

Administrative Regulation



Subject: Administrative & Personnel Matters

RECRUITMENT, SELECTION AND PROMOTION

I. PURPOSE

The purpose of this administrative regulation is to ensure the recruitment, selection and promotion of a diverse workforce which is capable of continually providing the highest quality of customer service. The processes shall include effective use of proactive, legally compliant strategies to attract qualified candidates, and to select, develop, retain and promote the most talented individuals. It is the policy of the District to employ recruitment methods that meet affirmative action requirements and result in a sufficient pool of qualified candidates resulting in the selection of the best qualified persons. The Human Resources Department (HR) and the Affirmative Action/EEO Office (AA/EEO) are partners in the District's efforts in this area.

II. PERSONS AFFECTED

All District employees and applicants.

III. GENERAL

The provisions of this regulation shall apply unless superseded by provisions of a collective bargaining agreement.

IV. RESPONSIBILITIES

The General Manager or designee shall ensure the development, selection, and administration of job related pre-employment tests/standards, and proactive recruitment/selection strategies. Unless otherwise specified herein, HR will be responsible for coordinating requirements of this regulation.

V. PROCEDURES

1. **INITIATION OF RECRUITMENT:** The initiation and routing process is as follows:

A. **Vacancy of Existing Position With No Change in Classification or Full-Time Equivalency (FTE):**

- (1) Hiring department submits completed "Request for Recruitment" Form to H.R.
- (2) HR shall confirm the position control information and initiate steps to fill vacancy.

B. **Vacancy - New Position (Unbudgeted), Change in Classification or FTE:**

- (1) Hiring department submits completed "Request for Recruitment" Form to

HR. Request must include:

- Signature approval of hiring department's respective Assistant General Manager;
- Rationale for why the position is needed;
- Listing of the duties and functions expected of the position.

- (2) HR shall coordinate approvals by the Finance Department and the General Manager, and, when applicable, additional steps necessary for amending a classification specification. Following all approvals, HR shall initiate steps to fill the vacancy.

2. **ACCURACY OF ESSENTIAL FUNCTIONS/QUALIFICATIONS:** In consultation with the hiring department, HR shall review and update the essential functions and minimum employment requirements of classification specifications. AA/EEO shall be sent copies for review.
3. **RECRUITMENT METHODOLOGY:** Except when superseded by provisions of a collective bargaining agreement, the decision to recruit inside and/or outside shall be made by HR, in consultation with the hiring department and Affirmative Action. The District will endeavor to promote internally. However, such decision must consider a variety of factors, including the number and relative qualifications of anticipated internal candidates and affirmative action targeted goals and timetables. AA/EEO shall regularly provide HR with under-utilization analysis reports and updates.
4. **USE OF OUTSIDE SEARCH FIRMS:** Decisions to engage an outside firm shall be made by the General Manager. Use of outside search firms are usually considered in the case of senior management level positions that are more difficult to recruitment and/or when recruitments involve out-of-area candidates. Use of such firms may be necessitated in order to avoid internal conflict of interest considerations.
5. **JOB ANNOUNCEMENTS:**
- A. **Content:** A standard Job Announcement format shall include, but not be limited to, specific job duties or summary of duties and minimum employment standards appearing on the approved class specification.
- B. **Filing Deadlines:** Announcements shall be posted for a minimum two (2) week period of time. Specific application filing deadlines shall be set by HR and may be extended as appropriate. The use of continuous or open until filled deadlines shall be restricted to recruitment outside the local area, or for non-entry level jobs that are extremely difficult to recruit.
- C. **Distribution:** HR shall be responsible for distributing job announcements. All job announcements shall be distributed to all internal posting locations. External job announcements shall be distributed to a wide network of outside recruitment sources encompassing public agencies, employment and training programs, out placement sources, educational institutions, community based organizations, professional associations, and other similar organizations. Job announcement summaries (Job Listings) may be used in lieu of sending copies of individual job announcements to outside recruitment sources.
- D. **Supplemental Resources:** Supplemental resources shall include use of a telephone Job Hotline, as well as a TDD for use by persons with hearing impairments. HR, in cooperation with AA/EEO shall oversee recruitment outreach

efforts including, but not limited to, participation in job fairs and other employment related activities.

E. **Advertisements:** Recruitment advertisements in newspapers, journals, posters, newsletters, and other print and/or mass media shall be used as appropriate. Whenever advertisements are used, the selection of such media should consider a broad approach towards reaching a wide spectrum of the community, especially communities targeted under the affirmative action program goals and timetables.

6. **SCREENING PROCESS:** HR shall oversee development, validation, selection and administration of all employment tests. The hiring department(s) may be called upon to assist.

A. **Definition of Applicant:** An applicant is defined as a person who has submitted to HR a completed District Employment Application Form for a specific position during a specified posting period.

