

# **RESOLUTION NO. 3745**

## **A RESOLUTION REVISING CITY OF MILES CITY PERSONNEL POLICIES REGARDING EMPLOYMENT ANTI-DISCRIMINATION PRACTICES, AND RECRUITING AND HIRING**

***WHEREAS***, the City of Miles City has established certain personnel policies for officers and employees of the City of Miles City, which are set forth in the City of Miles City Personnel Manual;

***AND WHEREAS***, such policies include a policy section entitled “Section 1 Recruiting and Hiring” at pages 1.1.1 through 1.17.1 of the Personnel Manual;

***AND WHEREAS***, the City Council finds that the replacement of such policy section with an updated and revised policy which has been recommended by the Human Resources Committee should be adopted;

### **NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:**

1. That the policies titled “Section 1: Employment Anti-Discrimination Practices,” “Section 2-A: Recruiting and Hiring,” and “Section 2-B: Recruiting and Hiring Forms,” attached hereto as Exhibit “A” and made a part hereof, consisting of forty-two (42) numbered pages, one index page, and three cover pages, are hereby adopted by the Council, and shall be placed in the City of Miles City Personnel Policy Manual.

2. Existing pages 1.1.1 through 1.17.1 of “Section 1 Recruiting and Hiring” of the Personnel Manual are hereby repealed.

3. Such changes to the policy shall become effective immediately upon the passage of this resolution.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 23<sup>rd</sup> DAY OF SEPTEMBER, 2014.**

  
C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk

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## **SECTION 1**

### **Employment Anti-Discrimination Practices**



City of Miles City

 <b>CITY OF MILES CITY PERSONNEL POLICY</b>	Effective Date:	
	Last Revised:	
<b>Employment Anti-Discrimination Practices</b>		
<b>Resolution #</b>		

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

## **PURPOSE**

The City of Miles City believes that equal opportunity in employment is a moral and legal obligation. The City of Miles City is committed to providing equal opportunity for women, minorities, veterans, and person with disabilities in employment. The City of Miles City is further committed to upholding the multiple federal and state laws that prohibit discrimination on the basis of race, sex, age, religion, national origin, marital status, color, creed, disability (physical and mental), political beliefs, and veteran status.

## **POLICY**

It is the policy of the City of Miles City to recruit and select persons for appointment and employment, and to train, advance, promote, and transfer such persons on the basis of individual capability, potential, or contribution to the programs and goals of the City.

The City of Miles City respects, supports, and observes the laws, directives and regulations of the state and federal government that prohibit discrimination. The effect of these laws is to remove the barriers that prevent qualified individuals with disabilities from enjoying the same employment opportunities that are available to persons without disabilities. Therefore, no department may discriminate against a qualified individual with a disability on the basis of the disability in any aspect of the employment relationship, including:

- ✓ Recruitment, advertising, and job application procedures;
- ✓ Hiring, upgrading, promotion, award of tenure, demotion, transfer, reassignment,

- layoff, termination, right of return from layoff, and rehiring;
- ✓ Rates of pay or any other form of compensation and changes in compensation;
- ✓ Job assignment, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
- ✓ Leaves of absence, sick leave or any other leave;
- ✓ Fringe benefits available by virtue of employment, whether or not administered by the covered entity;
- ✓ Selection and financial support for training, including: apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training;
- ✓ Activities sponsored by a covered entity including social and recreational programs; and,
- ✓ Any other term, condition, or privilege of employment.

### **AMERICANS WITH DISABILITIES ACT (ADA):**

The City of Miles City is required to make a reasonable accommodation to known physical or mental limitations of an otherwise qualified individual unless to do so would impose an undue hardship on the employer. The ADA defines a qualified individual with a disability as an individual with a disability who satisfies the requisite skill, experience, education and other job related requirements of the position and who, with or without a reasonable accommodation, can perform the essential functions of the position.

A disability is a physical or mental impairment that substantially limits one or more major life activities. The term also applies to someone with a record of impairment or who is perceived or regarded as having a disability.

