

Sponsoring Functional Areas: Human Resources and Institutional Access

Title: Waiver of Recruitment Policy

I. Purpose:

To provide guidance for exceptions to posting and advertising vacant positions under special circumstances.

II. Applicability:

Applies to all faculty and staff positions.

III. Policy:

NJIT, in accordance with federal and state law, is committed to providing equal opportunity in employment through nondiscriminatory open recruitment and hiring practices. Generally, all vacant faculty and staff positions must be posted and advertised for a minimum of five (5) business days. However, this process may be waived where the candidate satisfies the minimum qualifications of the position in certain circumstances.

The following is a list of situations wherein a Waiver of Recruitment may be requested:

- When a position is grant-funded, temporary, has a budget end date, and the candidate is a graduate of NJIT originally hired through student employment. This waiver is to complete a specific project;
- When there is instructional necessity due to an unexpected absence and/or departure of a full-time faculty member that creates a vacancy immediately preceding the commencement of a semester;
- When a researcher who brings grant funding to NJIT and (1) as a condition of accepting the offer, has negotiated to bring select staff to NJIT as part of the research endeavor; or (2) staff are explicitly named in a grant;
- The appointment of a postdoctoral researcher when the principal investigator has an existing professional relationship with the identified individual, such as through prior collaboration or prior identification as the preferred candidate, to avoid disruption or delay to ongoing research activities;
- When a department has recently conducted a full search that yielded a strong applicant pool and there is either a second opening in the same job title and job description within a 180-day period, or a new employee separates shortly after commencing work. This would allow

- the department to make a selection from the original applicant pool;
- The appointment of an employee currently serving in an interim role to the corresponding permanent position;
- Where there is an internal candidate who possesses highly specialized expertise in NJIT's systems, processes, and operational requirements, and is currently performing core responsibilities of the position. Given the time-sensitive nature of the work and the need for immediate continuity, conducting an external recruitment would not reasonably produce a candidate able to assume these responsibilities without significant operational risk;
- When a permanent position becomes available in a department where the candidate is a temporary employee employed by an external agency who has been with the University for a minimum of six (6) months, serving in the same position (on a temporary basis), and has demonstrated satisfactory work performance.

This policy does not include position changes that are exempt from posting or have specific posting requirements set forth per collective bargaining agreements or police standard operating procedures.

IV. Process:

To request a waiver, please refer to Nexus and follow the **“Waiver of Recruitment Policy Process.”** Please note that all waiver requests require approval from Human Resources.

Related NJIT Policies

[NJIT Faculty Handbook](#)
[Staff Recruitment Guide](#)

REVIEW:

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