

**Chapter 65: Appointments**

3335-65-01 Requests to fill vacancies; time limit for selection.

- (A) Whenever civil service vacancies are filled other than by promotion, transfer, demotion, reinstatement, displacement or reduction in force, the college/department shall request names of certified eligible applicants from the Office of Human Resources.
- (B) The Office of Human Resources shall cancel the position vacancy notice if a college/department fails to select a certified eligible applicant within six months of the posting of the vacancy.

3335-65-02 Number of certified eligible applicants referred.

- (A) Upon a request for applicants to fill a vacancy, the Office of Human Resources shall refer from the appropriate eligible list ten applicants ranking highest on such list. If more than one vacancy exists, the number of applicants referred are:
  - (1) Fifteen names for two to four vacancies;
  - (2) Twenty names for five to eight vacancies;
  - (3) Twenty-five names for nine to twelve vacancies; and
  - (4) Thirty names for thirteen to sixteen vacancies.
- (B) In hiring from the list of certified eligible applicants, the “rule of ten” shall be followed: one appointment shall occur from the list of ten certified eligible applicants.
- (C) If one or more of the applicants named in the original eligible list withdraws from consideration or fails to reply to notice of referral, the Office of Human Resources may include additional names from the eligible list.
- (D) Where fewer than ten names exist on an eligible list for any vacancy, the college/department may appoint from that list or defer until a complete eligible list exists. If the vacancy is not filled in this manner, the Office of Human Resources may refer any qualified persons to the college/department for provisional appointment until a full eligible list exists.

3335-65-03 Limitation on referrals.

- (A) The Office of Human Resources may refer a certified eligible applicant up to four times for a classification. After four referrals without appointment or if the certified eligible applicant declines appointment, the certified eligible applicant shall be removed from the eligible list, unless the Office of Human Resources, in its discretion, waives its limitation on referrals for that circumstance.
- (B) Declining a part-time, seasonal, intermittent or temporary appointment does not affect the right of that certified eligible applicant to remain on the eligible list for appointment to a full-time appointment.

3335-65-04 Reply by certified eligible applicant.

- (A) The Office of Human Resources shall notify a certified eligible applicant when a referral of that certified eligible applicant is made to a college/department.
- (B) All certified eligible applicants notified of a referral shall communicate with the Office of Human Resources within three business days from notification.
- (C) The Office of Human Resources shall remove a certified eligible applicant from an eligible list for failure to respond in a timely manner to the notice of referral. Certified eligible applicants so removed from the eligible list shall not be restored except upon written request presenting satisfactory reasons for failure to respond to the notice of referral.

3335-65-05 Declining appointment because of salary.

An applicant who declines an appointment because of the salary offered shall not thereafter be notified of positions at the same or lower salary except upon written request to the Office of Human Resources.

3335-65-06 Removal from an eligible list.

- (A) When a certified eligible applicant indicates a lack of interest in the position or declines an offer of appointment, the Office of Human Resources shall remove the certified eligible applicant's name from the eligible list, unless illness, military service, or conflict with schooling is the basis of the decision, then the applicant's name shall be restored to the eligible list when the applicant indicates availability for consideration.

- (B) An applicant whose name was removed from an eligible list may be restored to the eligible list at the discretion of the Office of Human Resources.

3335-65-07 Reinstatement after resignation

A classified civil service employee who resigns, having served the required probationary period may, with the consent of the Office of Human Resources, be reinstated upon request of the college/department to the same or similar position in the college/department, at any time within one year from the date of resignation.

3335-65-08 Temporary employment.

- (A) Temporary employment in a classified title is an appointment that serves at the discretion of the appointing authority and:
  - (1) Is for a limited duration;
  - (2) Is for a specific project;
  - (3) Augments regular staff due to increased work loads or staff shortages; or
  - (4) Replaces a regular employee during an absence due to illness, leave of absence or vacation.
- (B) When temporary services are required, the college/department shall contact the Office of Human Resources, stating the anticipated duration of such temporary employment and other conditions of employment, and may select from an appropriate eligible list an applicant who, after notice of the conditions of employment, is willing to accept.
- (C) Neither accepting nor declining temporary employment shall affect the ability of a certified eligible applicant to be considered for a regular appointment, nor shall acceptance confer the ability to be promoted, transferred, or reinstated. The period of temporary service shall not be credited as part of the probationary period when a subsequent appointment to a regular position is made in the same classification at the university.
- (D) Temporary appointments shall have a maximum duration of six months except when a longer duration is made necessary by reason of sickness or disability of a regular employee. Temporary employees replacing sick or disabled regular employees may continue in that position for the length of sickness or disability.
- (E) Successive temporary appointments to the same position shall not occur.

3335-65-09 Seasonal employment.

- (A) Seasonal employment is a regular appointment where the service is for a specified period of time during a particular time of the year, and recurs in each successive calendar year. Persons appointed to seasonal positions who are temporarily separated from the service during the inactive season, shall return to the same position each ensuing year unless the employee is disqualified for any reason or not assigned to work for a period of one year due to lack of work or refusal of work by the employee.
- (B) Reduction in force, Chapter 3335-81 of the Administrative Code, does not apply when a seasonal employee completes the active work season and begins the inactive season.
- (C) Declining seasonal employment does not affect the ability of a certified eligible applicant to be considered for other regular appointments.
- (D) Once a certified eligible applicant accepts a seasonal appointment:
  - (1) While the seasonal employee is in an active pay status, the seasonal employee may apply as an internal candidate for positions within the university, provided the employee has completed the probationary period within that classification.
  - (2) While the seasonal employee is inactive, the seasonal employee may apply as an external candidate for positions within the university.

3335-65-10 Intermittent employment.

- (A) Intermittent employment is an appointment where the employee works irregular hours or days on an as-needed basis. A classified intermittent employee serves at the discretion of the appointing authority.
- (B) Neither accepting nor declining intermittent employment affects the ability of a certified eligible applicant to be considered for a regular appointment, nor shall acceptance confer the ability to be promoted, transferred, or reinstated.

3335-65-11 Provisional appointments.

- (A) Upon receipt of a request to fill a vacant position for which no appropriate or complete eligible list is available, the Office of Human Resources may refer applicants who are qualified to fill the position and appoint the selected applicant on a provisional basis.

- (B) A provisional employee may achieve certified status by either of the following options, whichever happens first:
  - (1) Successfully serving the probationary period stated in rule 3335-67-02 of the Administrative Code; or
  - (2) Passing the examination for that classification.
    - (a) If a provisional employee does not pass the examination, or does not take the examination for the classification when it is offered, then that employee shall be replaced by an employee from the eligible list.
    - (b) At the discretion of the university, a provisional employee who is displaced by an employee appointed from an eligible list may re-enter the university classified service as a new employee.
- (C) After achieving certified status pursuant to this rule, the employee is not subject to displacement by a person on the eligible list.

3335-65-12 Exceptional appointments; suspension of examination requirements.

- (A) If a civil service vacancy requires unique and exceptional qualifications of a scientific, managerial, professional or educational character, so that conducting a competitive examination for the position is impractical, then the Office of Human Resources may suspend the provisions of **Chapters 3335-49 to 3335-89 of the Administrative Code**, and appoint an applicant who has the recognized qualifications for the position. Employees appointed under this rule attain certified status after successfully serving the probation period stated in rule 3335-67-02 of the Administrative Code.
- (B) In case of an emergency, an appointment process may bypass **Chapters 3335-49 to 3335-89 of the Administrative Code**. Emergency appointments shall not exceed a maximum of thirty days, and in no case shall successive appointments occur.