

# Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt

## Purpose

The purpose of this policy is to set forth the process for recruitment and selection of career service and career service exempt positions at Utah County.

## I. Policy

### A. Career-Service, Exempt Positions

1. Career-Service, Exempt positions consist of all County positions that have been designated as Career Service, Exempt under Section 17-33-8, U.C.A. 1953 as amended, including time-limited positions as defined herein.
2. The appointing/hiring authority may use any process deemed appropriate to select employees for career-service, exempt positions, except where statutory requirements specify otherwise. The selection process used must be in accordance with established policies on nondiscrimination in employment.

### B. Career-Service Positions

1. Career-Service positions are defined as any position in the County service except those exempted under Section 17-33-8, U.C.A. 1953 as amended.
2. Recruitment and selection activities to fill career-service positions shall be governed by merit principles established by the County Personnel Management Act, Section 17-33-3, U.C.A. 1953 as amended, and in accordance with equal opportunity principles.

### C. Authorization to Fill a Position. Departments have authority to request that the Office of Human Resource Management recruit to fill those career-service positions which are included in the approved staffing plan and for which sufficient funds are available.

## II. Procedures

### A. Order of Selection for Career-Service Positions

1. Reappointment Register. Any career-service employee accepting an appointment to an exempt position with the County who is later not retained in the exempt position by the appointing officer, unless discharged for cause, shall be placed on a reappointment register. Employees placed on a reappointment register shall be selected to a career-service position having a salary step range comparable to the employee's last position in the

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

Career Service, provided the employee meets the position qualifications and an opening exists. Employees may be selected to a lesser position, pending the opening of a position having a comparable salary step range to the employee's last position in the Career Service. The reappointment register shall have precedence over any other County hiring register.

2. Reassignment. Within the same county department, the department head has the authority to reassign an incumbent for administrative or other work-related reasons from a position to another position in the same class or to another class having the same salary step range provided the incumbent meets the qualifications of the new position.
3. Rehire Registers. A roster of career-service employees who have been laid off or prescheduled to be laid off because of abolishment of position or reduction in force, displacement by another employee exercising retention rights, lack of funds, or reorganization. The rehire register shall be valid for one year and provided to the hiring department with the competitive recruitment employment register. A selection may be made from either register.
4. Competitive Recruitment or Employee Transfer. If a selection is not made through a reappointment register, or reassignment, the Office of Human Resource Management may open the position for competitive recruitment, or a lateral employee transfer may be made. With Commission approval, the Office of Human Resource Management may authorize noncompetitive selections in the occasional instance where there is evidence that open or limited competition is not practical.

### **B. Recruitment**

1. The Office of Human Resource Management shall administer a recruitment and selection program for career-service positions with the County in accordance with all equal employment opportunity laws and regulations and according to merit principles established by the County Personnel Management Act, Section 17-33-3, U.C.A. 1953 as amended.
  - a. To achieve the results intended by the application of merit principles, with Commission approval, the Human Resource Director may modify or suspend the operation of policy 3-1000 of these rules and regulations. The Human Resource Director must set in writing the justification for such action.
  - b. Recruiting efforts are to be planned and carried out in a manner that assures open competition, with special emphasis to be placed on recruiting efforts to attract groups that are substantially underrepresented in the county work force to help assure they will be among the candidates from whom selections are made.
  - c. The Human Resource Director may suspend, modify, or discontinue any rule, practice, or procedure found to have a disparate impact on members of protected groups.

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

2. Recruitment of employees shall be conducted according to a hiring plan established by the Office of Human Resource Management and requesting department. The hiring plan should include the following:
  - a. A job announcement that contains information relating to the position including minimum qualifications, essential functions, starting salary, closing deadlines, and other information deemed appropriate by the Office of Human Resource Management;
  - b. Details of the strategy for notice of the vacancy. The scope and magnitude of all recruitment activity shall be at the level deemed warranted by the Office of Human Resource Management to attract a sufficient number of qualified applicants to compete for a particular vacant position;
  - c. Decision about applicable examination methods; and
  - d. Other information as required by the Human Resource Director.
3. Competitive recruitments, as defined below, are Internal, Open, or Continuous. Internal recruitment may be used only with Department Head approval.
  - a. Internal Recruitment. Open to all current career-service. Internal recruitments shall specify a minimum filing period of seven (7) calendar days and shall clearly state a final filing date. The Office of Human Resource Management may restrict internal recruitments to include only career-service employees of a specific department.
  - b. Open Recruitment. Open to all current employees and to the general public. The job announcement for an open recruitment shall typically specify a filing period of fourteen (14) calendar days and shall clearly state a filing date. Filing periods may run longer than fourteen (14) calendar days but no shorter than seven (7) calendar days. In lieu of a final filing date, the Office of Human Resource Management may designate whether the need for continuous recruitment is still warranted.
  - c. Continuous Recruitment. Open to all current employees and to the general public. In instances where the need for applicants is continuous, the Office of Human Resource Management may recruit for a position without designating a final filing date. If a register has not been requested within a three (3) month period, the Office of Human Resource Management may determine whether the need for continuous recruitment is still warranted.

