

# CITY OF SAN RAFAEL POLICIES AND PROCEDURES



Subject:	Hiring Practices
Resolution No.	
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Approved By:	Ken Nordhoff, City Manager

## HIRING PRACTICES POLICY

### PURPOSE:

The City of San Rafael is committed to conducting a comprehensive and effective hiring process that adheres to all legal requirements in an effort to recruit the most qualified candidates to City positions. The goal of the hiring process is to ensure the City hires well-qualified, ethical and dedicated employees. The following policy defines the roles and responsibilities of City staff during the hiring process.

### RESPONSIBILITY:

Human Resources staff, Department Directors and all staff involved in the hiring process.

### REFERENCES:

All forms and attachments incorporated in this policy are available under the "HR" tab on the City's Intranet site

- City of San Rafael Disability Policy
- City of San Rafael Fingerprinting Policy
- Personnel Hiring Matrix
- City Memorandums of Understanding (MOU's) for all existing labor unions

### DEFINITIONS:

None

### POLICY:

The Hiring Practices Policy outlines the City's procedure for hiring new employees and defines the roles and responsibilities of city staff during the hiring process. Departments are responsible for adhering to the Hiring Practices Policy when hiring for any full or part-time, regular, budgeted or fixed-term position.

### PROCEDURES:

#### 1. Initial Request

To initiate recruitment the **Hiring Department** must complete a Personnel Requisition Form, available on the HR page of the City's Intranet. The position must be a vacant, regular (full or part-time) or fixed term budget approved position per the various Memorandums of

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Understanding (MOU). The Requisition must be signed by the Department Director and sent to Human Resources for City Manager approval and processing.

### 2. Recruitment

If approved by the City Manager, the **Human Resources Department** is responsible for conducting the recruitment. Human Resources will work collaboratively with the hiring department to conduct a thorough and effective recruitment, ensuring the applicable laws and City Personnel Rules and Regulations are adhered to and that the job opening is posted and advertised in the appropriate locations to meet the Equal Employment Opportunity (EEO) requirements and to inform the appropriate audience of the job opportunity.

Human Resources is responsible for overseeing and administering the testing process and for ensuring the process is fair and objective. Human Resources is also responsible for scoring the exams and establishing the eligibility list.

### 2. Eligibility List & Interviews

Candidates who pass all phases of the recruitment process will be placed on the eligibility list. **Human Resources** will submit the eligibility list to the City Manager's office for approval. The approved eligibility list will be kept on file in the Human Resources department. It will remain viable for a period of six (6) months, unless otherwise indicated in the appropriate Memorandum of Understanding, and can be extended, if requested before its expiration date, for an additional six (6) months.

The eligibility list will be sent to the **Hiring Department** and the department will be responsible for the next steps in the process. The department may hire anyone from the eligibility list in accordance with MOU provisions. **For SRFA employees, please refer to the section on *Rule of Three in the SRFA contract specific guidelines*.** The requirement that the department hire only from the top three on the eligibility list is not a rule contained in the City's Rules and Regulations, nor is it a provision in any MOU (except in the SRFA).

The **Hiring Department** will conduct interviews of the candidates on the eligibility list. It is recommended that the hiring panel include as many staff members as needed in the interview process to allow input from the people who will be working with the new employee.

### 3. Background & Reference Checks

After the top candidate(s) has been identified, the next step is a background investigation, which includes a reference check, fingerprinting, and may include a driver's license record, polygraph, credit report, psychological exam, personal history statement and /or physical agility test. The Hiring Department should consult the Personnel Hiring Matrix (Attachment A) for the list of position specific requirements.

Candidates who are in the final stages of the recruitment process must sign an *Authorization for Release of Information (Reference Check)* (Attachment B) located on the City's Intranet site. It is the policy of the City of San Rafael to require all applicants to sign a written waiver before the City will conduct a reference check. No reference check will be conducted without an adequate

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release form. A copy of the signed form must be submitted to Human Resources to be placed in the recruitment file. Failure to provide a signed waiver will automatically disqualify a candidate.

*Likewise, if you are contacted by an employer who wants to ask you questions about a former employee who worked for you, do not answer any questions other than whether the person worked for the City, dates of employment and salary unless you have a signed waiver from the former employee authorizing you to release information (see City policy on Responding to Reference Requests).*

After the signed Authorization for Release of Information is received, the **Hiring Department** is responsible for contacting the references provided by the applicant. The following is a list of suggested questions to ask a reference, however this list is provided only as a guide; not all of these questions will be answered nor are all pertinent.

- a. The candidate states that he/she was employed with your firm as a \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ and that his/her final salary was \$ \_\_\_\_\_ per year. Is this correct?
- b. Why did the candidate leave?
- c. What were the primary job duties of the candidate?
- d. How well did the candidate get along with co-workers, superiors?
- e. Describe the candidate's work attitude.
- f. How would you rate the quality/quantity of candidate's work?
- g. Describe the candidate's strengths/weaknesses.
- h. Was the candidate dependable?
- i. What one thing stands out in your mind the most about the candidate?
- j. Was there any failure on the candidate's part to meet commitments?
- k. Do you consider him/her to be honest/trustworthy?
- l. Is candidate eligible for re-employment?
- m. Any episodes of inappropriate behavior?
- n. Is there anything the City should know about this candidate's ability to perform his/her job duties?
- o. Are you aware of any disciplinary actions against this employee?
- p. Has this employee been the subject of any internal investigations?

