

# Advertising Faculty Positions

Each year, the University sponsors numerous employment-based applications and petitions for permanent residence on behalf of full-time faculty at the [assistant professor level and above, as well as researchers]. Specifically, those positions that entail some classroom teaching may be eligible to participate in the special labor certification process, as the first step in the permanent residence (“green card”) process. This favorable process is only available when the position was filled at the conclusion of a competitive recruitment that was national in scope and the international faculty member was selected as more qualified than any U.S. Workers who applied for the position.

The regulation governing the special labor certification process on behalf of college and university teachers (“Special Handling”) requires that the competitive recruitment and selection process undertaken by the University include advertising the job opportunity in a **national professional journal**. Further, the U.S. Department of Labor (“DOL”) stipulates that the advertisement include **the title of job opportunity and the associated duties and requirements**.

## **National Professional Journal**

DOL does not define what is a “national professional journal” and has declined to provide a list of acceptable publications. The Chronicle of Higher Education and numerous other journals have been accepted by DOL. The journal must be nationally distributed and published by a professional society/organization/association. Best practice is to use a journal that consists of more than help wanted ads and is not a newsletter. The posting of the position on the job search area of the website of a professional society/organization/association versus in that group’s journal is not acceptable. Please note, that like the Chronicle of Higher Education, a journal itself may appear as a website and thus, a posting of a job on the website is permissible.

The journal may be published in print or in an electronic or web-based format. If using a print publication, documentation consists of an original tear sheet or certified tear sheet which includes the date of publication, title of publication as well as the ad itself.

If using an electronic or web-based journal, the advertisement for the job opportunity for must be posted for at least 30 calendar days on the journal’s website. Documentation of the placement of an advertisement in an electronic or web-based national professional journal must include evidence of the start and end dates of the advertisement’s placement and the text of the advertisement, *e.g.* print-outs of the website for the first and last day of posting which includes the name of the journal, date, and content.

## **Advertisement Content**

Based on the regulations, guidance, and decisions of the U.S. Department of Labor (DOL), the advertisement must include at a *minimum* the following:

- (1) Specific job title
- (2) Hiring department
- (3) Minimum requirements for the position
  - Minimum degree required
  - Special skills required
- (4) Duties for the position
  - Teaching/Instruction, when applicable
- (5) Tenure or tenure-track, when applicable
- (6) Length of appointment, when applicable
- (7) Application deadline or screening date (mm/dd/yy or “until filled”)
- (8) Employer contact information

Below are further considerations to keep in mind when drafting recruitment advertisements when there is a possibility that the University may hire a foreign national who requests the University’s sponsorship for permanent resident status (“green card”).

If classroom teaching will be a duty associated with the position, it should be so indicated in the advertisement. “Classroom teaching” is not defined nor is there a threshold amount of time that must be spent teaching. The principle question is whether teaching is a duty associated with the position, versus an interest of the individual that fills that position.

If experience is required, it must be quantified in specific terms of months and/or years. Experience is interpreted to mean full-time work. Acceptable terms include, “one year post-doctoral research experience required.”

Often it is not work experience that is required, but something more akin to experience with a particular subject area, equipment, etc. In such situation, it may be more appropriate to use terms such as, “knowledge of,” “understanding of,” or “ability to.”

The minimum degree required and field of study should be specified in the advertisement. If you would consider individuals who have not yet defended his/her dissertation, this should be so indicated. Possible terms include: “earned or PhD by mm/dd/yy,” “MA in \_\_\_\_\_, and ABD in \_\_\_\_\_,” or “ABD will be considered, but the position requires completion of all doctoral requirements by mm/dd/yr.” Using, “PhD by appointment date” is too ambiguous as “appointment date” generally is undefined.

Please note that there is no obligation to indicate the offered salary or a range in an advertisement, and it is best to avoid doing so

## **Example**

**Assistant Professor of [insert field].** The Department of [insert name] at [University] invites applications for a tenure-track nine-month faculty position beginning [insert date]. The requirements for the position are a Ph.D. in [insert field(s)] or a closely related field and [if applicable, indicate any area of specialization required and minimum number of semesters teaching experience required]. Knowledge of [insert special skills required]. Candidates who are ABD will be considered, but the position requires completion of all doctoral requirements by [insert date, should be date prior to start date]. Instructional duties will include [insert duties]. Faculty members are expected to maintain an active program of scholarship and participate in campus service activities.

[Insert description of University, and department if desired]

Applicants must send a complete application consisting of [insert required documentation]. Applications must be sent to [insert postal or electronic address information]. The initial review of complete applications will begin [insert date] and continued until the position is filled.

[Insert EEO statement]

An offer of employment will be conditioned upon the University's receipt of a satisfactory of a criminal background check.