Essential functions mean the fundamental job duties of the position that are required to be performed by the employee either with or without an accommodation. A job function may be considered essential for several reasons including:

- ✓ The reason the position exists is to perform the function;
- ✓ There are limited number of employees available among whom the performance of that job function can be distributed; and/or
- ✓ The function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.

Whether a function is essential is a factual determination that must be made on a case-by-case basis. Evidence of whether a particular function is essential includes, but is not limited to:

- ✓ The employer's judgment as to which functions are essential;
- ✓ Written job descriptions prepared before advertising or interviewing applicants for the job;

- ✓ The amount of time spent on the job performing the function;
- ✓ The consequences of not requiring the incumbent to perform the function;
- ✓ The terms of a collective bargaining agreement;
- ✓ The work experience of past incumbents in the job; and/or
- ✓ The current work experience of incumbents in similar jobs.

It is critical to know which of the duties of a job are essential functions, because it may determine whether a person is qualified under ADA. A person must be able to perform the essential functions of the job either with or without a reasonable accommodation.

An accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. There are three categories of reasonable accommodation:

1. Accommodations that are required to ensure equal opportunity in the application process;
2. Accommodations that enable employees with disabilities to perform the essential functions of the position held or desired; and,
3. Accommodations that enable employees with disabilities to enjoy benefits and privileges of employment as are enjoyed by employees without disabilities.

An employer is not required to provide an accommodation that will impose an undue hardship on the operation of the employer's business. An undue hardship refers to any accommodation that would be unduly costly, extensive, substantial, or be disruptive. The Human Resources Officer should be contacted for information regarding undue hardship concerns.

The factors that are considered in determining whether an accommodation would impose an undue hardship include:

- ✓ The nature and net cost of the accommodation, taking into consideration the availability of tax credits and deductions, and/or outside funding;
- ✓ The overall financial Resources of the City, the number of persons employed at such facility, and the effect of expenses and Resources;
- ✓ The overall financial Resources of the employer, the overall size of the business with respect to the number of its employees, and the number, type and location of its facilities;
- ✓ The type of operation of the business, including the composition, structure and functions of the workforce, and the geographic separateness and administrative or fiscal relationship of the facility or facilities in question to the covered entity;
- ✓ The impact of the accommodation upon the operation of the facility including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business.

Applicants, employees and members of the public may file a grievance or complaint

based on the application or interpretation of laws, written rules, personnel policies and procedures which adversely affects them, unless specifically prohibited from doing so by statute or rule. Nothing in the City's rules precludes an applicant, employee, or member of the public who is alleging unlawful discrimination from concurrently exercising any statutorily protected right to file a timely complaint with a civil rights enforcement agency.

## **CLOSING**

The City of Miles City will continue to monitor both State and Federal laws and will inform employees of any policy changes. The City reserves the right to change its policy or to make appropriate revisions, additions, or corrections as needed.

## **EQUAL EMPLOYMENT OPPORTUNITY:**

### **PURPOSE**

It is the objective of this policy to establish minimum standards for the implementation of Equal Employment Opportunity/Affirmative Action programs for all City departments, in compliance with relevant State and Federal law or regulation and executive order.

### **POLICY**

It is the policy of the City of Miles City that:

- ✓ Equal Employment Opportunity is a goal of City government;
- ✓ Discriminatory barriers to employment or services in City government based on race, color, religion, creed, sex, national origin, age, physical or mental disability, marital status, or political belief must be eliminated, in accordance with relevant State and Federal laws; and
- ✓ An effective City Equal Employment Opportunity program must be implemented and maintained.
- ✓ Compliance with 49-3-201MCA will be accomplished by:
  - Promulgating written directives to carry out EEO Policy and to guarantee equal employment opportunities in all levels of government;
  - Regularly reviewing personnel practices to assure compliance;
  - Conducting continuing orientation and training programs with emphasis on human relations and fair employment practices.

## **MAYOR AND HUMAN RESOURCES OFFICERS RESPONSIBILITIES:**

The Mayor in conjunction with the Human Resources Officer has the responsibility to



administer and implement the City's Equal Employment Opportunity.

