



UNIVERSITY of
DENVER

UNIVERSITY OF DENVER POSTING PROCEDURES FOR FACULTY, STAFF AND STUDENT POSITIONS

Responsible Department: Human Resources

Recommended By: Provost and Executive Vice Chancellor, SVC
Business and Financial Affairs and Interim Vice Chancellor of
Human Resources and Inclusive Community

Approved By: Chancellor

Policy Number

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I. INTRODUCTION

The University of Denver (“the University”) is committed to affirmative action and equal opportunity. The University is committed to enforcing non-discrimination policies and making the University a non-discriminatory work and education environment in which all individuals are treated with respect and dignity. The University provides equal opportunity in employment, educational activities, and other programs to all employees, students, and applicants. The University shall not discriminate against any person in the University’s education or employment programs and activities on the basis of race, color, national origin, ancestry, age (40 and over), religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.

II. PROCEDURAL OVERVIEW

A. Overview of the Colorado Equal Pay for Equal Work Act

To fulfill the University’s commitments as an affirmative action and equal opportunity employer and to comply with the requirements of the Colorado Equal Pay for Equal Work Act (the “Act”), the University will post required job openings and promotional opportunities (“Job Postings”) to all employees for the minimum period specified in the Employee Handbook via PioneerJobs for faculty and staff positions and via Pioneer Careers (“PCO”) for student positions, as further described in the Faculty Hiring Guide, Staff Hiring Guide, or Student Employee Hiring Checklist, as applicable.

Generally, the Act requires an employer to post all open or new positions. This requirement is broader than just new or open jobs and includes all promotions for existing employees, additional duty contracts, chair appointments, as well as opportunities for promotion in rank and tenure.

All Job Postings must include at least the following information, as well as other information specified in the applicable hiring guide/checklist:

1. Information about the University’s mission;
2. A stated commitment to diversity and inclusion;
3. A description of the unit;
4. The job title;
5. Required and preferred qualifications;
6. The hourly rate or salary compensation (or a range thereof) that the employer in good faith believes it may pay for the particular job;

7. A general description of any bonuses, commission, or other forms of compensation that are being offered for the job;
8. A general description of all employment benefits that the employer is offering for the position;
9. Information on how to request an accommodation through the application process; and
10. Expectations for applicants and future employees such as background checks or other pre-hire requirements.

B. Description of the Limited Exceptions to Posting Requirements under the Act

The Act and its implementing rules specify three limited exceptions to the posting requirements:

1. Confidential searches where an incumbent is still in the position;
2. Automatic promotions after a probationary period within one year of hire; or
3. Filling a position on a temporary, acting or interim basis for up to six months.

Confidential Searches: A promotional opportunity need not be posted to all employees if the employer has a compelling need to keep a particular opening confidential because the position is still held by an incumbent employee who, for reasons other than avoiding job posting requirements, the employee has not yet made aware they will be separated. If any employees are told of the opportunity, all employees must be told who either (1) meet the minimum qualifications; or (2) have a job “substantially similar” to any employees being told of the opportunity. If the need for confidentiality ends before any deadline to apply for the job, the University must then promptly comply with applicable posting requirements.

Automatic promotion after trial period: No promotion posting to other employees is required for a promotion within one year of an employee being hired with a written representation (whether in an offer letter; in an agreement; or in a policy the employer publishes to employees) that the University will automatically consider the employee for promotion to a specific position within one year based solely on their own performance and/or employer needs.

Temporary, acting or interim hires. No immediate promotion posting is required to fill a position on a temporary basis for up to six months where the hiring is not expected to be permanent, e.g., an acting or interim position. If the hire may become permanent, the required promotion positing must be made in time for employees to apply for the permanent position.

C. Application of Job Posting Requirements of the Act

The hiring manager must consult with the Office of the Provost (for faculty), the applicable HR partner (for staff), or the Office of Student Employment (for students) to determine if any of these limited exceptions apply to an open position or promotional opportunity. See the scenarios below for situations in which a posting may or may not be required.

1. Positions Up to Six Months

- Job Postings are not required to fill a temporary role that lasts up to 6 months, such as a seasonal worker. However, if the job is expected to or may last more than 6 months, the University must issue a Job Posting for the position.

Example: The University asks a professor to work on a special project for a duration of up to 6 months and compensate the faculty member for the additional work. This would not require a Job Posting.

