

## Direct-Hire Waiver Reasons

All waivers of the recruitment process must be approved by the OHR before the position is offered. Open recruitment for Academic, Faculty, Limited, Temporary and University Staff positions is not required when one of the following criteria is met:

- a. Appointments of 25 percent full-time equivalent or less – used for Academic and University Staff appointments at 25 percent FTE or less. The candidate does not need to be a current UW employee.
- b. Fixed-term Terminal/Finite positions with duration of two years or less – used for Academic and University Staff Fixed-term Terminal/Finite appointments that will not exceed two years in length.
- c. Temporary acting appointments – used for Academic Staff and Limited Terminal appointments, up to two years, to meet interim university needs. Typically reserved for high-level administrative positions other than faculty and used until recruitment is completed.
- d. Leave of absence temporary replacement (ADA, FMLA, other) – used for Academic, Limited and University Staff when a terminal appointment is used to fill a position when an employee goes on paid or unpaid leave and a replacement is necessary until the incumbent returns. Typically used for medical leaves. NOTE: If the incumbent terminates employment and does not return, an open recruitment is necessary to fill the position.
- e. Training completion for Post Degree Training titles – used for Post Degree Training appointments, formerly Employees-in-Training (EIT), who have completed their training and are being appointed to an Academic Staff position in the same UDDS in which they have held the Post Degree Training position for at least 1.5 years. This waiver reason only applies to Research Associate and Postdoctoral Fellow/Trainee within the [Post Degree Training titles](#).
- f. Referral priority/reemployment of individuals impacted by layoff – used to employ former or current employees who have been impacted by layoff within the timeframe specified on their official layoff notifications. The referral priority/reemployment process applies to employees who have had their employment terminated (only applies to non-performance related) or who have been officially notified their positions will be eliminated due to funding, budget, or program redirection.
  - a. Academic Staff candidates with referral priority status should be given special consideration for the vacancy. (See [ASPP 3.06 Referral Priority](#) and [ASPP 5.09 Reappointment Rights and Referral Priority](#))
  - b. University Staff candidates who have had their employment terminated due to layoff have the right to mandatory placement into positions specified on their official layoff notifications, provided they are qualified to successfully perform the essential position duties.
  - c. University Staff candidates who are, or were, in exempt-level positions now filled using Academic Staff titles will have referral priority status and should be given special consideration for Academic Staff positions. (See [University Staff Layoff Policy](#))
- g. Rehired annuitant – used to employ Academic, Limited, and University Staff who are retired UW-Madison employees. This waiver reason must be used in accordance with the [UW-Madison rehired annuitant policy](#).
- h. Sole source – used for Academic and Faculty Staff positions created to employ a specific candidate due to unique circumstances, or for a candidate who has unique credentials that allow only him or her to perform the position duties at an exceptional level. These situations are extremely rare. Examples may include the following:
  - i. Position would not otherwise exist: the candidate identified on the direct-hire request must be the direct recipient of grant or other funding for the position. This does not apply to individuals named as co-Principal Investigators or otherwise identified in the grant.

- ii. Unique credentials: the candidate identified on the direct-hire request has specific, hard-to-find, and unique skills or experience that allows only that person to perform the duties of the job. It must be commonly accepted that there are only a few people who possess the necessary credentials, so there is no value in recruiting.
  - iii. New research lab: when a new research lab is moved to UW-Madison from another institution, all existing employees working on that laboratory may be hired using the sole source waiver reason.
- i. Spousal or partner hire – used for Academic, Faculty, Limited, and University Staff to employ or retain an employee by hiring the spouse/partner. Approval for spousal or partner hire waivers is contingent on the primary spouse/partner accepting employment with UW-Madison or continuing in the current position.
- j. Dual role (Academic staff only) – This waiver reason is used to hire a current academic staff employee in a science/research position, into a second appointment in teaching/instructional work, or vice versa (for example, appointing a Scientist into a second appointment as Lecturer). Approval of this waiver is contingent upon prior approval of the University Committee, to ensure that the distinction between faculty – whose responsibilities include instruction, research, outreach, and administration – and academic staff (whose responsibilities typically are limited to one of those areas) remains clear. For more information see [Secretary of the Faculty](#).
- k. Official internship or competitive fellowship programs – interns, fellows, or trainees may be hired into Academic and University Staff appointments after completing internships, fellowships, or training programs
- l. Veteran – used when hiring any veteran with a documented 30 percent or more service-connected disability. This waiver requires consultation with OHR to ensure documentation has been received and validated by The Office of Veterans Services
- m. Summer service – this fixed-term terminal waiver reason is used for work done during the summer. Pay basis must be summer service.
- n. Summer session – this fixed-term terminal waiver reason is used for work done during the summer. Pay basis must be summer session.
- o. Faculty to Academic Staff/Academic Staff to Faculty (FA to AS/AS to FA) – used when moving from a Faculty appointment to Academic Staff and vice versa. This is primarily used by divisions for their “track transfers.” Divisions have guidelines that allow the movement between clinical professor, CHS professor, and tenure track. Movement between CHS/clinical and tenure track Faculty appointments involves changing from Empl Class AS to FA or vice versa. OHR allows these appointment changes through the waiver process after the appropriate division and campus committees approve the change.
- p. Position conversion (US to AS/AS to US) – used when position duties change from nonexempt to exempt resulting in a move from University Staff (nonexempt) to Academic Staff or Limited (exempt); or when position duties change from exempt to nonexempt resulting in a move from Academic Staff or Limited (exempt) to University Staff (nonexempt).
- q. Reactivate backup appointment – used when reactivating a Limited employee’s Academic and University Staff back-up appointment.
- r. Employee choice - US to AS – used when employee moves from exempt University Staff to Academic or Limited Staff.
- s. International employment rehire – used for Academic, Faculty, Limited, and University Staff in cases where an existing employee’s credentials (work visa, H1B, etc.) expire and the employee must end employment. After appropriate credentials are reestablished, the employee may be rehired using this waiver reason with the approval of the Office of International Faculty and Staff Services (IFSS).
- t. US Fixed Term Finite to US Ongoing – used to place an existing University Staff Fixed-term Finite employee into an ongoing University Staff position. The employee needs to have been initially hired via standard or internal recruitment, with a vacancy posting which included language stating that the position may convert to an ongoing appointment in the future.

- u. Other – used in other situations when a direct hire waiver is approved by OHR (e.g., University Staff 30-day right to return, reassignment due to reorganization, employee who qualifies for transfer as disability accommodation, or movement to a lower position due to performance).