At the minimum, the Mayor in conjunction with the Human Resources Officer shall perform the following functions:

- ✓ Develop EEO standards and guidelines, and administrative systems to support the City's EEO program;
- ✓ Provide for any EEO analysis and technical assistance needed;
- ✓ Review and approve all City affirmative action plans for compliance with Federal and State Law and with the requirements of Equal Employment Opportunity guidelines;
- ✓ Provide training for City departments.

### **CITY PROGRAM:**

The Mayor in conjunction with the Human Resources Officer is responsible for the implementation of the City's equal employment opportunity. All City Departments are covered under this rule.

The program at a minimum shall include a policy statement and a plan of corrective measures described in this rule.

The City shall develop a written EEO Policy Statement for internal and external dissemination. The EEO policy statement shall include, at a minimum, the following elements:

- ✓ A statement that it is the policy of the City to provide equal employment opportunity (EEO) to all person regardless of race, color, religion, creed, sex, national origin, age, disability, marital status or political belief with the exception of special programs established by law
- ✓ The City will take action to equalize employment opportunities at all levels of agency operations where there is evidence that there have been barriers to employment for those classes of people who have traditionally been denied equal employment opportunity;
- ✓ The City will make a commitment to provide reasonable accommodations to any known disability that may interfere with a disabled applicant's ability to compete in the selection process or a disabled employee's ability to perform the essential duties of a job;
- ✓ The City will guarantee employee protection against retaliation for lawfully opposing any discriminatory practice, including the filing of an internal grievance, the filing of a union grievance, the filing of a Discrimination/Harassment Complaint, the initiation of an external administrative or legal proceeding or testifying in or participation in any of the above;
- ✓ Assign responsibility for coordinating the City program and for attempting to resolve employee EEO complaints to a designated EEO Officer and assigning

responsibility for implement the program to all Department Directors and supervisors

- ✓ Mayor and Human Resources Officers signature and date.

When required, the Mayor in conjunction with the Human Resources Officer shall establish an EEO Action Plan, which is based on an analysis of current data, which identifies problem areas and establishing goals, timetables and action items to correct problem areas.



## CITY OF MILES CITY

Effective  
Date:

Last Revised:

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

It is the policy of the City of Miles City to provide equal employment opportunity (EEO) to all persons regardless of race, color religion creed, sex, national origin, age, mental or physical disability, marital status, or political belief with the exception of special programs established by law.

The City of Miles City will take action to equalize employment opportunities to all levels of City operations where there is evidence that there have been barriers to employment for those classes of people who have traditionally been denied equal employment opportunity.

The City of Miles City makes a commitment to provide reasonable accommodation to any known disability that may interfere with a disabled applicant's ability to compete in the selection process or a disabled employee's ability to perform the duties of the job.

The City of Miles City guarantees employee protection against retaliation for lawfully opposing any discriminatory practice, including the filing of an internal grievance, the filing of a union grievance, the filing of a Discrimination/Harassment Complaint, the initiation of an external administrative or legal proceeding or testifying in or participating in any of the above.

The designated EEO Officer of the City of Miles City and the person responsible for coordinating the City's program is the Human Resources Officer in conjunction with the Mayor. Human Resources Officer can be reached at City Hall or by phone at #874-8601.

Sustaining this policy is the responsibility of all who work for the City.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Human Resources Officer

\_\_\_\_\_  
Date

## **DISCRIMINATION COMPLAINT PROCESS:**

If a City employee or other individual believes he/she has been discriminated against on the basis of race, creed, national origin, color, sex, religion, physical or mental disability, marital status, age or political belief, the individual may take action submitting the complaint to Human Resources'.

The complaint may also be submitted to any of the following levels:

- Department Director or Immediate Supervisor
- Human Resources'
- Mayor
- State of Montana Human Rights Commission within 180 calendar days of the alleged action or incident.

Complete confidentiality may be requested and will be complied with to the extent legally possible.

An individual is encouraged to first discuss their complaint with their Department Director or immediate supervisor, in an effort to settle the issue at the lowest possible level. Discussions should occur within 10 days of the incident.

