



George Mason University is an equal opportunity employer committed to employing an inclusive and diverse faculty and staff. As a general rule, and in accordance with Mason’s non-discriminatory recruitment and hiring practices, any vacant position will be filled by conducting a competitive search for the most qualified candidate. Under limited circumstances, exceptions can be permitted with appropriate justification and when it is in the best interest of the university. The Vice President of Diversity, Equity, and Inclusion (DEI), the responsible Vice President (VP) or Provost, and Human Resources & Payroll (HR) will review requests for exceptions. The Vice President of DEI will have final approval authority to determine if the waiver meets the criteria and will be granted in consultation with the SVP or Provost and HR.

The university’s Recruitment and Hiring of University Employees Policy, University Policy 2224 and its procedures, along with the Commonwealth of Virginia’s Department of Human Resources Management Policy 2.10 Hiring, provide guidance for a consistent competitive hiring process. For additional information on Instructional/Research faculty waivers, please refer to the university’s Faculty Handbook, section 2.3.2.2 Non-competitive Appointments.

Guidelines and Preparation for Requesting a Waiver from Recruitment Search

Waivers to the competitive search process are expected to be rare and only available when certain criteria are met and non-academic/ academic unit (unit) necessity is demonstrated. Waivers require appropriate justification and are only granted under extenuating circumstances when it is in the best interest of the university. When a waiver is granted, it is not a confirmation that the unit can hire a candidate; it is the first step toward completing the hiring process.

Waivers from recruitment search *are not* needed for the following classifications or designations which are governed by existing policies:

- **Postdoctoral Research Fellow positions:** Refer to [University Policy 4018](#): Postdoctoral Research Fellows.
- **Classified Staff positions:** Refer to [University Policy 2224](#): Hiring of University Employees and its corresponding procedures and the [Department of Human Resources Management Policy 2.10 Hiring](#).
- **Promotions and Transfers (including converting Classified positions to Administrative Professional Faculty positions):** Contact HR Classification and Compensation for guidance on career progression or promotion and transfer of a staff member.¹ Or, if applicable, refer to the Faculty Handbook, policies and procedures relating to promotion and tenure.

¹ OFCCP Federal Contract Compliance Manual (FCCM): A promotion is defined as “[a]ny personnel action resulting in, for example, the movement to a position affording higher pay, greater rank, change in job title, or increase in job grade; an increase in pay, requiring greater skill or responsibility; or the opportunity to attain such. A promotion may be either competitive or noncompetitive.” A transfer is defined as “movement (usually lateral) of an employee from one position or function to another.”

Waivers *may be* granted under one or more of the following circumstances:

1. The selected candidate meets all the required qualifications as outlined in a current description of the position.
2. The selected candidate is a high-profile teaching professional with a unique skillset to fill a reoccurring multi-year visiting faculty position on a semester basis. Based on individual submissions and review, multi-year contracts may be granted up to a maximum of five (5) years, without annual waiver approval.
3. The unit has reviewed the Recruitment and Hiring of University Employees Policy 2224 and has a justifiable and defensible reason to waive the competitive search process.
4. The unit must demonstrate that the hire meets all of Mason's and the Commonwealth's criteria for employment, *and* that this hire has demonstrated a commitment to diversity and inclusive excellence consistent with the goals of the Commonwealth of Virginia's One Virginia Plan.
5. The unit has identified a strategic opportunity or unmet need as defined in the requirements below.

Consideration will be given for the following circumstances:

1. The hiring department's past practices with respect to justifications for requests (including the frequency of requests, type of requests, etc.).
2. Whether an immediate critical need exists that does not allow for the time to go through a competitive search process.
3. Individual has been identified to assume acting or interim appointment for a temporary period that is not subject to guidance from the Faculty Handbook. If so, the waiver should be marked as temporary on the Request for Waiver from Recruitment Search Form, and include justification for the proposed length of appointment. This waiver is valid for up to one year and is identified on the Request for Waiver from Recruitment Search Form.
4. Unique qualifications or unique positioning in the market that make a search counterproductive and could jeopardize retaining or hiring this uniquely qualified candidate. Qualifications must be truly rare on a national or international basis.
5. A unit has the opportunity to secure a research or instructional faculty member on a permanent basis with specific, highly specialized skills, such that a search would be futile. A letter of endorsement from the SVP, or Provost, or their designee should be attached attesting to the candidate's specialized skills.
6. An accompanying spousal/partner appointment becomes beneficial to the University's programmatic needs. Documentation should be attached establishing the programmatic needs justifying employment for the accompanying spouse/partner with written endorsements from the SVP or Provost, or their designee. Coordination and approval must be obtained by the hiring department and must follow university policies and procedures, and the Faculty Handbooks, when appropriate. Please refer to the Provost policy on dual hires on the Provost's website, or reach out to the Provost office.