### **C. Applications**

1. An official Utah County employment application must be completed using the on-line system to be considered for selection. Exceptions to this procedure may be made on a case by case basis and only in unique circumstance. Incomplete applications will not be considered. A separate employment application must be submitted for every position for which an applicant applies.
2. Unless stated otherwise on the job announcement, applications must be received by the

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

Office of Human Resource Management no later than 11:59 p.m. (MST) on the published closing date of the position. Late applications will not be considered unless the Office of Human Resource Management authorizes the acceptance of late applications when circumstances warrant. All late applications for a given vacancy shall be treated in the same manner.

3. Applications that require attachments must be accompanied by said attachments to be considered. Required attachments include, but are not limited to, verification of license and/or certification, diplomas, transcripts, and type tests. Applicants wanting to claim college, business, armed forces, or vocational school credit must submit transcripts or other official documents (original, scan or photocopy) to receive credit towards meeting the minimum requirements for the position. Attachments will not be accepted late unless requested by the Office of Human Resource Management.
4. Screening Applications. The Office of Human Resource Management will screen all applications received for career-service positions to determine if each applicant meets the position's required minimum qualifications. The Office of Human Resource Management shall treat all applicants for a given vacancy in the same manner when determining if an applicant meets the minimum qualifications.
5. Applications determined to have met the minimum qualifications will be advanced to the examination stage of the selection process.

### **D. Examination**

1. Examinations may be used to further determine the eligibility of applicants for employment in a career-service position. Examinations used shall be based on job requirements and designed to measure or predict likely success in the position. The Office of Human Resource Management shall determine the content of the examination(s) used for selection to a career-service position. Examinations shall be in compliance with federal and state laws and must be approved by the Human Resource Director or their designee.
2. The examination process may include a combination of, the following examinations: secondary application screening based upon specific job related criteria, supplemental review/rating, written examination, performance test, oral board, and/or other examination tools deemed appropriate by the Human Resource Director or their designee.
3. In the instance when there are only a few applicants who meet the minimum qualifications, the Office of Resource Management with the approval of the Director or their designee, may prepare a register for the final hiring interviews without secondary examination.
4. Administration of examinations shall be according to instructions issued by the Human Resource Director or their designee, which provide for:
  - a. Security of examination and scores;

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

- b. Timely notification of applicants;
  - c. Unbiased results; and
  - d. Elimination from consideration those applicants who abuse the examination process.
- 5. The Human Resource Director or their designee may refuse to examine an applicant, or after examination refuse to certify an applicant, who:
  - a. Is found to lack any of the announced requirements established for the position.
  - b. Is found to have made false or misleading statements of material fact in the application package.
  - c. Is found to have used, or attempted to use, any unfair method to obtain an advantage in an examination including directly, or indirectly, obtaining confidential information of the content of the examination.
  - d. Is found to have been convicted of a crime substantially related to the qualifications, functions, or duties of the position for which application is made.
- E. Veteran's Preference
  - 1. As defined under Section 71-10-1, U.C.A. 1953 as amended, a veteran is:
    - a. An individual who has served on active duty in the armed forces for more than 180 consecutive days or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated or retired under honorable conditions; or
    - b. An individual who incurred an actual service-related injury or disability whether or not that person completed 180 days of active duty.
  - 2. In order to be eligible for veteran's preference an individual must be:
    - a. An individual who has served on active duty in the armed forces for more than 180 consecutive days or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated or retired under honorable conditions;
    - b. A disabled veteran with any percentage of disability;
    - c. The spouse or unmarried widow or widower of a veteran;
    - d. A purple heart recipient; or
    - e. A retired member of the armed forces.
  - 3. In accordance with Section 71-10-2. U.C.A. 1953 as amended, the Human Resource Director or their designee shall add to the score of a preference eligible who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any career-service position with County:
    - a. Five percent of the total possible score, if individual is a veteran;
    - b. Ten percent of the total possible score, if individual is a disabled veteran or purple heart

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

recipient; or

- c. In the case of a preference eligible widow or widower, the same percentage the qualifying veteran would have been entitled to.
- d. A preference eligible applicant who applies for a position that does not require an examination, or where examination results are other than a numeric score, shall be given preference in interviewing and hiring for the position.

