Regulation Statement

The employment practices of members of The Texas A&M University System (system) shall be in accordance with the provisions of this regulation.

Reason for Regulation

The system establishes standard employment practices in accordance with federal and state law.

Procedures and Responsibilities

1. VACANCY ANNOUNCEMENTS

1.1 System members may promote or transfer qualified internal candidates (employees from within the system) to fill positions without posting a vacancy. Each system member shall establish 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 system, the human resources officer or appropriate academic vice president (for faculty positions) may authorize limiting vacancy announcements internally within that system member or internally within the system.

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

1.3.1 Vacancies in nonfaculty budgeted positions must be posted for at least five days with the system member’s Human Resources department, unless the member’s procedures dictate an alternate posting location. Vacancies in faculty positions must be posted with the appropriate academic vice president.
or equivalent and, if required by member procedures, with the Human Resources department.

1.3.2 In accordance with federal and state law, if external candidates (individuals from outside the system) will be considered for a budgeted or wage employment opening, the vacancy must 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, system members 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.

1.4 The system member chief executive officer (CEO) 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 system will provide equal opportunity for employment to all persons and system members are encouraged to develop and maintain programs for building diversity in potential candidate pools.

3. EMPLOYMENT SELECTION RECORDS RETENTION

Each system member 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

Each system member shall establish written procedures for faculty and staff searches that use committees. The procedures should provide guidelines for ensuring consistency in search procedures and establish parameters for the focus and scope of searches.

5. EMPLOYMENT

5.1 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.

5.2 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.
5.3 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.

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

5.5 Foreign nationals may only be employed in accordance with System Regulation 33.99.09, Employment of Foreign Nationals.

6. 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.

7. 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 member’s written procedures.

8. SYSTEM MEMBER PROCEDURES

Each system member shall publish a procedure to be followed in the hiring process which will include timely orientations and appropriate training as required by law, or system policy or regulation.

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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

41 C.F.R. § 60-250.5

System Regulation 08.01.01, Civil Rights Compliance
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.

Contact Office

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