

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 209/966-3222 39

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes (X) No ( )

Adopt this resolution approving the attached revision amending *Section VI: Mariposa County Selection Procedures*, to the *Policy and Program of Mariposa County Employment* to:

- 1) Allow department heads to interview a list of the top ten qualified applicants for a vacant position.
- 2) Allow department heads to demote, with an employee's concurrence, to either a lower classification or to an extra-help, hourly status.
- 3) Clarify the in-County promotion/transfer procedure.
- 4) Permit appointment of current extra-help employees to regular, full-time vacancies under certain specific circumstances.
- 5) Increase the number of hours available for temporary assignments and to clarify the time period in which they may be employed.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** By Resolution 90-301, the Board of Supervisors adopted an Equal Employment Opportunity and Affirmative Action Policy and Program for Mariposa county. This plan was amended by Resolution 91-156 to initiate a County-wide centralized Personnel Office under Section VI: Mariposa County Selection Procedures. This proposed resolution will modify this Section VI based on the following:

1) Department heads have requested that they be permitted to interview the top ten applicants rather than the top five because of a concern that they do not receive a sufficient number of applicants from which to interview and appoint. This is frequently compounded by the fact that applicants whose names appear on an eligibility list either waive interview consideration or have moved from the area. Additional applicant names are provided to a hiring department upon their further written request under certain circumstances, but delays incurred by having to first process the initial list of five applicants pose a real problem for departments with an immediate need to fill a vacancy. This proposed change would provide a list of up to ten applicants for a vacant position. All applicants will continue to be ranked on the eligibility lists maintained in the Personnel Office, but they will be unranked on the certification list provided to the hiring department. The hiring department must contact all applicants on the list and interview all those wishing to be considered for the available position. This policy change is consistent with State law regarding merit system recruitment. These regulations permit Mariposa County to give department heads a wider pool of applicants from which to make a selection while maintaining its full commitment to merit system principles in its personnel program.

2) Department Heads currently have the discretion to promote qualified employees within their departments to existing vacancies. By allowing demotion of regular employees, with their concurrence, to either a lower classification or to an extra-help hourly status, a department head will have more flexibility in meeting staffing requirements with qualified personnel. Furthermore, from time-to-time, employees have found that they would prefer to work in a position that is either less demanding and not as complex or requires less than full-time hours. This policy change would enable a department head to comply with such requests if suitable positions were available and help to retain valued, trained employees in the County's work force.

3) The existing policy is ambiguous as to when employees need to apply for any promotional or transfer opportunities for which they qualify. This proposed amendment clarifies that process. Further, acceptance of applications at any time will reduce the likelihood of an employee missing an opportunity to be considered for any specifically advertised vacancy because of their absence due to vacation, illness, et cetera.

4) This amendment to Section VI is proposed to allow a department head to appoint a current extra-help employee within their department to fill a regular vacancy if they have been unable to fill the position with a current employee either within their department or from an in-County eligibility list. Most, if not all, extra-help employees have been appointed from current or previous eligibility lists provided to the departments by the Personnel Office. Subsequent to May, 1991, extra-help employees have competed on an equal basis with all candidates throughout the employment process, met the minimum qualifications for the position, and passed any required examination in connection with the recruitment. By allowing a department head to appoint such qualified individuals (provided that those employees were "certifiable" for a permanent position), unnecessary recruitment will be avoided, and the department will gain valuable services from an employee who is already trained and knowledgeable with regard to a specific position. A copy of B/S Res. 91-225, the "grandfather" resolution regarding continued appointment of extra-help employees, is attached hereto for reference.

5) Temporary assignments currently are limited to only 22 working days or 176 hours. Because most temporary assignments are utilized as an emergency hire to fill a vacancy when no current eligibility exists, this does not allow a sufficient amount of time to process a recruitment and provide a valid eligibility list from which a department head may make a required appointment. Further, this policy revision requests approval to extend any temporary appointment through the end of either a calendar or fiscal year. This change would provide a department head with continuity of extra-help to complete any required assignment.

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve these requested amendments and additions and continue to administer the personnel program under the current structure.

Make any changes, additions, or deletions to the attached proposed revisions and additions to Section VI as deemed necessary by the Board.