If the complaint is not resolved at the Departmental level, the Discrimination/ Harassment Complaint and Investigation form shall be filed with Human Resources' within 30 days of the incident. The Mayor in conjunction with Human Resources' and the City's Attorney will investigate, with the goal of concluding the investigation within 45 days of the receipt of the complaint.

If the City of Miles City cannot resolve the complaint, then the complainant shall be notified of all appeal rights.

Should the complaint decide not to pursue the complaint, a signed withdrawal statement shall be obtained.



## CITY OF MILES CITY

### DISCRIMINATION / HARASSMENT COMPLAINT AND INVESTIGATION FORM

**To be Completed by Complainant:**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_

Work #: \_\_\_\_\_ Home #: \_\_\_\_\_ Email: \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

**BASIS OF COMPLAINT:** \_\_\_ Race \_\_\_ Color \_\_\_ National Origin \_\_\_ Sex \_\_\_ Age

\_\_\_ Disability \_\_\_ Creed \_\_\_ Religion \_\_\_ Marital Status \_\_\_ Political Belief

**DETAILED STATEMENT OF THE COMPLAINT:** \_\_\_\_\_ Attachment \_\_\_\_\_

**INVESTIGATION PROCESS - Witnesses:** (use additional sheet if necessary)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_

Work #: \_\_\_\_\_ Home #: \_\_\_\_\_ Email: \_\_\_\_\_

**COMPLAINANT SIGNATURE:**


Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **SECTION 2-A**

### **Recruitment and Selection**



City of Miles City

	<b>CITY OF MILES CITY PERSONNEL POLICY</b>	Effective Date:	
		Last Revised:	
<b>Recruitment and Selection</b>			
Resolution #			

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

## **PURPOSE**

This policy provides guidance for the recruitment and selection of applicants for the City of Miles City vacant positions.

## **POLICY**

It is the policy of the City of Miles City to recruit and select persons for appointment and employment, and to train, advance, promote, and transfer such persons on the basis of individual capability, potential, or contribution to the programs and goals of the City.

Each Department Director, supervisor and employee of the City of Miles City is responsible for conducting employment activities in support of and in compliance with this policy.

The City of Miles City respects, supports, and observes the laws, directives and regulations of the State and Federal Government that prohibit discrimination.

This Recruitment and Selection policy is related to but not limited to; recruitment, selection and testing. This policy does not preclude discrimination based on bona fide occupational qualifications or other recognized exceptions under the law.

## **PROCEDURE**

### **Personnel Requisition Form:**

A "Personnel Requisition Form" will be filled out by the Department Director of the vacant/open position and forwarded to the Mayor for approval. The Department Director will then forward the form to the Human Resources/Payroll Office to initiate recruitment procedures.

Recruitment and advertising may begin immediately when the Mayor has been notified in writing that a position is being left vacant/open.

Recruitment for an opening with the City of Miles City will progress through the sequence of checking for qualified laid-off workers (Job Registry), internal recruitment followed by external/public recruitment.

- ❖ **All advertisements must be reviewed and approved by the Mayor or the Mayor's designee prior to placement.**

#### **Summary of Recruitment and Selection Policy:**

1. Open positions start with the **Job Registry** for employees who have been laid off. Qualified, laid off employees receive the highest level of preference for filling openings, but do not have exclusive hiring rights.
2. Next, **Internal Recruitment** for current City of Miles City employees. The City of Miles City reserves the right to open all job searches outside the organization. Qualified internal applicants will be considered, but being an internal applicant is not exclusive criteria for selection.
3. Finally, **Open Recruitment Process**.