Example: The University hires a counselor for a summer camp that will last 1 month. This would not require a Job Posting before making the seasonal hire.

Example: A college needs to appoint a faculty member to be chair of a department. The appointment is expected to be for an academic year and will result in an additional stipend for the faculty member serving as chair. A Job Posting is required because the position will last longer than six months.

Example: The University appoints an existing employee to serve in an interim role. A job posting is not required if the interim role will last no more than six months while the University conducts a search. If there is any chance the interim role will last more than six months, best practice is to issue an internal job posting before appointing an existing employee to serve in the interim role. If the department issues an internal posting prior to the appointment, there is no need to repost the position if the role lasts more than six months. However, if the department did not issue an internal posting and the department desires to have the employee appointed to the interim role extend beyond six months, the department must issue an internal posting prior to extending the appointment.

- Job Postings may not be required where there is an immediate need in isolated incidents such as a sudden and/or unforeseen departure of an administrator or leader of the University, provided that the term of the interim appointment must not exceed 6 months. The unit must request approval from the HR partner prior to any such interim appointment.
- Job Postings are required to appoint adjunct faculty members to a specific teaching assignment.

Example: The University has hired a number of adjunct faculty members to be available to teach courses as needed each term. Prior to making an assignment of a particular course to an adjunct faculty member, the University must post the availability of the course assignment to all employees.

- Job Postings are required to hire adjunct faculty members to be available for teaching assignments.

Example: The University does not have an adjunct faculty member already hired to teach in a particular discipline or a particular course. The University must issue a Job Posting before hiring an adjunct faculty member.

2. Use of an Applicant Pool from a Recently Posted Position

- Job Postings may not be required where a department is using an applicant pool from a similar position for which there was a Job Posting within the prior 120 days. Both

positions must have the same responsibilities, qualifications, job requirements, compensation range and benefits.

Example: If a department posts a position for an administrative assistant and fills the position, and then two months later, another department needs to hire an administrative assistant, the second department can hire someone who was considered for the previously-posted position.

Example: If a department posts a position for a research associate and fills the position, and then three months later, the department has a resignation of a current research associate, the department can hire someone who was considered for the previously-posted position.

3. Conversion of a Non-Appointed/Non-Benefitted Position to an Appointed/Benefitted Position

- A Job Posting may not be required to place a current non-appointed/non-benefitted employee into an appointed/benefitted position, but only if (a) the individual was selected for the original non-benefitted position after an open and competitive search within the past year; (b) the original position had the same or similar set of job responsibilities and required qualifications; (c) the individual must possess all required qualifications of the position; (d) the current supervisor must document that the employee has satisfactory or above performance; and (e) the department posts the benefitted position internally with all required information, including related to benefits.

Example: A department conducts a competitive search for a non-benefitted employee to do data entry and analysis, makes a selection, and hires an employee, and then the department decides to hire a full time benefitted employee to do the same tasks. After the department posts the position internally with all required information including benefit information, the department may hire the non-benefitted employee to move into the benefitted role, provided the employee meets the stated qualifications and performance requirements.

D. PROCESS/PROCEDURE OVERVIEW

A. Process for Seeking a Waiver of Posting for Staff Hires

1. The division business officer, in collaboration with the hiring manager, submits a request to their HR partner.
2. The HR Partner, in collaboration with Recruiting, will review the request as well as the job description and supporting information for the request.
3. Once reviewed, the HR Partner will email the division business officer and hiring manager notifying them of the outcome.
4. If approved, division business officer will enter the appropriate workflow request.

B. Process for Seeking a Waiver of Posting for Faculty Hires

1. The department chair/director will work with the dean to determine the requirements of the position.
2. The dean will submit the request to the Office of the Provost.
3. The Office of the Provost will review the request, in consultation with HR partners as needed, and will respond to the dean regarding the request.

C. Process for Seeking a Waiver of Posting for Student Hires

1. The Office of Student Employment encourages posting of all student employment opportunities.
2. To determine if a particular position does not require a Job Posting, contact the Office of Student Employment.

E. DEFINITIONS

Under the Act and its implementing rules, a “promotional opportunity” means when the University has or anticipates a vacancy in an existing or new position that could be considered a promotion for one or more employee(s) in terms of compensation, benefits, status, duties, or access to further advancement.

Date Revised	Purpose	Effective Date	Approved by