicant about the position's proposed or anticipated salary or salary range; without inquiring about salary history, engaging in discussion with the applicant about his or her expectations with respect to salary, benefits and other compensation; inquiring into the objective measure of the applicant's productivity such as revenue, sales, or other production reports; considering an applicant's salary history where the applicant disclosed his or her salary history voluntarily and without prompting.
- **Unemployment Status.** Unacceptable: Asking if the applicant is currently unemployed. Acceptable: Asking if the applicant has a current and valid professional or occupational license; a certificate, registration, permit, or other credential; a minimum level of education or training; or a minimum level of professional, occupational, or field experience. Asking if the applicant is currently employed by the University.

V. REFERENCES

Depending on the position and/or School and Institute practice, letters of reference may be required for all applicants or only for those considered finalists. *Interfolio* allows the applicant to upload name and contact information for as many references as are required. Reference providers are contacted by *Interfolio* and receive a link to upload their letters, which are shared confidentially with the hiring committee.

Please take note that, when checking references, do not inquire into the candidate's salary history, unless the candidate has disclosed his or her salary history voluntarily and without prompting.

VI. OFFER AND ONBOARDING PROCESS

Approvals. Prior approval for making an offer of a Full-Time Faculty position is required from the department chair and/or the Dean/Director, as School and Institute processes provide, and by the Provost for senior Faculty hires-with-tenure. Typically, offers of a Professional Research Staff position are decided by the Principal Investigator, consulting as appropriate with the Office of Sponsored Programs and/or Sponsored Research Accounting and, as per School and Institute practice, with the School and Institute officer, with respect to externally funded budgets and research titles.

Offer/Appointment. Applicants offered a position will receive an offer/appointment letter setting forth the terms and conditions of their employment, including the start date for the position,

compensation and benefits, any required and recommended training, and any contingencies upon which the offer is based.

Voluntary Self-Identification. All new hires will be asked to voluntarily self-identify their race, ethnicity, gender, disability status, and veteran status in *PeopleSync* by the start of their employment, in accordance with applicable law and the standards set forth above.

I-9 Verification. All new hires are required to present original documentation that verifies their eligibility to work in the United States no later than the first day of employment. For more information, please review the [Policy on Employment Eligibility Verification \(I-9\)](#).

Once the applicant has accepted the offer and the onboarding process is complete, all other applicants should be notified that the position has been filled.

VII. RECORDKEEPING

For recordkeeping and data tracking purposes, all applicants must be dispositioned in *Interfolio* through the appropriate “disposition code.”

Related Policies

- *Recruiting and Hiring Policy and Procedure for Administrators and Staff – New York, District of Columbia, and California*
 - <http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/recruiting-and-hiring-policy-and-procedure-for-administrators-and-staff--new-york-and-distri.html>