Procedure Statement

This procedure establishes the intention and scope for Texas A&M University – Kingsville in the announcement and filling of vacant positions and applies to all full-time and part-time faculty and staff employment.

Reason for Procedure

The procedure is required by System Regulation 33.99.01, Employment Practices.

Procedures and Responsibilities

1. VACANCY ANNOUNCEMENTS

1.1 University supervision may promote or transfer qualified internal candidates (employees from within the University) to fill positions without posting a vacancy. The University has established a written procedure for filling positions by promotion or transfer in accordance with System Regulation 33.99.04, Promotion, Transfer and Voluntary Moves.

1.2 When qualified applicants are available within the university, the human resources officer and the appropriate Vice President may authorize limiting vacancy announcements internally within the University community.

1.3 All other position vacancies for which external candidates (individuals from outside the university) will be considered must be posted.

1.3.1 Vacancies in nonfaculty budgeted positions will be posted for at least five days with the university’s Human Resources department.

1.3.2 In accordance with federal and state law, if external candidates (individuals from outside the university) will be considered for a budgeted or wage employment opening, the vacancy will be listed with the Texas Workforce Commission. Student positions are excluded from this requirement.
1.3.3 In addition, to ensure a diverse applicant pool, the University and or respective departments may advertise openings in periodicals, post announcements on and off site, list openings with professional associations, enter announcements in appropriate databases and use other means to widely publicize the open position. All postings must refer applicants to the University online job website at https://javjobs.tamuk.edu.

1.4 The University President or designee must approve any waiver of normal posting and recruiting procedures in Section 1. However, the posting requirements under Section 1.3.2 of this regulation cannot be waived.

2. EQUAL OPPORTUNITY AND RECRUITING

In accordance with System Policy 08.01, Civil Rights Protections and Compliance, the University will provide equal opportunity for employment to all persons and the University is committed to the development and maintenance of programs for building diversity in potential candidate pools.

3. EMPLOYMENT SELECTION RECORDS RETENTION

The University’s Human Resources Office will maintain, in accordance with the respective retention periods in The Texas A&M University System Records Retention Schedule, employment applications, employment selection records and other records that document the selection process on all job applicants.

4. SEARCH COMMITTEES

The University has established written procedures for full-time faculty and staff searches that use committees. These procedures provide guidelines for ensuring consistency in search procedures and establish parameters for the focus and scope of searches. All Search Committees must comply with training provided by Human Resources and the Office of Compliance. A search committee is required for all academic positions and for all staff positions at the X10 level paygrade or higher.

5. NEPOTISM IN HIRING PRACTICES

In keeping with the spirit of System Policy 33.03, Nepotism, a university employee may not participate in any practices that may involve the selection of an individual that is directly or indirectly related within the third degree by consanguinity (blood) or the second degree by affinity (marriage).

5.1 University employees may not be involved in the search, selection, or appointment of any other candidate seeking to fill the same position for which their direct or indirect relative is also a candidate.

5.2 University employees must recuse themselves from committee activities that involve any search, selection, or appointment pertaining to the potential employment of a direct or indirect relative.

5.3 University employees may not participate in any deliberation or voting on candidates, reappointment, confirmation of the appointment or reappointment, employment, reemployment, change in status, compensation, performance appraisals, or dismissal of the related individual.

6. EMPLOYMENT

6.1 Hiring decisions shall be based on job-related factors such as required or preferred education,
experience, knowledge, skills, abilities, license(s), certification(s), results of reference checks and success in previous employment.

6.2 An individual who qualifies for a veteran’s or former foster child’s employment preference under Texas Government Code, Chapters 657 and 672 respectively, is entitled to a preference in employment over other applicants for the same position who do not have a greater qualification.

6.3 Every offer of employment for a budgeted position shall be conditioned on verification by the hiring supervisor or appropriate person of education, license and certification requirements, relevant previous employment and other job-related credentials. Every offer of employment for a wage position should be conditioned on verification by the hiring supervisor or appropriate person of any relevant job-related credentials.

6.4 The general rule for staff new hires will be the minimum of the appropriate pay grade/level. The hiring manager may, however, request approval to offer a salary above the minimum in those instances where the candidate has significant qualifications, education, or experience in excess of the minimum required for the position. The Executive Director of Human Resources may approve a starting salary variance between minimum and midpoint. Requests for a higher starting salary require additional approval through the respective Vice-President and Executive Director of Human Resources to the University President for final approval.

6.5 Criminal history checks will be conducted in accordance with System Regulation 33.99.14, Criminal History Record Information–Employees and Applicants.

6.6 No new employee will be permitted to begin employment if the Form I-9 has not been completed prior to or on the start of employment date.

6.7 All new employees to the University will be required to participate in appropriate New Employee Orientation and training prior to reporting to their respective worksite.

7. SELECTIVE SERVICE REGISTRATION

All offers of employment to males ages 18 through 25, in budgeted or wage positions, must be contingent on proof of the applicant's compliance with federal selective service law. If the applicant is not currently registered, but is required to be, he may be given an opportunity to register before he is hired. Proof of compliance may not be required until a contingent offer of employment is made because confirmation may require that the system gather information that may not be used during the selection process.

8. APPROVAL TO HIRE

A vacancy may not be posted and an offer of employment may not be made until the position and proposed salary have been approved based on the University’s defined new employee hiring written process.
Related Statutes, Policies, or Requirements

Texas Government Code § 651.005
Texas Government Code § 656.001
Texas Government Code, Chapter 657
Texas Government Code, Chapter 672
Texas Government Code, Chapter 573
41 C.F.R. § 60-250.5
System Regulation 08.01.01, Civil Rights Compliance
System Policy 33.03, Nepotism
System Regulation 33.99.04, Promotion, Transfer and Voluntary Moves
System Regulation 33.99.14, Criminal History Record Information—Employees and Applicants

The Texas A&M University System Records Retention Schedule

Definitions

Wage Position – a temporary position funded from a lump-sum budget category. Such a position will fit within one of two categories: 1) a student wage position which requires student status as a condition of employment; or 2) a wage position created to accommodate temporary labor needs, such as work of an intermittent nature or having a brief, fixed duration.

Affinity – Two individuals are related to each other by affinity if (1) they are married to each other; or (2) the spouse of one of the individuals is related by consanguinity to the other individual. The ending of a marriage by divorce or the death of a spouse ends relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is considered to continue as long as a child of that marriage lives. (See Texas Government Code § 573.024.)

Consanguinity – Two individuals are related to each other by consanguinity if (1) one is the descendant of the other; or (2) they share a common ancestor. An adopted child is considered to be a child of the adoptive parent for this purpose. (See Texas Government Code § 573.022.)

Contact Office

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