**COSTS:** (X) Not Applicable  
 A. Budgeted current FY \$ \_\_\_\_\_  
 B. Total anticipated costs \$ \_\_\_\_\_  
 C. Required additional funding \$ \_\_\_\_\_  
 D. Internal transfers \$ \_\_\_\_\_

**SOURCE:** ( ) 4/5ths Vote Required  
 A. Unanticipated revenues \$ \_\_\_\_\_  
 B. Reserve for contingencies \$ \_\_\_\_\_  
 C. Source description: \_\_\_\_\_  
 Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**  
 List the attachments and number the pages consecutively:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**CLERK'S USE ONLY:**  
 Res. No.: 96-431 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
 Approved ( ) Denied \_\_\_\_\_  
 Minute Order Attached ( ) No Action Necessary \_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.  
 Date: \_\_\_\_\_  
 ATTEST: MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California  
 By: \_\_\_\_\_  
 Deputy

**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
 This item on agenda as:  
 Recommended  
 Not Recommended  
 For Policy Determination  
 Submitted with Comment  
 Returned for Further Action  
 Comment: \_\_\_\_\_  
 A.O. Initials: M

POLICY AND PROGRAM OF MARIPOSA COUNTY EMPLOYMENT  
(Board of Supervisors' Resolution No. 90-301  
as revised October 15, 1996 - Res. No. 96-431)

SECTION VI: MARIPOSA COUNTY SELECTION PROCEDURES

RECRUITMENT

The Personnel Office will be responsible for recruitment and testing for all County positions including but not limited to regular/full-time and extra-help positions. When a vacancy occurs, the department requests that Personnel begin the recruitment process, which generally consists of job announcement, application screening, appropriate examinations and the establishment of an eligibility list of qualified candidates. Examinations will be given to determine the applicants' knowledge and abilities. Examinations will consist of the completed Mariposa County application, any and all supplemental applications, an evaluation of training and experience, performance tests, written tests, oral appraisal boards, reference checks, or any combination of these. All tests are designed to be job related and to aid in the selection of the best qualified applicants. All appointments are based on merit without reference to age, sex, race, creed, or national origin. A list of the top five (5) to ten (10) candidates will be certified to the department head for interview, from which an appointment will be made to the position available. The candidates' applications together with any supplemental questionnaires shall be provided to the department head with the certification list. The certification list provided to the department head will be in alphabetical order and will not be ranked. The department head shall interview all applicants certified and wishing an interview in accordance with the instructions stipulated on the certification list. Department heads shall be provided additional names from the eligibility list to replace candidates who cannot be located for an interview or who do not wish to be considered for the opening. If less than 5 qualified applicants remain on this list subsequent to completion of all interviews, the department head need not make a selection from this list but may request Personnel to open a new recruitment

APPLICATIONS

Self-addressed interest envelopes will be accepted at any time; applications for a specific position will be accepted only when a recruitment occurs in that classification.

Applications for employment will be made to the Personnel Office on the official County application form.

## SCREENING

At times, recruitment may result in a large number of applicants who meet the minimum qualifications. When such circumstances arise, the County may limit the number of applicants or candidates to advance through the examination process based on such considerations as the following:

- 1) Length, type and level of work experience related to the position.
- 2) Applicability of past work experience to meet the County's special needs or requirements.
- 3) Type, degree, and recency of job preparation for prescribed responsibilities, to include certificates, technical training or course work, and educational achievements.

## VACANCY ANNOUNCEMENTS

All County job opportunities will be announced by publication of a recruitment bulletin which will include:

- 1) Job Title
- 2) Current Salary Range
- 3) Purpose of Recruitment
- 4) Filing Period (where and when)
- 5) Description of Position
- 6) Job Requirements
- 7) Employment Standards
- 8) Selection Process
- 9) Special Requirements (if any)
- 10) State that no appointment will be made prior to a pre-employment physical, if required, and proof of citizenship or right-to-work
- 11) Statement that the County is an equal opportunity employer

## INTERNAL PROMOTION/DEMOTION

It is the policy of Mariposa County to allow Department Heads the discretion to promote or demote qualified, regular employees to a higher or lower classification or level within the department when such a vacancy occurs. Prior to such promotion or demotion, a currently dated Application for Employment form must be completed and submitted to the Personnel Office for certification of the employee's minimum qualifications. A demotion, as authorized by this section, requires the concurrence of the employee and includes any classification to which the employee meets minimum qualifications including appointment as an extra-help, hourly employee.

## HIRING FROM WITHIN THE COUNTY

When a vacancy occurs, consistent with the rule of five (5) to ten (10), first consideration is always given to permanent employees whose names appear on in-County eligibility lists. Job announcements published by the Personnel Office are up-dated weekly and distributed to all County departments for posting giving notice to all employees that a position may be open and eligibility lists will be established. Job bulletins describing the position shall be available in the Personnel Office. Further, special recruitments open to permanent County employees only shall be announced by a memorandum from the Personnel Office sent directly to all full-time and permanent part-time employees at their assigned location of employment.