#### **Step One – “Job Registry” Recruitment: (3 Working Days Maximum)**

- A. Employees who have been laid-off through no fault of their own by the City of Miles City are eligible for inclusion on a recall list known as a Job Registry for a period of one (1) year. This registry along with other pertinent employee files will be maintained by the Human Resources/Payroll Office and referred to as a first step when an opening occurs with the City of Miles City. Laid off employees who are contained on this Job Registry and identified by the Mayor as possessing the minimum qualifications are informed about the opening, and requested to apply if interested. Notification will be done by registered mail to the laid off employee's last known mailing address. Registry applicants must apply for these vacancies within three (3) working days of this notification.
- B. The Human Resources/Payroll Office will compare all openings to the Job Registry list for identification of potential applicants, and submit the list of potential applicants to the Mayor or the Mayor's designee. Qualified laid off employees of the City of Miles City will receive the highest level of preference in filling openings when possible. However, inclusion of a laid off employee(s) on the Registry list must not be interpreted as exclusive hiring rights.
- C. Registry members will be considered prior to Internal Recruitment. In circumstances when a tie between two substantially equally qualified applicants exists on the Registry list, the applicant with longer *continuously active* City service will be selected.
- D. An employee's participation on the re-call list ends when:
  - An employee refuses a reinstatement offer;
  - An employee withdrawals in writing from participation; or
  - One year has elapsed since the employee's effective date of lay off.
- E. Recruitment activities through recall list methods are not considered solicitation for



applications from the general public; therefore, preference on basis of veteran status, disability, or Indian race is not applicable.

- F. Human Resources/Payroll Office shall notify all applicants determined qualified if a Job Registry applicant is selected; or, if the applicant(s) are not selected and that the City of Miles City intends on recruiting internally.
- G. Once the Human Resources/Payroll Officer has determined that no qualified Registry applicants exist and notifications have been made or mailed, the process moves to Step 2.

### **Step Two – Internal Recruitment: (5 Working Days)**

- A. Under the Internal method of recruitment all interested current staff are notified and those responding are considered for existing openings. Qualified Internal applicants will be considered in accordance with this policy, however, an “Internal Applicant” status must not be interpreted as the exclusive criteria for selection.
- B. An updated list of all current job openings will be posted internally. This list will indicate the date of opening, the position title, and a contact name for further inquiry. All internal applicants inquiring about open positions will be given an opportunity to apply; however, the City of Miles City reserves the right to hire applicants from outside when it determines, in its sole discretion, by and through the Mayor or the Mayor’s designee that this approach is necessary or desirable.
- C. Interested employees must submit their application in the form of a memorandum to the Human Resources/Payroll Office through their immediate supervisor. This memorandum should be prepared once the employee has reviewed the Job Description associated with the opening, and determined that he/she meets the minimum requirement of the position. Further applications will not be accepted beyond the designated closing date of the position.
- D. The Human Resources/Payroll Officer will notify all internal applicants if selected, or, if they are not selected and that the City of Miles City intends to recruit externally. Once the Mayor has determined that is in the best interest of the City to recruit externally, and notifications have been made or mailed, the process moves to Step 3.
- E. Recruitment activities through internal methods are not considered solicitation for applications from the general public; therefore, preference on basis of veteran status, disability, or Indian race is not applicable.
- F. In the event an internal applicant meets minimum qualifications for the position, but the City of Miles City determines that it is in the best interest of the City to recruit externally, qualified internal applications will be carried over to Step 3.
- G. In the event the City of Miles City determines that it will consider internal applications without posting externally, the internal applicants will move through the hiring process established herein, beginning at the paragraph titled “Application Screening” below. If at any time the internal applicants are removed from the selection process, or if the City of Miles City determines during the selection process that external recruitment would be in the City’s best interest, the process will revert to Step 3.

### **Step Three – General Public Recruitment: (10 Working Days)**

- A. The Human Resources/Payroll Office will post a vacancy externally to the general public if no qualified Registry applicant has been identified, and if no internal applicants have been

selected. Vacancies posted to the general public will generally remain open for two (2) weeks when possible, but may be closed sooner, or extended at the discretion of the Mayor, in consultation with the Human Resources/Payroll Officer.

- B. All City of Miles City vacancies subject to external procedures will be made known to the job seeking public. The Mayor may elect to utilize any of the following recruitment sources, Job Service listing, newspaper, the Internet, Community Colleges, or other appropriate sources. The Mayor, in consultation with the Human Resources Payroll Officer may also limit its recruitment to specific geographical areas, but will consider all applications received prior to closing date, irrespective of the applicant's place of residence.
- C. All employment advertisements must be reviewed and approved by the Mayor prior to placement. Copies of all final ads will be retained for recordkeeping and compliance purposes. Recruitment sources will include both internal and external origins, as described above.