If the Request for Waiver from Recruitment Search is approved, the unit must follow the standard hiring process by submitting the hiring proposal. All the appropriate approvals for the hire must be made prior to extending an offer to the candidate.

Approval of the Request for Waiver from Recruitment Search does not mean that the proposed salary listed has been approved. The proposed salary will be reviewed as part of the faculty hiring proposal process.

Process for Requesting a Waiver from Recruitment Search

1. If a position number has not been identified, route a Position Maintenance Form (PMF) with a position description to HR Classification & Compensation (C&C) prior to submitting the Request for Waiver from Recruitment Search Form following the standard process.
If an existing vacant position number has been identified, the position description needs to be submitted to HR Classification & Compensation for an updated review prior to submitting the Request for Waiver from Recruitment Search Form.
2. Complete the Request for Waiver from Recruitment Search Form in its entirety which includes:
 - a. Reviewed position description, PMF (if applicable), candidate's CV/resume, and any other relevant candidate documentation identified in the requirement section above.
 - b. Attach the unit documentation to *include* the following justifications:
 - i. Statement describing how the potential direct hire will meet the academic unit's approved hiring plan, if one is in place;
 - ii. Summary of how the potential direct hire's education, skills and experience will assist the department in meeting its priorities, goals, or strategic plans;
 - iii. Any other relevant details of the effect on the academic unit if waiver is not granted. A justification that stipulates the relationship or importance of the individual's qualifications or expertise to the strategic priorities of the school/university; and
 - c. A brief summary of the temporary or permanent nature of the request and why this it is needed.
3. Submit the completed Request for Waiver from Recruitment Search Form for review which will include, but not limited to the review of the position description, compensation, overall scope of the position within the organization of the unit and the university, and other exceptional circumstances.
4. If the Request for Waiver from Recruitment Search Form is approved, the department must include a copy of the approved waiver and the documentation supporting the justification for the waiver with the faculty hiring proposal and maintain a copy in the faculty member's personnel file.

Reminder: No verbal or written offers should be negotiated with the selected candidate until final approvals are granted.



Request for Waiver from Recruitment Search Form

Instructions: Complete all fields and attach all documentation required. Requests received without the required documentation will be returned to the requestor and will delay the review of the request. Upon completing this Form, please forward the Form and supporting documents to the Office of Diversity, Equity and Inclusion (<https://diversity.gmu.edu/>). Please see Procedures for Waivers from Recruitment Search for Faculty (Instructional and Research Faculty, Research Staff, and Administrative Professional) for more detailed directions. Offers must not be extended, nor salaries negotiated with the desired candidate until all approvals have been obtained.

Waiver Position Information:

Name of School or College:

Name of Potential Candidate:

Proposed Faculty Position:

Proposed Rank: Open

Proposed Title:

Proposed Salary:

Current Status at Mason: Choose an item.

Previous Incumbent:

Proposed Hire Date: Click here to enter a date. **Position End Date:** Click here to enter a date.

Gender: Choose an item.

Race: Choose an item.

Ethnicity: Choose an item.

Department Contact Name, Email and Phone Number:

Reason for Request (please choose primary reason): Choose an item.

If Other (please provide explanation):

Ensure the justification attached addresses the circumstances under which a waiver may be granted, as stated in the Procedures for Waiver from Recruitment Search for Instructional/Research Faculty, Research Staff, and Administrative/Professional Faculty. In addition, the justification must demonstrate that the unit has performed a compensation analysis to determine how hiring this candidate will impact the equity of the current staff.

Approvals Required	Name	Signature	Date
Department Authorization			
Appropriate VP (or designee) Authorization			
Human Resources Authorization (must be obtained prior to moving forward)			
Provost/Senior Vice President Authorization (or designee, as applicable)			
Compliance, Diversity and Ethics Authorization			