

# GUIDELINES FOR FILLING VACANCIES, INTERNAL SECONDMENTS AND APPOINTMENTS AT MAASTRICHT UNIVERSITY

Approved and adopted by the Executive Board on 27 October 2009

The Executive Board of Maastricht University (UM) directs managers to adhere to the following guidelines in filling vacancies, secondments and appointments.

1. Definitions:
  - a. *full-time post*: a position included among a unit's staffing;
  - b. *person responsible for the full-time post*: the dean or director in whose unit a full-time post must be filled;
  - c. *vacancy*: an open full-time post which has been reported to LCM;
  - d. *person responsible for the vacancy*: the manager in whose unit there is a vacancy;
  - e. *unit*: faculty, service centre, Maastricht University Office or another separate administrative unit referred to in the UM Managerial and Administrative Regulations;
  - f. *candidate*: an individual (male or female) who has indicated to the person responsible for the vacancy concerned that s/he is interested in the position;
  - g. *transfer candidate*: a candidate who has been designated as a transfer candidate under the Staff Transfer Policy and who is registered as such with LCM;
  - h. *reintegration candidate*: a candidate for whom it has been determined that s/he can no longer perform his/her own duties (in whole or in part) for medical reasons and who has been designated as such under the Guidelines for Reintegration and is registered with LCM;
  - i. *internal candidate*: a candidate who:
    1. has a position at UM for an indefinite period of time or has been employed at UM for at least six months;
    2. is receiving a benefit payable by UM;
    3. is working at UM pursuant to the Sheltered Employment Act.In derogation of the foregoing, an individual working as a research assistant is not an internal candidate, even if s/he receives a benefit payable by UM after his/her employment ends. If necessary, the internal candidacy must be demonstrated by the candidate him/herself;
  - j. *second-track internal candidate*: a candidate employed at an organisation with which UM has entered into a cooperation agreement, with this agreement stating that employees of that organisation will be given priority over external candidates in filling vacancies at UM <sup>1</sup>;
  - k. *external candidate*: a candidate who is not a transfer candidate, reintegration candidate, or second-track or other internal candidate;
  - l. *LCM*: Staff Careers Counselling Services;
  - m. *manager*: the administrative manager, other than a faculty dean, or the individual selected as such by the members of the unit concerned.
2. The person responsible for the full-time post will determine whether the post must be filled and which requirements a candidate for the job must meet in that case, as well as which University Job Classification profile applies to the job.

<sup>1</sup> UM has a cooperation agreement with the Maastricht Academic Hospital (azM) and Statistics Netherlands.

3. The assumption in filling a position is that a candidate must be suitable for the job or can be made suitable for the job within a reasonable period.

As a rule, a candidate may be required to explain (orally and in writing) his/her interest in, and motivation and suitability for, the job.

4. If a full-time post is not filled in the manner described in Article 6, it will be reported to LCM as a vacancy.
5. If the work to be performed extends over a period of less than six months and/or is very small in scope<sup>2</sup>, a temporary worker or someone with a similar employment relationship will generally be engaged for this work, unless the work can temporarily be assigned to a transfer or reintegration candidate or the work is assigned to a seconded employee.
6. The person responsible for the full-time post may fill a post which has opened up in connection with staffing administration by restructuring duties and/or jobs, so that the post which has opened up does not result in a vacancy.

The person responsible will explain the reasons for his/her.

7.
  - a. The LCM will determine whether recruitment will occur for the vacancy. The LCM must consider whether it is aware of a suitable transfer or reintegration candidate for the vacancy.
  - b. If the LCM determines that a reintegration or transfer candidate is available for the vacancy, it will immediately notify the person responsible for the vacancy, so that, in accordance with the Staff Transfer Policy or Guidelines for Reintegration, it can be determined whether someone can be placed in the position.
  - c. If the LCM recommends candidates, the person responsible for the vacancy will examine their suitability for the job. Preferably, s/he will invite them for an interview.
  - d. If there is more than one suitable transfer and/or reintegration candidate available for the vacancy, the person responsible may choose from among them. Unless the approved positive discrimination policy dictates otherwise, the candidates will not be ranked.
8. Recruitment for a vacancy will not begin until it has been determined that none of the candidates recommended by the LCM will be appointed.
9. If recruitment occurs for a position, this will be done internally first through publication in the *Observant* and UM's electronic job listings page. External and internal recruitment may occur simultaneously for academic positions and for vacancies for which it is not likely that there are suitable internal candidates.
10. If they fulfil the job requirements for filling the vacancy, internal candidates will, in the event of equivalent suitability, be given preference over second-track internal candidates and external candidates.