### **Application Screening:**

- A. The Mayor and the immediate supervisor for the position being hired will screen applications for basic qualifications, and the Human Resources/Payroll Officer will notify applicants directly if they do not process these qualifications. All applicants must complete a City of Miles City employment application form.
- B. Applications of applicants will be forwarded to the Mayor for consideration. The Mayor, in consultation with the immediate supervisor for the position being hired, will select the top applicants for interview based upon a review of qualifications and/or supplemental application questions.
- C. All applications and/or resumes will be retained by the City of Miles City for two years, or as mandated by Federal and State laws.
- D. Applicants will be informed that if selected, they will be required to provide the City with specific documents establishing their identity and employment eligibility, in accordance with Immigration Reform and Control Act of 1986.

### **Application Screening Process**

- A. The purpose of the selection process is to identify potential employees who are best qualified to meet the specific work requirements and successfully perform the job duties of the open position. In that light, selection procedures will be based on a specific job analysis.
- B. All applicants remaining in competition at each level of the selection process shall be treated consistently with respect to:
  - Contents of the procedure applied;
  - Persons involved in administering the process; and,
  - The maximum amount of time allotted when time procedures are utilized.
- C. However, consistent treatment should not imply identical treatment.
- D. Individuals involved with evaluating applicants' qualifications must be familiar with the position to be filled, and must use job related questions, suggested responses, and rating scales to evaluate applicants. This technique must permit accurate comparison of the

- applicant against the job requirements, as well as the applicant pool.
- E. Certain entities within the City government may be mandated to require specific qualifications, or use particular measuring guidelines (e.g. POST test) not necessarily pertinent to other departments.
  - F. Any unsuccessful applicant claiming employment preference will be provided a written notice of the hiring decision.
  - G. Provisions must be made for an annual review and update of this Recruitment & Selection Policy by the Human Resources Committee.

### **Personal Interview of Selected Applicants:**

- A. The Mayor shall appoint a Hiring Committee, consisting of 3 or 4 members, one of which must be the immediate supervisor for the position being hired. The Human Resources/Payroll Officer shall be an advisor to the Hiring Committee, and shall attend all meetings of, and interviews conducted by the Hiring Committee. The Hiring Committee, along with the Mayor, in the event the Mayor wishes to be present, shall conduct interviews of selected applicants. All questions asked in a personal interview must be job related and designed to help the interviewer identify the best qualified applicant for the position. The primary objective of the personal interview is to achieve the best match between the applicant's qualifications and the job requirements. Interviews are a reliable method of determining more about the capabilities of minimally qualified applicants. Although interviews are important, the other selection criteria, such as those listed under "Selection Devices" shall be considered. Follow-up questions, as long as they are job related, may be asked of the applicant. These follow-up questions may be based upon an answer to a previously asked question or based upon the application material that the applicant submitted. All follow-up questions must be captured for retention in the recruitment file. Further information on conducting interviews may be found in the "Employment Interview Guide" and the "Do's and Don'ts of Interview Questions".
- B. The Human Resources/Payroll Officer is responsible for contacting applicants for interviews. If applicants are contacted by phone, they need to be informed of the date, time, and location of the interview. If the applicant cannot be contacted by phone, a letter should be sent and the aforementioned information shall be provided. Applicants who do not show up at the appointed time or applicants who withdraw from the interview process may be removed from the applicant pool.
- C. Internal applicants, for City vacancies, will be granted paid time to attend the interview. once the interview is completed, the employee is expected to return to their work assignment and complete their respective shift.
- D. The Mayor and/or the Hiring Committee will utilize a "structured interview" method consisting of a certain number of pre-set, job related (as determined by the job analysis) questions addressed to every applicant. The responses of the applicants are then measured against a pre-determined set of guidelines, and ranked accordingly.
- E. The Mayor, with the advice of the Hiring Committee, shall select a person or persons who will be offered employment, and shall rank those who are acceptable for employment to determine the order in which employment shall be offered, subject to successful reference and background check.
- F. If the vacant position is a "Department Director" the Mayor may appoint, but will need the consent of the majority of the Council for finalization of the employment offer. (Section

### **Selection Devices:**

The City recognizes many selection devices as long as they:

- Are job related
- Do not create an undue barrier to employment or advancement for protected classes
- Are in compliance with existing policies, bargaining contracts, and relevant State and Federal laws.