### **F. Employment Register**

1. Employment registers shall contain the names of applicants who have been certified by the Office of Human Resource Management for a final interview. When there is an active eligibility list for a position, the register shall be created from the eligibility list. The number of applicants so certified shall be determined for each vacancy by the Human Resource Director or their designee, taking into consideration such factors as the number of applicants, examination results, distribution of scores, number of vacancies to be filled, and other relevant circumstances.
2. All applicants listed on a register shall have been examined by the use of the same procedures. The competitive examination process for placement on an employment register may be waived, at the discretion of the Human Resource Director or their designee, for individuals who were originally selected through a competitive examination process in another government entity. Additionally, employees serving in time-limited positions who were selected for the position from an employment register issued by the Office of Human Resource Management, having no break in County employment since being hired from the register, may be selected to fill a vacant career-service position in the same position classification for which they originally competed.
3. An electronic HRIS or ATS system may be utilized to replace manual eligibility and register systems if found to be in compliance with the intent of Section F.
4. The Human Resource Director or their designee may remove an applicant for an employment register who:
  - a. Requests to have his/her name removed from the employment register.
  - b. Declines to invitation or fails to respond to an invitation for a hiring interview.
  - c. Declines an offer of employment.
  - d. Has applied and interviewed for a vacant position at least three (3) times with the same appointing/hiring authority and was not selected for employment.
  - e. For any reasons listed in 3-1000.D.5 of this section.
5. Duration of employment registers. Employment registers shall be valid for sixty (60) days, but may be extended when authorized by the Human Resource Director or their designee up to a length of one (1) year.

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

6. Departments wishing to make selections from an employment register more than the number of selections allowed by the register must contact the Office of Human Resource Management for such authorization prior to making an additional hiring decision.

### **G. Eligibility List**

1. If applicable, an eligibility list may be utilized by specific departments as approved by the Director or their designee. An eligibility list is a ranked listing containing the names of applicants who have met the minimum qualifications for the position and have completed all related examinations. Ranking is based on composite scores. For examinations with a minimum passing score, an applicant must meet or exceed this score to be included on an eligibility list.
2. An eligibility list may be deemed appropriate by the Human Resource Director or their designee when at least two or more examinations are used.
3. Duration of eligibility lists. Initial duration of an eligibility list shall be set at twelve (12) months from the final ranking date.
  - a. An eligibility list may be deemed inactive prior to the expiration of the twelve (12) month duration period when all listed applicants have been placed on an employment register or when deemed appropriate by the Human Resource Director or their designee after considering such factors as the number of applicants, distribution of scores, number of vacancies to be filled, and other relevant circumstances. Placement on an eligibility list does not guarantee placement on a register.
  - b. Duration of an eligibility list may be extended beyond the initial twelve (12) month duration as deemed appropriate by the Human Resource Director or their designee in six (6) month increments up to a total duration of two (2) years.
4. The Human Resource Director or their designee may remove an applicant from an eligibility list for any reason listed in procedure 3-1000.F.4 or 3-1000.D.5.

### **H. Final Hiring Interview**

1. A hiring selection for a career-service vacancy shall be made from among those applicants certified by the Human Resource Director or their designee and placed on a valid employment register. The selecting authority shall demonstrate having conducted a final hiring interview with each listed applicant, unless the applicant declines the interview or does not respond within three (3) working days to the interview invitation. The appointing/hiring authority shall notify each applicant interviewed of the results after the selection is made.
2. An applicant must receive a conditional offer of employment from the appointing/hiring

# **Utah County Human Resource Management Policy 3-1000:**

## **Selection of Career Service and Career Service Exempt**

authority prior to the appointing/hiring authority requesting that an applicant submit to a drug and alcohol screen, physical examination of any type, or to allow the County access to criminal history records, credit reports, and/or any other information established by law that requires an individual's written permission to obtain.

