

### **3359-11-17.2 Spousal hire policy for all employees other than bargaining unit faculty.**

This rule shall apply to all twelve month faculty who are not bargaining unit faculty, and it shall apply to professional staff.

- (A) Statement of purpose. In the academy it is becoming increasingly common that some individuals recruited to positions within the university through a national search have a "trailing spouse" who may also have a professional career. In an effort to assist the university in attracting and hiring the best candidates for employment, it is necessary to enact a spousal hire policy to enable the university to offer employment assistance or opportunities to candidates' trailing spouses in those circumstances deemed warranted. However, nothing in this policy shall be deemed to create any entitlement to employment assistance or employment or any other obligation with respect to any candidate's spouse, unless expressly made a part of the employment offer made in writing to a candidate recruited through a national search, and thereafter approved by the board of trustees.
- (B) Definitions.
  - (1) Candidate shall mean an individual the university has identified through a national search and to whom the university wishes to extend an offer to fill an available position within the university.
  - (2) Spouse shall mean someone married, as defined by Ohio law, to a candidate for employment at the university of Akron.
  - (3) Spousal hire, for purposes of this policy, shall mean an offer made by the university of Akron to an individual who the university has identified as a candidate to employ one of the mechanisms outlined in this policy to assist the candidate's spouse in locating employment in the geographic area surrounding the university, or within the university.
- (C) Eligibility for application of the spousal hire policy.
  - (1) This policy shall only apply to positions, other than those for bargaining unit faculty, for which the university has conducted a national search.
  - (2) Spousal hires shall not be made that would require the management of potential conflicts pursuant to the university's conflict of interest and conflict of commitment policy, located in rule 3359-11-17 of the Administrative Code.
  - (3) A spousal hire offer of assistance or opportunity for a candidate's trailing spouse shall only be made prospectively at the time of the candidate's original hire and shall not be made retroactively.
  - (4) Spousal hire offers of assistance or opportunity are limited based upon university need and resource limitations, and no spousal hire shall be made without full

consideration of the financial effect of such a hire. No spousal hire shall be made without the appropriate approvals consistent with the university of Akron's affirmative action plan, and appropriate consideration of the specific departmental needs and its concurrence with the spousal hire.

- (D) The president of the university may implement the provisions of this policy through any mechanism deemed reasonable, subject to approval of the board of trustees, which may include, but is not limited to, any of the following:
- (1) Providing assistance in networking and identifying employment opportunities within a fifty mile radius of the university.
  - (2) Filling a full- or part-time vacant position.
  - (3) Creation of a shared position, if the spouse is in the same field as the candidate.
  - (4) Creation of a professional staff or staff position.

The terms of offer to any candidate and candidate's spouse pursuant to this policy, with their signed acceptance thereon, shall be documented in a letter of offer or proposed agreement which shall include the terms of the spousal hire assistance to be provided by the university, subject to approval by the board of trustees.

- (E) An offer of spousal hire pursuant to this policy shall not normally be made within the same department as the candidate except in rare and compelling circumstances.
- (F) The terms and conditions of a spousal hire shall be consistent with the terms and conditions of employment for similarly situated employees. For example, if a spouse is hired into a vacant or newly created professional staff position, he or she is subject to the same employment rules that generally apply to professional staff, including but not limited to standard terms of reappointment, non-reappointment and termination, with no additional employment right or expectancy whatsoever arising from their initial status as a spousal hire.

Effective: 10/14/2023

Certification:

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M. Celeste Cook  
Secretary  
Board of Trustees

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Rule Amplifies: 3359.01

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