Because vacancies may be filled from existing eligibility lists, recruitment is not always required. Therefore, the County has made the following provisions to accommodate its permanent employees who are interested in promotional and/or transfer opportunities:

- 1) The Personnel Office will accept applications at any time from permanent employees for promotional and/or transfer opportunities for specific classifications. All applications will be maintained on a confidential basis.

All applications will be reviewed, normally within 10 working days from receipt, to determine if minimum qualifications are met. If accepted, the employee's name will be placed on an in-County eligibility list for that position, and the employee will be so notified. If rejected, the employee will be so notified, and their application will be returned to them.

All applications accepted outside of a normal recruitment will be subject to any future examination process determined to be necessary by the County in order to rank a large number of applicants for a particular classification.

- 2) After a recruitment is announced, applications for promotional and/or transfer opportunities will also be accepted during such recruitment. If an employee requested promotion and/or transfer to any classification prior to a recruitment and his or her name was placed on an eligibility list, his or her application will be included and processed with the announced recruitment, and he or she will be required to provide any additional information that may be necessary for the examination component of the recruitment. Regardless of when an application is submitted, all applicants will be required to participate in the regular examination process as described in a current job bulletin.

- 3) Employees must comply with any announced recruitment deadlines. Applications received from permanent County employees after the final filing date of any advertised/posted recruitment may not be included with any applicant list certified immediately following that recruitment in order to fill a current vacancy. Late applications will be accepted and reviewed in accordance with Paragraph 1. above. Placement on an eligibility list will be determined by the necessity of completing the examination process in order to rank current candidates. If there are 10 ranked candidates as a result of the examination process from a current recruitment, any late applications that are received will be held with the eligibility list records but will not be certified to any department until such time as (a) the number of eligible candidates falls below 10, or (b) a new recruitment and examination is conducted by Personnel.
- 4) Current County employees shall be identified separately on the eligibility lists and will be given interview consideration under the same rule of five (5) to ten (10) prior to a department making an appointment from the open eligibility list. If less than 5 County applicants are found to be available on the list certified by the Personnel Office, the department head is not required to make a selection from that list but may then request an open list, if available, or request a new recruitment. If there are less than 5 names on the in-County eligibility list, the Personnel Office may also provide the open list to the department thereby allowing simultaneous interviews to be held.
- 5) Names of employees who resign or are terminated will be removed from the in-County list. If the employee had submitted an application that was included with the examination component of a recruitment for an existing eligibility list, his or her application will be commingled in score order on the open list and retained thereon throughout the life of that list. If the employee's application had not been included in any recruitment process, then he or she must reapply at such time that a new recruitment for the position is announced to the general public in order to have his or her name placed on an open eligibility list. This provision in no way affects employee rights under layoff or re-employment provisions established by current memorandums of understanding with any employee organization.

Every six months, the Personnel Office shall issue a memorandum to all current full-time and permanent part-time employees outlining the process to be followed if they wish to be considered for promotional and/or transfer opportunities for any vacant County positions that may become available from time-to-time.

APPOINTMENT OF CURRENT EXTRA-HELP EMPLOYEES TO FILL AN EXISTING VACANCY WITHIN A DEPARTMENT TO WHICH THEY ARE CURRENTLY ASSIGNED

If a department head has been unable to fill an existing vacancy either by internal promotion or by hiring from within the County as hereinabove stated, in lieu of requesting a recruitment or a certification list from the Personnel Office, the department head shall have the option to appoint a qualified extra-help employee who is currently working in a like capacity within the department to the vacant position without additional interviews required provided that:

- 1) The department head must contact the Personnel Office, in writing, to determine if the extra-help employee would be included within the top ten candidates on the eligibility list that would otherwise be used to fill the vacancy. The Personnel Office shall advise the department head, in writing, whether the extra-help employee is eligible. If eligible, the department head may then prepare a Personnel-Payroll Action Form to initiate the appointment. In addition to the other documents required by this form, the department head shall also attach a current Mariposa County Application for Employment form and a Personal Evaluation form which reviews the performance of the employee in that department to date. The department head must inform the employee, in writing, that the required one-year probationary period shall commence with the date of the full-time or permanent part-time appointment and that any accrued extra-help hours will not be applied to this new probationary requirement.
- 2) If the extra-help employee being considered for full-time appointment was hired from an expired eligibility list but would have been eligible for full-time appointment from that list by virtue of being ranked among the top ten candidates, the Personnel Director may approve the current appointment request.
- 3) If the extra-help employee being considered for full-time appointment was not hired from any eligibility list but has been "grandfathered" pursuant to Board Resolution Number 91-225, the department head shall provide a current Mariposa County Application for Employment form and a Personal Evaluation form which reviews the performance of the employee in that department to date together with a written request to the Personnel Director to appoint the extra-help employee to the full-time vacancy. The Personnel Director will review the request to ensure that the employee meets all current minimum qualifications and shall notify the department head, in writing, of the decision made to allow or disallow appointment of the extra-help employee.



