



Procedure: **Spousal/Partner Accommodation**

Date Adopted: 08/2007

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### Spousal/Partner Accommodation Policy

The University of Montana has a commitment to help qualified candidates and employees find suitable employment for their spouses or partners. An offer to employ a candidate does not guarantee employment for the candidate's spouse or partner. The University will, however, work with the candidate or employee to identify appropriate options at the University and in the community, considering the spouse's or partner's experience and credentials

### Spousal / Partner Accommodation Procedure

Many highly qualified candidates for University positions have talented and accomplished spouses or partners who also seek University employment. The University recognizes its interests in working with couples to try to find appropriate employment opportunities, within the constraints imposed by fair hiring policies and collective bargaining agreements, and the need for adaptivity: No simple rule accommodates all cases. Nevertheless, several principles apply.

#### Interview and negotiations

Questions about spousal/partner support often arise during interviews and subsequent discussions. It is inappropriate and illegal to ask candidates about marital status or domestic arrangements. It is equally inappropriate and illegal to predicate any hiring decisions on these matters. Candidates are under no obligation to raise issues related to the employment of a spouse or partner, either before or after receiving a job offer. But to solve any such issue it is necessary, at some time, to raise it. The first step is for the candidate to raise the issue voluntarily.

#### Appointments

UM allocates positions based on demonstrated need and funding availability. The University generally fills these positions through competitive searches, hiring the most qualified candidates. However, there is a procedure for making an exception to this policy, when circumstances warrant (see attached form).

#### Administrative mechanisms

The opportunities that may become available depend, in part, on the type of employment of interest. For example, if a candidate's partner wants a job in a division other than Academic Affairs, the opportunities depend on the needs in that Division and, ultimately, on decisions made by the responsible Vice President. In the academic realm, spouses and partners have often taken temporary positions and, in many cases, have subsequently been hired into tenure-track or extended-term-track positions. In some cases, it may be possible to split one full-time position into two part-time positions. Although these processes necessarily involve some uncertainty for the couple, there are administrative mechanisms (see procedures below) that facilitate their success.

#### Limits

The institution has a record of successful, good-faith efforts to find appropriate employment opportunities for qualified spouses and partners. In many cases these efforts have led to the

hiring of some of our strongest employees. This history notwithstanding, there are limits on what can be accomplished. The University cannot guarantee successful placement independent of an individual's qualifications, employability, or ability to fill a role that is consistent with institutional needs and priorities. The hiring department or unit of the spouse or partner has the authority to decide whether to recommend acceptance of a spouse or partner candidate. At present, the University does not reserve a pool of uncommitted funding for permanent salaries.

#### Supervision and Evaluation

When accommodations subject to this policy are made, a spouse or partner shall not supervise or evaluate in any way, either directly or indirectly, the other spouse or partner.

#### Other University Policies and Procedures

Employees receiving accommodations under this policy are subject to the University's conflict of interest policies and procedures, the University's EEO/AA policies and procedures, and other applicable University personnel and employment policies.

#### PROCEDURE:

- Candidate makes the request.
- The responsible administrator reviews opportunities with the Provost or the appropriate Department.
- Upon agreement, the responsible administrator requests a position. The Provost facilitates the process for approval. If the request is for a non-academic position, the responsible administrator contacts the Director of Human Resources.
- The hiring administrator shall submit the accommodation request for conflict of interest and EEO/AA compliance review.