

DUAL-CAREER COUPLES AND SPOUSAL HIRES: Principles and Practices

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Introduction

Addressing the needs of dual-career couples is an important aspect of building and retaining a strong faculty. In accordance with University policy, CAS regards spousal hire as a legitimate exception to the normal practice of competitive recruitment. Candidates being considered for spousal hire must nevertheless meet the qualifications and standards appropriate to the position.

Ladder-faculty are eligible for consideration for spousal accommodation. Ideally, both partners in a dual-career couple are hired competitively, but in many cases the value of accommodating a dual-career couple must be weighed against the cost to resources available for competitive recruitment.

Trailing spouses may seek consideration for an academic appointment or a position in the University Administration. Academic appointments include ladder rank (tenure-track) faculty, researcher, visiting scholar, lecturer or clinical instructor, postdoctoral fellow, and librarian.

The decision to pursue a spousal accommodation rests with the Office of the Dean in concert with the Office of the Vice Provost for Faculty Affairs (VPFA), but may be requested by the leading spouse's department chair on her behalf. Requests are evaluated on a case-by-case basis. The primary consideration is the potential for both hires to contribute to the University community as a whole.

If the Office of the Dean and VPFA judge that either or both partners will serve the needs of the University community as a whole, the Office of the Dean will attempt to identify an appropriate department or unit within the University to accommodate the trailing spouse. If the department or unit agrees to consider an appointment for the trailing spouse, it will invite the trailing spouse for a full interview and deliberate according to the norms of a competitive search for the position in question. If the department or unit recommends the hire, the Dean may proceed toward making an offer.

Academic Appointments

Once a candidate from outside the University has been selected and recommended for an offer, discussion regarding spousal accommodation may be initiated by the candidate. If the candidate indicates a dual-career situation, the department chair should submit the CV of the partner to their cognizant dean. After assessing the qualifications of the trailing spouse, the Office of the Dean, in consultation with the VPFA, will determine whether to pursue an accommodation. If it is decided that an accommodation should be pursued, the Office of the Dean will establish the

type of position for which the trailing spouse may be considered (tenure-track, clinical, visiting, research, or postdoctoral fellow, for example) and will identify possible positions within the University for the trailing spouse. The Office of the Dean will then approach the relevant Decanal Unit or department and indicate some form of financial incentive to accept the accommodation. The nature and source of this incentive is determined by the Dean's office. Typically, the salary for the trailing partner will be shared equally by the VPFA, the department of the original candidate, and the department of the trailing partner for the first two years. After two years, the entire salary of the trailing partner will be the responsibility of the trailing partner's department. In some cases, when the hire is made across schools or in connection with the Research Foundation, the salary may be split at the decanal level. In some cases, the VPFA may choose not to support the additional hire and require that the departments split the costs equally. In all cases, this additional support is limited to two years.

The hiring of trailing faculty is ultimately contingent on approval by faculty vote within the department to which the trailing spouse is applying. In order to be considered for a position with the target department, the trailing partner is required to visit campus for a full interview, including a public talk in the department.

In the case that a trailing spouse is offered a faculty position, each candidate will receive a separate offer. The offer made to the trailing partner is contingent upon acceptance of the offer made to the leading partner. Neither candidate should formally accept their offer until the second offer is received in writing.

In cases where the Office of the Dean chooses not to pursue spousal accommodation at the time of the offer, any possibility of potential future accommodation will not be formally discussed. Even in a case in which a competitive search may be planned for the following year in the department deemed appropriate for the trailing spouse, the offer letter will not indicate that such a possibility exists.

Retention

A faculty member may request spousal accommodation as part of a negotiation to remain at the University. In this case, the faculty member's chair may notify the dean, who will determine whether to initiate the process described above.

Administrative and Staff Appointments

Spouses may seek to be considered for a position with the University Administration. They should indicate this to the leading spouse's chair. The Administration determines the process for seeking such accommodation. As above, the Office of the Dean will work to identify where there is a need for a person with the qualifications of the partner.

In some cases, the University does not issue a formal offer to the trailing partner but agrees to take steps to try to find accommodation. In these cases, the interested parties should work with

the Dean's office, HR, and Department chair to specify these steps before concluding the initial hire. The timeline for these hires may extend beyond the timeframe for the original academic hire. In these cases, the candidate may opt to wait until a formal offer for a staff position is extended before signing their offer letter, as no guarantee for a staff position will be included in an academic offer letter.

When seeking accommodation through a staff position, the Office of the Dean is responsible for negotiating the accommodation with HR. Nevertheless, trailing partners who are looking for staff positions should consult the HR website to identify posted positions to which they might apply. Efforts to find spousal accommodations are not limited to positions appearing on the listings maintained by HR, but trailing partners should still consult those listings.

Work Authorization and Immigration Services

Work authorization and immigration status are often a concern for faculty candidates. Unless the trailing spouse is offered a ladder (tenure-track) position, CAS cannot sponsor applications for work authorizing visas for trailing spouses. This means that trailing spouses applying for staff positions cannot expect to receive help in acquiring an H1V visa or any other authorizations as part of a potential offer. The same is true for all non-ladder faculty positions ladder (clinical, visiting, research, post-doctoral). Pre-existing work authorization is necessary for trailing spouses to receive accommodation in staff or non-ladder faculty positions. Trailing spouses are advised to contact UB Immigration Services for assistance in seeking work authorization.

Mechanism for Redress

At present, there are no mechanisms for redress with respect to the vague language which some candidates may receive as part of their offers. Timelines for the hiring of trailing partners may extend beyond that of the primary candidates offer. While the Office of the Dean may continue to work to identify needs and possible positions within the University for trailing spouses seeking staff positions, no offer letter will include discussion of "partial accommodation".

In the case of staff positions, the candidate and the candidate's department chair will be responsible for reminding the Office of the Dean to continue searching for a position for the trailing partner. But no language will be included in any offer letter that will guarantee that such a position will be found for a trailing partner. As such, there are no mechanisms for redress if a position for the trailing partner is not found.