## OUTSIDE RECRUITMENT

When a new position is created, or a present position becomes vacant and is not filled by a qualified County employee as herein provided, the County policy is to use announcement advertising, and any other method of publicizing employment opportunities so that the greatest possible number of applicants may be recruited.

Recruitment sources may be:

- 1) Local and/or multi-regional newspapers.
- 2) Specialized public sector recruitment publications including trade journals for certain professional positions.
- 3) Distribution of recruitment bulletins to County and State personnel offices.
- 4) Distribution of recruitment bulletins to community, ethnic and women's groups and organizations.
- 5) Distribution of recruitment bulletins to County and State agencies and departments having similar job classifications.

## NOTIFICATION OF SUCCESSFUL CANDIDATE

All applicants for a position will be notified as to the status of his/her application.

Each applicant passing all parts of the examination shall be notified by the Personnel Office of the final rating as soon as the eligible list is established. Eligibles, upon written request and presentation of proper identification, shall be entitled to information concerning their relative position on a list.

Applicants who fail any part of the examination or the total examination shall be notified.

Establishing of Eligible Lists: After each examination, the Personnel Officer shall prepare an eligible list of persons with passing grades. The names of such persons shall be placed on the eligible list in the order of their final rating starting with the highest. The names of all eligibles with the same (tied) score will be certified together.

## DEPARTMENTAL INTERVIEW

After appropriate testing of applicants has been completed by Personnel, a selection interview shall be held to interview qualified candidates.

Uniform oral interview questions will be used.

Other non-biased evaluation procedures also may be used.

The successful candidate and applicants that participate in the interview process will be notified in writing by the department.

#### STANDARDS AND QUALIFICATIONS FOR EMPLOYMENT

Applicants for employment will be required to meet such reasonable standards of education and experience, knowledge, skills and abilities, and personal and physical characteristics as are prescribed in the class specification, and which will assure that the candidates are reasonably well qualified to successfully perform the duties of the positions in which they seek employment.

All candidates for employment shall be required to be in sound health and have the physical ability necessary to perform the duties of their positions.

All applicants must meet the minimum qualifications and standards prescribed by State Legislature for county officers or as prescribed in the official Mariposa County class specification.

Reference checks, pre-employment physicals and completion of new hire paperwork will be handled at the departmental level.

#### RECORD RETENTION

Records of applicants and interview work sheets will be retained by the Personnel Office for a period of not less than six (6) months.

The Personnel Office may exercise the option of calling any rated candidates within two years of the original interview, to re-interview them to hire without re-advertising.

#### TEMPORARY ASSIGNMENTS

- 1) Temporary appointments are limited to a maximum of 320 hours (40 working days) per position in a period not to exceed six consecutive months.
- 2) Temporary appointments shall be made from suitable eligible lists. The acceptance or refusal to accept such employment on the part of persons on the eligible list shall not be a bar to appointment to a regular position from such eligible list. In the absence of suitable eligible lists, or a denial of all individuals on a suitable eligible list for temporary assignment, extra help appointments may be made of qualified persons.

- 3) To appoint a temporary employee other than from an eligible list, a copy of application for employment shall be submitted to the Personnel Officer for prior approval before a job offer is made. Temporary employees are not eligible for consideration to extra help or permanent full-time positions unless the temporary employee appears on the appropriate certified eligible list. If a department head foresees an on-going requirement, they must request an immediate recruitment to establish an eligible list from which an appropriate appointment may be made to fill the vacancy.
- 4) Pre-employment medical examinations, except for positions requiring strenuous physical activity, may be waived for all temporary assignments with the recommendation of the department head and the approval of the Personnel Director.
- 5) No time served under a temporary appointment shall contribute towards acquiring probationary or permanent status, nor shall temporary employees be entitled to other rights extended to regular County employees appointed to budgeted positions.