

**3359-9-01 Appointments to the classified and unclassified civil service.**

- (A) The board recognizes that the civil service of the state is "... divided into the unclassified service and the classified service..." and, that the "...unclassified service shall comprise the following positions, which shall not be included in the classified service...":

"...All presidents, business managers, administrative officers, deans, assistant deans, instructors, teachers, and such employees as are engaged in educational or research duties connected with..." the university of Akron as determined by the board of trustees, as defined in division (A)(7)(a) of section 124.11 of the Revised Code.

- (B) Pursuant to the rules of the board of trustees, the president and the president's designee(s) are empowered to employ, set compensation for and remove full-time administrative officers, faculty, professional staff, and unclassified staff members and all part-time employees and classified staff, and to perform all other personnel actions, except as otherwise provided in rules 3359-1-02 and 3359-7-01 of the Administrative Code. All appointments shall identify the classified or unclassified status of the position. By virtue of appointment to the classified or unclassified service, such employee shall be subject to the authority of the president, or the president's designee(s) who shall have the discretion at any time during the term of appointment to make or to authorize assignments, reassignments, or other administrative changes in an individual's duties or responsibilities, including but not limited to changing administrative designations or reporting relationships.
- (C) Certificates of appointment, letters, job descriptions, or other instruments documenting or issued by the appointing authority shall not be constructed to limit the discretion and authority of the president, or the president's designee(s).
- (D) Employment and compensation of employees of the university of Akron is the responsibility of the board, and the board has authorized the president and the president's designee(s), but no other officer or employee of the university of Akron, to employ, remove, fix the compensation of, or in any manner whatsoever create any expectancy of employment or reemployment, except as expressly authorized in the bylaws, rules, and regulations of the board, and consistent with the authority and limitations of this rule, and rules 3359-1-05, 3359-20-06.1 and 3359-22-01 of the Administrative Code. All offers of employment shall be subject to the approval of the board of trustees and/or the president or the president's designee(s), and no person shall be entitled to rely upon any verbal or written representation to the contrary.
- (E) The board of trustees will act upon all personnel actions that involve full-time administrative officers, faculty, professional staff, and unclassified staff members whose employment is pursuant to a personal multi-year employment agreement.
- (F) The office of general counsel shall provide advice and counsel with respect to the negotiation and terms of such contractual arrangements and shall review all such documents for legal form and sufficiency. Prior to any board meeting at which board

approval will be requested for the employment of such individual(s), the document(s) containing all proposed terms of employment shall be provided to the board of trustees for its review.

(G) This rule shall not apply to undergraduate, graduate or professional students.

Effective: 10/14/2023

Certification:

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M. Celeste Cook  
Secretary  
Board of Trustees

Promulgated Under: 111.15

Statutory Authority: 3359.01

Rule Amplifies: 3359.01

Prior Effective Dates: Prior to 07/20/1990, 09/21/1995, 08/09/1996,  
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