Selection devices must be defensible and must allow for the selection of the best applicant for the vacant/open position. Selection criteria must be applied equally to all applicants. Possible selection devices include any combination of the following items.

- Structured questions and suggested answers
- Behavioral questions and suggested answers
- Applicable job-related performance tests
- Relevant education and experience
- Supplemental questions
- Written interview questions.

### **Background Check:**

- A. The City of Miles City conducts all reference and background checks through Orion International Corporation. A “Request for Investigation” will be completed by the Department Director for the department hiring and forwarded to the Human Resources/Payroll Officer.
- B. All interviewed applicants will be required to consent to and sign an “Authorization to Release” form and “Acknowledgement” form. All interviewed applicants will receive a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act”.

### **Employment Confirmation:**

- A. Once the final selection is made the successful applicant must be provided with an official Confirmation Letter from the Mayor’s office.
- B. The Confirmation letter will address the following topics:
  - Title of job offered
  - Director’s name and hiring department
  - Starting salary & benefits
  - Classification, i.e.; Exempt – Non Exempt status
  - Start date with initial work schedule and where to report to work
  - Probationary period information
  - Request for documentation regarding identity and employment eligibility
  - Any other terms and conditions of employment
  - Request for applicants’ signature on confirmation letter
  - A deadline for return of said letter to the City.

- C. The Mayor may establish a salary using the “2012 Wage and Benefits Analysis” as a guideline, so long as the salary is within the amount budgeted for said position. If the Mayor feels that an increase in salary is necessary, such amount must be approved by the City Council. The Mayor may also, in his/her discretion, offer a lesser amount in salary. Any exceptions to the “2012 Wage and Benefit Analysis” shall be documented by the Mayor and kept in the hiring/payroll/personnel files.
- D. The Confirmation Letter must accentuate the point that the City of Miles City does not recognize any other offers or promises made to the applicant, and that no City employee other than the Mayor is authorized to modify the conditions of the offer or enter into any agreement with the applicant. The Confirmation Letter must indicate that the appointment is subject to the consent of the City Council, when applicable.

### **Unsuccessful Applicant Notification Letters:**

Both internal and external unsuccessful applicants will be notified in writing by the Human Resources/Payroll Officer. Additionally, internal applicants and interviewed applicants will receive a phone call from the Human Resources/Payroll Officer prior to the written notification.

### **Document Retention:**

The following materials shall be included among the documents to be saved, by Human Resources/Payroll Office, for each selection and retained for a period of two years:

- Job description
- Vacancy announcement(s)
- A copy of advertisements and a list of all recruitment sources
- All applications, supplements, questionnaires and other application material
- A copy of all selection procedures and any criteria used to evaluate performance
- Names and titles of any persons who participated in the design or administration of the selection procedures
- Correspondence with applicants
- A copy of the hire letter.

### **Confidentiality and Access to Materials:**

All applications and selection materials shall be confidential, unless otherwise stated on the vacancy announcement, and may not be released to any person not involved in administering the hiring process. Materials may be released upon the receipt of a properly executed administrative or judicial order. Human Resources may discuss, upon request from an applicant, the selection process and scores (if applicable) related to that individual. Information about other applicants is confidential and may not be released.

### **Prospective Full/Part Time Dispatcher Applicants:**

The Recruitment and Selection Policy will be followed with exception to the following: The 911 Coordinator will conduct all criminal and driving background checks through CJIN/NCIC State system. All applicants will be required, consent to and sign an “Authorization to Release-Dispatch” form and “Acknowledgement” form upon completion of a City of Miles City application. All applicants will receive

a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act". The 911 Coordinator will then conduct a preliminary interview of all qualifying applicants. Successful applicants will be forwarded to the Mayor for Applicant Screening.

