

9. EMPLOYMENT

This section applies to the hiring for regular full and part-time positions. Hiring of temporary workers is not covered.

9.1. Scope

It is recognized that the role of the department is critical in the hiring process and that utilizing the subject matter expertise of those in the hiring department will help ensure the selection of the most appropriately qualified candidate for each position. Therefore, the City will involve department management in the recruitment, examination, and selection process.

9.2. Source of Candidates

Regular positions will be filled by candidates selected from eligible lists. If there is not a current eligible list the City may use an examination process (open or promotional) to create an eligible list

The City will typically use an examination process open to all eligible candidates. However, the Department Head, with the consent of the City Manager, may elect to conduct a promotional only examination.

When deciding whether to use a promotional eligible list, the Department Head will consider such factors as the City's upward mobility policies and objectives, the impact of the qualifications and level of responsibility required by the position, the extent to which the qualifications for the position can readily be gained while on the job, the qualifications of employees potentially available for placement on a promotional list, and the likelihood of attracting well-qualified outside candidates. This allows for internal City announcements prior to placing community advertisements.

When a position covered by a collective bargaining agreement becomes vacant the position will be opened and filled under the terms of the labor agreement.

9.3 Announcements

9.3.1 Regular Examinations

All examinations for regular positions will be announced. An announcement may be for establishing an eligible list for one or more positions in the same job class. Examinations will be publicized to allow potentially qualified and interested members of the community to learn of the employment opportunities and to encourage applications from representatives of all segments of the community.

9.3.2 Promotional Examinations

Notice of promotional examinations will be posted in City Hall. When the eligible list to be established as a result of a promotional examination will be used to fill more positions than the current vacancy, the announcement will state the time period during which the list will be used. Only regular employees may compete in promotional examinations.

GUIDELINE:

Length of Examination Posting Periods:

Examination announcements will normally be posted for a minimum of ten (10) days and for five (5) days after the last day on which any newspaper advertisement appears. The goal is to allow sufficient time for applicants to learn of the job opportunity, obtain an application form, and submit the completed application form before the application deadline. Jobs advertised outside of the immediate area require longer posting periods. Promotional examinations may be posted for as few as seven (7) days.

Contents of Examination Announcements:

The examination announcements will normally include:

- *the title and pay of the class for which the examination is announced;*
- *the nature of the work to be performed;*
- *the qualifications for the performance of the work of the class;*
- *the manner of making application;*
- *the current rate of pay for the class;*
- *a statement that the position is subject to pre-employment drug testing (if applicable);*
- *the person to contact if an applicant needs reasonable accommodation in the examination process; and*
- *a declaration that the City is an Equal Employment Opportunity Employer.*

9.4 General Requirements for Filing of Applications

- A. Applications for employment must be made in writing on the forms prescribed by the City. Résumés, completed supplemental questionnaires, and other evidence of education, training, experience, or other lawful requirements may also be required from candidates.
- B. Applications must be signed by the candidates.

GUIDELINE:

Regular City employees may take a promotional examination for a regular City position during their paid work time. Casual workers and individuals other than regular employees holding provisional appointments will not be paid for time spent taking examinations.

9.5 Application Filing Periods

- A. Examination announcements will specify the application filing period. The filing period may end on a specific date and/or may allow acceptance of applications until a sufficient number of qualified candidates have applied. The City Manager or Personnel Director, in consultation with Department management, will determine when sufficient applications have been received.
- B. Application periods will end at the time stated on the examination announcement or at the close of a business day. An application period may be ended when no job openings are anticipated, or for other reasons in the interest of the City.

9.6 Eligibility of Candidates

A candidate may be disqualified from further participation in the examination process and/or from placement on an eligible list for the reasons listed below and for any other material reason.

- A. The candidate's application does not demonstrate possession of the minimum qualifications required for the position.
- B. The application is not fully and truthfully completed.
- C. The candidate has prior felony convictions (subject to the limitation of law).
- D. The candidate has been discharged from or resigned in lieu of dismissal from any employment for any cause that would be a cause for dismissal from City employment.
- E. The candidate does not appear at the time and place designated for an examination.

GUIDELINE:

Consideration of Criminal Records:

Prior conviction shall not automatically disqualify someone from employment provided; however, this does not preclude the fact of any prior conviction of a crime from being considered in the employment decision. Further, if the offense for which the candidate was convicted directly relates to the position of employment sought, the candidate may be denied employment.