### ***Explanation***

*Based on articles 5 to 9, the following steps must, as a rule, be successively taken:*

1. *Have transfer or reintegration candidates been recommended by the LCM? If so, appoint a suitable candidate. If not:*

<sup>2</sup> In principle, the work must translate into 0.1 fte or less.

2. *Recruit internally, including providing notice to cooperation partners and LIFT* <sup>3</sup>;
  3. *Are there internal candidates? If so, appoint a suitable candidate. If not:*
  4. *Are there second-track internal candidates? If so, appoint a suitable candidate. If not:*
  5. *Recruit externally;*
  6. *Are there external candidates? If so, appoint a suitable candidate. If not, reconsider the procedure.*
11. Candidates who have indicated an interest in the job will, within five business days, receive an acknowledgment of receipt and information about the intended course of the procedure.
  12. Unless there is reason not to do so under the approved positive discrimination policy, the most suitable candidate will, subject to the other principles, actively be sought when vacancies are filled.
  13.
    - a. Subject to the provisions in these guidelines, the person responsible for the vacancy will decide who will fill the vacancy and under which conditions this will occur <sup>4</sup>. S/he will comply with the relevant rules and guidelines in this respect. S/he may receive advice from a selection committee, which s/he is a member of or not, and others.
    - b. Before the person responsible for the vacancy decides on the appointment of a manager, s/he will give a consultation committee established by him/her and consisting of two or more persons the opportunity to make recommendations regarding the candidates. This committee will be predominantly composed of individuals from the unit where the manager will work; it will specifically be responsible for assessing whether the candidate would fit in the unit. A consultation committee need not be established if the reasons for not doing this are made explicit.
    - c. The person responsible for the vacancy may determine that the job which has opened up will be filled through internal secondment. S/he will comply in this respect with the provisions in Article 18.
  14. A conscious choice will be made as to whether the position will be permanent or temporary, with such factors being taken into account as:
    - the provisions in the Collective Labour Agreement of Dutch Universities regarding employment;
    - the job duties;
    - the financial resources available (currently or in the future);
    - the policy regarding the composition of the workforce.
  15. If employment for an indefinite period is not desired, the temporary employment will be timely terminated or not extended. Managers will ensure that, as appropriate, the required decisions and actions will be timely taken and performed. Failure to take or perform the necessary decisions or actions will have the consequences referred to in the Collective Labour Agreement of Dutch Universities.
  16. Upon commencing employment, UM employees will be responsible for the duties of the job for which they have been appointed. The expectation is that they will be willing to perform other work or accept a different position within UM (internal mobility). Managers must in any event devote attention to this at the start of employment, and during the course of employment as well, for example, during the annual appraisal.

<sup>3</sup> LIFT: Limburg Interim Job Placement Programme.

<sup>4</sup> The Executive Board will decide on appointments of professors and unit heads.

17. With due regard for the nature of the employment relationship, decisions concerning employment will preferably be based on reciprocity and employer–employee consultation. Agreements in this regard will preferably be signed by both the employer and the employee.
18. A manager deciding that a full-time post will be filled by a seconded employee from another unit will ensure that a secondment agreement is concluded in accordance with the model adopted by the Executive Board. Unless otherwise agreed, the secondment will last for at most two years. After the agreed secondment period expires, the employee concerned will, if s/he continues the work, be transferred to the unit where s/he was seconded, with retention of his/her legal status and employment terms.
19. The manager of an employee who has been seconded to another unit will ensure that:
  - a. the seconded employee retains his/her legal status and employment terms during the secondment, unless other agreements have been made;
  - b. the seconded employee can, in accordance with the agreements made, return to a suitable position after the agreed secondment period ends;
  - c. there is regular consultation during the secondment period between him/her, the seconded employee and the seconded employee's manager, during which the progress of the secondment is discussed and, if necessary, further agreements are made about such matters as supervision, training and the duration of the secondment.
20. The Executive Board may derogate from the provisions in these guidelines in exceptional situations.