### **I. Inter-Departmental Transfers**

1. The Director, with approval from or, under the direction of, the County Commission, may initiate or authorize a non-disciplinary transfer when the transfer is determined to be in the best interest of Utah County.
2. A transfer is accomplished by moving an employee from their current department to a different county department. The employee may transfer in their current staffing plan position if the position is moved to a different department, or into a newly created, or otherwise vacant position in the staffing plan provided the new position has the same salary step range.
3. The Director shall consult with the respective departments before transfers may be made.
  - a. The Office of Human Resource Management must certify that the transferring employee meets the minimum qualifications for the position to which he/she is being transferred.
  - b. A department accepting a transferred employee shall accept accrued sick leave, vacation leave and personal preference leave and has the option of accepting accrued compensatory time approved by the Office of Human Resource Management. All or a portion of the employee's compensatory time balance may be paid out upon transfer by the department from which the employee is transferred.

### **J. Time-Limited Positions**

The Director may approve the creation and filling of career-service, exempt positions which do not constitute permanent employment where temporary, emergency, seasonal, project, intermittent, or other special needs of a department justify such action. All time-limited positions shall be included in each requesting department's budget. Employees serving in time-limited positions serve at the discretion of the department and may be terminated at any time for any reason other than age, race, color, national origin, religion, sex, pregnancy, childbirth, pregnancy-related conditions, disability, genetic information, sexual orientation, gender identity, or any other factor protected by law, except where these are bona fide occupational qualifications. Time-limited positions include Part Time/25 Hour positions, Variable Hour positions, seasonal and Limited Term positions.

1. **Part-Time Positions.** Part-time (twenty-five (25) hour) employees shall be treated as hourly wage employees without eligibility for fringe benefits. All such employees may work throughout the year but shall be limited up to working twenty-five (25) hours in any workweek, defined as 12:00 a.m. on Saturday through 11:59 p.m. on Friday. Occasional



# **Utah County Human Resource Management Policy 3-1000:**

## **Selection of Career Service and Career Service Exempt**

exceptions to exceed 25 hours may be allowed in unusual circumstances if requested in advance, from the department head, and with prior approval from the Director.

2. **Variable-Hour Positions.** Variable-hour employees shall be treated as hourly-wage employees without eligibility for fringe benefits. Due to the nature of their work, these employees may work an unpredictable number of hours throughout the year and may be seasonal employees. If the number of hours worked in any twelve (12) month measurement period equals or exceeds an average of 30 hours per week, such employees shall be eligible for health insurance benefits in the following twelve (12) month stability period along with other full-time employees, as long as they remain employed. No other fringe benefits will be provided.
3. **Seasonal Employees.** The Seasonal Employee employment duration is six months or less and they normally work the approximate same season(s) during the year. They are not eligible for any fringe benefits.
  - a. **New-Hire Stability Period.** For new hires, the initial twelve (12) month measurement period is defined as the immediate twelve (12) months following the hire date. If deemed eligible for health insurance, coverage will begin on the first of the month following 30 days after completion of the measurement period and continue for twelve (12) months, as long as the employee continues to be employed.
  - b. **Employee Stability Period.** The standard measurement period for ongoing Variable Hour employees will run from November 1 through October 31 each year. If deemed eligible for health insurance, coverage will begin the following January 1 and continue through December 31, as long as the employee continues to be employed.
4. **Limited Term Position**
  - a. Employees holding limited-term positions must work an average of thirty (30) hours or more per week for a minimum of six (6) consecutive months, for a period not to exceed three (3) years. The duration of a limited-term position may be contingent upon a special project; a long-term, temporary need; an alternate funding source continuing; or other purpose deemed appropriate by the Director, for a period of at least six (6) months and not more than three (3) years.
  - b. Employees will be paid an hourly wage for all hours worked, and the employee will participate in the County's deferred compensation plan as other time-limited employees. Because such employees are by definition full-time employees, under the Affordable Care Act, health insurance will be offered to new hires. No other fringe benefits will be provided.
  - c. If a market salary step is defined for the job classification, the hourly rate (not adjusted by the value of reserved benefits) must be within the defined salary step range.
  - d. Upon hire, limited-term employees will be required to sign a term of employment letter specifying conditions of employment and the project, funding source, or

## **Utah County Human Resource Management Policy 3-1000: Selection of Career Service and Career Service Exempt**

need upon which the position is contingent.

- e. If a limited-term position exists for three (3) years, and it is anticipated that the project or funding source will continue indefinitely, the position and employee may be converted to Career Service, provided the employee was initially hired through a competitive examination process. The converted merit salary rate will be set at the same salary step that a career-service employee would have reached within the identical length of employment. If not initially hired through a competitive process, the employee may compete through an open recruitment process for the limited term position that has been converted to career-service status, and if selected, the employee's entry salary step will be set in the same manner as any County new hire. An employee shall acquire career-service tenure status at the successful completion of a probationary period which commences upon movement into the career-service position.