B. **Qualifications Determination:** Applicant qualifications may be measured on the basis of pass/fail, or scored means. Applicants may also be screened on the basis of those who are best qualified, where qualifications or scores are significantly higher than the minimally acceptable job related qualifications. Former employees who were terminated for cause or who resigned in lieu of termination for cause shall not be eligible for reemployment with the District.

C. **Application Forms/Supplemental Questionnaires:** Applicants may be required to complete short application forms and/or supplemental questionnaires for specific jobs.

D. **Testing Knowledge, Skills and Abilities:** Job related written, oral, skills or performance, assessment center, or other testing devices shall be utilized to evaluate candidate qualifications. Examples include: reviewing previous work history, verifying required licenses, certificates and degrees, administering medical and physical agility exams, drug and alcohol test, criminal history checks, meeting bonding requirements, and other tests.

E. **District Standards:** The following shall be utilized in the administration of applicant screening:

1. The ratio of substitution between relevant education and experience shall be year for year. The successful completion of 30 semester units is equivalent to one year (2080 hours).
2. Applicants must have accumulated the required experience within 30 days following the application filing deadline.
3. In the case of applicants who fail to enumerate the actual hours worked, no credit will be given.
4. License or certification requirements shall be interpreted to mean that the applicant must be in possession of a valid and active license or certification at the time of application, unless the job announcement specifically allows for possession of the license/certification by a later date.

7. **PANEL REVIEW PROCESS:** A panel process may be utilized at any level of screening in

which objectivity in a testing device requiring evaluators to be technical experts is desirable. Such panels shall normally consist of between three to five evaluators, of which at least one to two members are inside or outside subject matter experts. If, in the opinion of HR, the objectiveness of the exam process is not impaired, a panel may consist of two members, with at least one being a subject matter expert.

8. **ELIGIBILITY LISTS:** HR may establish eligibility lists of applicants for a given classification. A list may be established following the completion of one or more levels of screening, but usually following the paper, performance, or oral stages of screening. The step for establishment of a list shall precede the referral of candidates to the hiring department. HR shall determine the length of time the eligibility list shall be valid, taking into consideration such factors as number of candidates on the list, the expected vacancy rate, and the length of time candidates could be expected to remain available for employment. Eligibility lists may be in effect for a period of not fewer than four months and no longer than twelve months, effective from the date the eligibility list is approved by HR for certification of eligible applicants for referral. Prior to the expiration of the original period, HR may extend the life of an eligibility list for additional periods of time, not to exceed a total of twelve months from the original date of expiration.
 - A. **Ranking of Candidates:** Candidates shall be ranked by performance demonstrated in the designated screening device. For multiple screening processes, a weight of each test shall be used when developing an overall scoring. To be placed on the resulting eligibility list, candidates must pass all test segments with a score of 70% or greater. Tests designated pass/fail, are excluded from this weighting factor.
 1. If all segments of a recruitment examination consist of pass/fail tests, then the resulting eligibility list shall be an unranked list.
 2. In all other cases, the resulting scores shall be converted to a final percentage score, rounded to the nearest whole percentage number. An appropriate rank banding shall be set, consisting of no less than a 1% increment, and no more than a 5% increment.
 3. When applicable, qualified candidates shall be ranked and selected according to the appropriate seniority methodology spelled out in a collective bargaining agreement.
 - B. **Referral of Candidates:** To fill a vacancy, HR shall certify up to the top three banded ranks of eligibles who are willing and able to accept the position. The determination of how many banded ranks to interview shall be a decision jointly made between the Human Resources Department and the hiring department. If multiple vacancies exist, the number of ranks may be increased so that a minimum total of three candidates are available for consideration for each vacancy.
 - C. **Eligibility Deferral:** Candidates on an eligibility list may request suspension of eligibility by providing a written request to HR. Such deferral shall not extend the candidates' date of eligibility expiration. Candidates who are offered employment or the opportunity to interview with the hiring department may decline once. A second refusal shall mean automatic termination from the eligibility list.
9. **SELECTION INTERVIEW/CERTIFICATION FORM:** The hiring department shall receive a certification form (with the names of the applicants who have agreed to be interviewed) and shall conduct interviews as necessary to make an employment recommendation. HR shall

assist the hiring department in coordinating the interview/screening of applicants. The hiring department is not obligated to make employment recommendations based solely upon candidate ranking on an eligibility list.