A criminal history check should be conducted on each individual hired into a position for which convictions could be disqualifying. The Police Department can assist with this procedure.

9.7 Reduction of Candidate Pool

Human Resources and/or the Department Head, with the concurrence of the City Manager may determine at any point in the examination process that only those candidates who are most qualified will continue to be considered.

9.8 Examination Process

Examinations may include, but are not limited to, such selection techniques as: evaluation of applications; appraisal of experience; training and/or education; written tests; personal interviews; performance tests; physical ability tests; evaluation of work performance and work samples; medical and psychological evaluations; or any combination of these or other techniques. Reference checks and criminal history checks may be part of any selection process.

Factors evaluated through the examination process may include, but are not limited to, the knowledge, ability, skill, achievement, physical and mental fitness, personal characteristics, and aptitude of candidates. The techniques used in the examination process shall be impartial and practical, and shall relate to the qualifications and suitability of the candidates to perform the duties and responsibilities of the job to which they seek to be appointed.

9.8.1. Minimum Standards

Examinations may include qualifying and/or competitive components and may set minimum standards for passing each component and/or the entire examination.

9.8.2. Probationary Period

The probationary period shall be considered a portion of the examination process for appointment to a regular position.

9.9 Eligible Lists

9.9.1 Duration of Eligible List

Human Resources may maintain eligible lists consisting of the names of candidates who are eligible for appointment based on their scores or competitive ranking in an examination process. Eligible lists will generally be used to fill a single position but may be used to fill additional positions which occur within six months of the establishment of the list or until a published expiration date, whichever occurs first.

9.9.2. Removal of Names from List

The name of any candidate will be removed from an eligible list if the candidate submits a written request to be removed or if the candidate fails to respond within an allotted time period to the instructions regarding participation in an examination or selection interview mailed to the eligible candidate. An eligible candidate who is not currently employed in a regular City position and who refuses an offer of employment may be removed from an eligible list unless the specific circumstances of the refusal warrant otherwise.

9.10 Applicant Appeals

- A. A candidate whose application has been rejected may request, in writing, reconsideration by submitting to the Personnel Director a request stating the reason(s) for the request. The Personnel Director or his/her designee shall consider such request, provided it has been received no later than ten (10) days after the date of mailing of the notification of rejection. The decision of the Personnel Manager will be in consultation with the City Manager and shall be in writing and shall be final. Candidates may be admitted to an examination by human resources pending consideration of a written request for review. Admission to an examination under such circumstances, however, is conditional, and a decision of the City Manager against the candidate shall result in the candidate receiving no score on the conditionally administered examination.
- B. Appeals of standardized written examinations must be made within ten (10) days after mailing of notification of the results of a written examination. Appeals must state the specific questions which are appealed and the basis of the appeal. Examination of test materials is limited to that allowed or recommended by the test publisher. In the event that a standardized written test developed by City staff is used, the recommended review procedures for similar tests published by International Public Management Association for Human Resources shall be used. The Personnel Director or his/her designee shall consider such request, after seeking such expert advice as he/she deems appropriate, and issue a decision in writing which shall be confirmed by the City Manager and shall be final.
- C. Appeals of oral examination results must be made within ten (10) days after mailing of notification of the results of an oral examination. The candidate may be provided the results of oral examinations, but shall not have the names of the rater giving each score or making each comment revealed. The Personnel Director shall consider such request and issue a decision in writing which shall be final.

9.11 Correction of Administrative Errors

Upon discovery, any administrative error may be corrected by the Personnel Director or his/her designee at any time during the life of the eligible list, but no such correction shall affect an appointment made from the list prior to the correction.

9.12 Request for Eligible Candidates

When a vacant position is to be filled, the Department Head shall complete a Personnel Action Form and submit it to the Human Resources Office for approval of the City Manager. The Department Head will request to fill the position by transfer, reduction, reinstatement, or appointment of an eligible candidate.

9.13. Referral of Candidates for Hire

- A. When the Department Head requests that a vacancy be filled, the Personnel Director or his/her designee will provide the Department Head with the names of an appropriate number of candidates from the appropriate eligible list. Any person on an appropriate reinstatement list shall be considered first in accordance with the applicable layoff policy and procedure. Eligible candidates will be referred for consideration based on the results of competitive examination, or in the case of reinstatement lists, the date of layoff. If the Department Head decides to fill a vacancy by appointment from a promotional eligible

list, such a list will be created and eligible candidates from the promotional list will be referred for consideration.