Subject areas that should NOT be discussed during a reference check include:

- a. Marital status
- b. Pregnancy (current or plans for the future)
- c. Childcare plans
- d. Sexual orientation
- e. Religion
- f. Political preferences
- g. Race or racial background
- h. Health or disabilities (pre-offer)
- i. Psychological condition or history
- j. Legal drug and alcohol use
- k. Legitimate use of leave time
- l. Other non-job-related topics

4. **Conditional Job Offer**

After the reference checks and position appropriate background checks have been conducted, the **Hiring Department** will send a conditional offer of employment letter to the candidate. This Conditional Offer Letter (Attachment C) includes contact information for arranging appointments for a pre-employment physical and or psychological exam if it is a requirement of the position. These exams will be paid for by the City to determine if the candidate can perform the essential job duties and meet the physical requirements listed on the job classification. A pre-screening drug test may be part of the physical (refer to Attachment A).

The conditional job offer must be made in writing and include the items identified in the sample Conditional Job Offer (Attachment C). All provisions of any applicable MOU must be followed. Additional benefits or special circumstances that conflict with the City's Rules and Regulations and/or the MOU cannot be offered. Human Resources will assist in interpreting the language, as needed.

If the Hiring Department wants to offer more than the standard entry level benefit package, he/she must review the applicable MOU and the Rules and Regulations to ensure there is no conflict, and then obtain written approval (e-mail is sufficient) from the City Manager, or designee.

5. **Final Job Offer**

**Human Resources** will notify the Hiring Department if the applicant has passed the pre-employment physical and any other applicable tests. If all pre-employment requirements have been successfully completed, the Hiring Department will send the candidate a Final Job Offer letter (Attachment D) confirming the job offer. A copy of the final offer letter should be sent to the Human Resources Department. If this is an "At Will" position, the employee must sign the At Will Employment Acknowledgement form (Attachment E).

The **Hiring Department** notifies Human Resources that a decision has been made and completes the eligibility form and the Interview Evaluation Form (Attachment F) indicating the status of each candidate on the eligibility list (i.e. keep applicant on list or not) and returns the form to Human Resources. The Hiring Department is also responsible for notifying the candidates of their final status and for sending HR a copy of this notification.

6. **Personnel Action Report & New Hire Procedures**

The **Hiring Department** will inform the supervisor of the new employee of the anticipated start date. The Hiring Department makes arrangements for the new employee to attend a New Employee Orientation and submit all required new hire paperwork to HR, including an I-9 form, W-4, etc. A New Hire Paperwork Checklist of all required documentation can be found on the HR page of the Intranet. All employees hired to work for the City must have and provide a valid Social Security Number.

Prior to the new employee's hire date and at least two (2) days *before the end of the pay period*, the Hiring Department must send all the new hire paperwork along with a Personnel Action

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Report (PAR) to Human Resources indicating the start date and salary. New hires may start at any time however regular, budgeted employees changing from less than 75% full time equivalent (FTE) to more than 75% FTE and temporary/seasonal employees changing to a regular, budgeted position more than 75% FTE can only start their new position at the beginning of a pay period. This is very important to note, as the City's payroll system cannot accommodate two different retirement contributions in the same pay period.

**Human Resources** will notify the Information Technology department so that a computer, phone or other technology needs will be set up for the new employee before his/her start date.

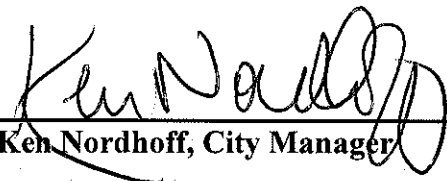
### 7. **Probation Period**

The final step of the hiring process is the probation period. Supervisors must review the language in the appropriate MOU for the particular employee as some MOU's require probationary evaluations. It is extremely important that the MOU provisions are followed. In the event a supervisor wants to terminate an employee during probation, the Human Resources Director must be consulted in advance. After receiving authorization from the Human Resources Director to proceed with the termination, the supervisor must submit the termination in writing to the employee using the appropriate format.

### **ATTACHMENTS:**

- A. Personnel Hiring Matrix
- B. Authorization for Release of Information (Reference Check)
- C. Sample Conditional Offer Letter
- D. Sample Final Job Offer Letter
- E. At Will Employment Acknowledgement Form
- F. Interview Evaluation Form
- G. List of Employees who must sign Fair Employment Practices Form 9 (Appendix A and Appendix B)

### **APPROVED BY:**

  
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Ken Nordhoff, City Manager

8/11/2020

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Date