10. **RETURN OF CERTIFICATION FORM:** After completion of the final interview (or other selection methodology), the hiring supervisor shall forward a hiring recommendation and completed certification form with the results of the final selection process (including valid job-related reasons for recommending a candidate's selection) to HR. AA/EEO shall review and comment on completed certifications prior to offers of employment.
11. **OFFERS OF EMPLOYMENT:** Any offer of employment shall be made in writing by HR. HR will evaluate and prepare a rate of pay and a start date after consulting with the hiring supervisor. Any offer letters that contain provisions that are out of the ordinary must be approved by the General Manager or designee.
12. **TEST MONITORING/REVIEW:** HR shall conduct an adverse impact analysis of the testing process for each recruitment, the results of which will be provided to AA/EEO. All applicable materials shall be available to AA/EEO upon request. Representatives of HR and/or AA/EEO may be present to monitor any testing process.
13. **DISQUALIFICATION:** Applicants shall be disqualified for any of the following reasons:
 - A. Voluntary withdrawal.
 - B. Failure to respond to examination notice within stated deadline.
 - C. No show on day of examination, or appears later than 15 minutes from appointed time.
 - D. Failure to follow given test directions.
 - E. Application submitted incomplete, illegible, unsigned, or physically received by HR after the filing deadline (postmarks not acceptable).
 - F. Failure to file application on the required form or forms.
 - G. Material misrepresentation of information.
 - H. Cheating during test administration.
 - I. Giving or receiving confidential test material or answers to or from another individual.
 - J. Acting in a disruptive manner requiring removal during test administration.
 - K. Failure to complete the test.
 - L. Failure to meet the stated minimum qualifications.
 - M. Meeting minimum qualifications, but ineligible if appointment results in a violation of the nepotism policy.
 - N. Inability to contact applicant due to incorrect address and/or phone number.
 - O. Ineligible for reemployment at AC Transit District.
 - P. Ineligible to exercise seniority bid per a collective bargaining agreement.
14. **APPLICANT NOTIFICATIONS:** HR shall notify applicants of their status in writing, in a timely manner.
15. **RECORD MANAGEMENT:** HR shall maintain all recruitment and selection related files for a minimum of five years, including those generated by the hiring department. All testing records are to be considered confidential, and not available for public review. In the case of applicants seeking a review of personal test performance, a representative of HR shall provide an oral summation of the test result, without compromising test and/or evaluator integrity and confidentiality.
 - A. **Recruitment Records:** Recruitment files shall include the following: applications, personnel requisition(s), announcement, certifications, adverse impact reports,

completed test documents, offer letters, applicant correspondence, supplemental or other applicant forms, class specification, and exam notes. (See B. Re items to be transferred to personnel file.)

- B. **Personnel Records:** Individual personnel files for successful applicants (hired/promoted) shall include: application form, resume if provided, education and training certificates, DMV records, signed offer letter, and new employee check-off lists.
- C. **Other Records:** The following documents shall be maintained separate from the recruitment and/or personnel files: Tests and test keys, medical records, criminal history checks, INS documents, reference documents, and reasonable accommodation records.
16. **ADDRESS CHANGES:** Applicants shall be responsible for notifying HR of changes in mailing address and/or phone numbers.
17. **CONFLICT OF INTEREST:** Individuals involved in any employment decision affecting an immediate family member (or other candidate personally known to the evaluator and whose familiarity prevents objective review) shall be excluded from such decision-making as appropriate. HR staff members, employment panel members, and employees at the Department Head level or higher, shall provide immediate written notification to HR upon becoming aware of a conflict of interest in this area.
18. **COMPLAINT INVESTIGATION/APPEALS:** All recruitment/selection complaints shall be initially directed to the Human Resources Manager. Such complaints must be submitted in writing with all supporting evidence as appropriate, and must be submitted within ten (10) working days from the date the applicant received written notification of results. The Human Resources Manager's findings and disposition shall be issued in writing not later than ten (10) working days from receipt of the written complaint. The Human Resources Manager shall work in consultation with AA/EEO when considering complaints which allege discrimination outlined in the law. Represented employees may use applicable provisions of their collective bargaining agreements to appeal further. Applicants may file a second and final written appeal to the General Manager not later than 10 days following receipt of the 1st appeal disposition. The General Manager's or designee's written findings and disposition shall be issued not later than ten (10) working days from receipt of the 2nd appeal.
19. **OUT-OF-AREA CANDIDATE EXPENSE:** Candidates residing more than 120 miles from the General Office may be offered test accommodation at the discretion of the District, as long as such accommodation is offered to all otherwise qualified out-of-area candidates in any given applicant pool. Such accommodation may include remote site test proctoring, phone interview, video presentation, District paid travel and/or temporary lodging expense, etc.

**RECRUITMENT, SELECTION AND PROMOTION
ADMINISTRATIVE REGULATION NO. 288**

Contact Position: Human Resources Manager

Reference: Supersedes/replaces Management Procedures 286 and 288

c:\office\wpwin\wpdocs\lar288.wpd