- B. When an eligible list, except a reinstatement list, contains the names of fewer than three candidates willing to accept appointment, the Department Head may make an appointment from among such candidates or may request the Human Resources Office to provide a new list. When so requested, the Human Resources Office shall provide the Department Head with eligible candidates from another appropriate eligible list or, if no other list exists, hold a new examination and establish a new eligible list.

9.14. Selection

The Department Head may select a candidate for appointment from among those candidates referred and notify the Human Resources Office of the candidate selected.

9.15. Offers of Employment

9.15.1 Job Offer Letters

After a candidate has been selected for employment or promotion, the Department Head will notify the City Manager who will approve the hire. Once the hire has been approved the Personnel Director will extend an official written offer of employment or promotion. An Action Form is used to notify the Human Resources Office of the desire to hire. The Department Head may contact the selected candidate by telephone to determine whether he/she is still willing to accept employment and to indicate that a request to hire has been made, but must state that a job offer can only be made in writing. As appropriate for the particular job, offers of employment may be made contingent upon the employee passing certain additional tests and/or submitting other documentation of qualifications.

9.15.2. Pre-employment Drug Screening

NOTE: *Employees hired into positions designated as safety sensitive (e.g., those requiring Commercial Drivers Licenses) in the fire rescue and police departments may be subject to additional requirements beyond those outlined below.*

- A. The City has a requirement of pre-employment drug testing for all applicants hired into regular positions and for casual work in designated job classes. The City requires successful applicants to consent to a post offer, pre-employment drug screen. The applicant will be asked to authorize the City to conduct the drug screen through a City-designated laboratory testing facility as a requirement of employment. Refusal to authorize and participate in a drug screen within the time limits established by the City shall eliminate the applicant from further consideration for the position. The presence of one or more drugs may be cause for rejection of the applicant from further consideration for employment. Final appointment is contingent upon a negative drug test result, as well as such other conditions as are stated in the job offer letter.
- B. Applicants shall be directed to appear at an appropriate collection facility. The drug test must be undertaken as soon after notification as possible and no later than 48 hours after notice to the applicant.

- C. Applicants shall be advised of the opportunity to submit medical documentation that may support a legitimate use for a specific drug and that such information will be reviewed only by medical consultants to determine whether the individual is lawfully using an otherwise illegal drug. If a positive drug screen is confirmed by the medical review officer, the details will be discussed with the person who authorized the test. The action taken will be determined on a case by case basis.
- D. The City will decline to extend a final offer of employment to any applicant with a confirmed positive test result, and such applicant may not reapply to the City for a period of (12) twelve months. The City shall inform such applicant that a confirmed presence of an illegal drug in the applicant's test sample precludes the City from hiring the applicant.

9.16. Orientation

Upon appointment, the Department Head shall be responsible for ensuring that each new employee receives a new employee orientation. Orientation shall include, but need not be limited to review of the organization and services of the City, work rules, personnel manual and procedures, completion of payroll forms, description of benefit packages, and introduction to City personnel with whom the employee will be working closely.

9.17. Failure to Appear For Work

If a candidate fails to report for work within the time period prescribed by the Department Head, the candidate may be deemed to have declined the appointment and be removed from the eligible list.

9.18. Temporary Appointments

9.18.1. Authorization

In the absence of individuals willing and eligible to accept appointment from appropriate eligible lists, a temporary appointment may be made by the Department Head provided that there is funding in the budget approved by the City Council to pay the expenses and provided the appointment has received such other authorizations that are required from time to time prior to the hiring of staff. Such an appointment may be made pending establishment of an eligibility list, to replace an employee on leave, during the period of suspension of an employee or pending final action on proceedings to review suspension, demotion, or discharge of an employee. An Action Form is used to notify the Personnel Office of the desire to hire by temporary appointment.

9.18.2. Qualifications

The person temporarily appointed must be qualified for the position. The qualifications to be met are those listed in the class specification for the job.

9.18.3. At-Will Status

A temporary employee may be removed from such position at any time without the right of appeal or hearing.

9.18.4. Duration

A temporary appointment made pending creation of an eligible list shall be terminated not later than six (6) weeks following establishment of the list or when the regular employee who filled the position is available for work. Temporary appointments shall not normally exceed six (6) months; provided, however, the City Manager may authorize an extension beyond six (6) months in cases of a vacancy created by an authorized leave of absence without pay or a period of extended disability leave.