### **Prospective Full Time Firefighters/EMTs Applicants:**

The City is a member of the Montana Firefighters Testing Consortium (MFTC). Firefighter applications for employment will only be accepted from persons who have successfully completed MFTC testing and are currently on the MFTC eligibility list. Each time a vacancy occurs, all such persons on this list will be notified in writing and invited to submit an application.

Applicants shall be required to complete a City of Miles City employment application. Applicants shall also be required to consent to and sign an "Authorization to Release" form and an "Acknowledgement" form. All applicants will receive a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act". The selection process will consist of the Fire Chief with his/her Hiring Committee reviewing applications, verifying scores and abilities as determined by previous screening test(s) administered by the MFTC. The Fire Chief will conduct background checks that may include verification of: previous employment, listed credentials, previous training, education and work experience. All of these verifications are part of the preliminary screening of the applicant, and pending the successful outcome of this screening process, the Fire Chief and the Hiring Committee will conduct an oral interview with the applicant.

This policy does not preclude lateral transfers of qualified applicants from other Fire Departments.

### **Prospective Full Time Police Officer Applicants:**

The City is a member of the Montana Law Enforcement Testing Consortium (MLETC). Police Officer applications for employment will only be accepted from persons who have successfully completed MLETC testing and are currently on the MLETC eligibility list. Each time a vacancy occurs, all such persons on this list will be notified in writing and invited to submit an application.

Applicants shall be required to complete a City of Miles City employment application. Applicants shall also be required to consent to and sign an "Authorization to Release-Police" form and an "Acknowledgement" form. All applicants will receive a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act". The selection process will consist of the Police Chief with his/her Hiring Committee reviewing applications, verifying scores and abilities as determined by previous screening test(s) administered by the MLETC. The Police Chief will conduct background checks that may include verification of: previous employment, listed credentials, previous training, education and work experience. All of these verifications are part of the preliminary screening of the applicant, and pending the successful outcome of this screening process, the Police and the Hiring Committee will then conduct an oral interview with the applicant. Upon successful completion of this process, the Police Chief and Hiring Committee will then recommend the applicant to be interviewed by the Miles City Police Commission for final approval.

This policy does not preclude lateral transfers of qualified applicants from other Police Departments.

## **CLOSING**

Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.



# **CITY OF MILES CITY**

## **PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Nepotism**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### **PURPOSE**

To establish policy for the employment of immediate relatives in order to assure the reality and appearance of fairness in the best interest of the City of Miles City.

### **POLICY**

All personnel matters carried out by the City of Miles City shall be administered on the basis of merit and through regular management procedures except:

- No one participating actively in the appointment or hiring of a position, (i.e., City Councilmembers, the Mayor, Department Directors, etc.) shall appoint any person related or connected by consanguinity within the 4<sup>th</sup> degree or by affinity within the 2<sup>nd</sup> degree.
- No one may be appointed or hired to a position within a City Department if related or connected by consanguinity within the 4<sup>th</sup> degree or by affinity within the 2<sup>nd</sup> degree to any person sitting on a board or commission representing or advising that department.

### **DEFINITIONS**

**CONSANGUINITY:** Means blood relation.

- Degrees are determined as:
  1. A parent or child is 1<sup>st</sup> degree
  2. A grandparent, grandchild, brother or sister are 2<sup>nd</sup> degree
  3. An uncle, aunt, nephew, niece and great-grandparent or great grandchild are 3<sup>rd</sup> degree
  4. A first cousin, a great uncle or aunt, and great-great grandparents and grandchildren are 4<sup>th</sup> degree

**AFFINITY:** Means relationship by marriage.

- Degrees are determined as:
  1. Husband and wife are 1<sup>st</sup> degree
  2. Brothers, sisters, fathers, mothers-in-law and fathers-in-law are 2<sup>nd</sup> degree

## **CLOSING**

Employment of relatives in the same area of an organization may cause conflict and problems effecting employee morale or could result in perceived favoritism and claims of partiality. The City will monitor and address any potential issues when direct supervision of employees involves consanguinity or affinity. The City may refuse to assign or reassign related employees when conflicts have occurred or are likely, or when the work environment may be strained.





# **CITY OF MILES CITY**

## **PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Employment Preference Guide**

#### **Veterans' Public Employment Preference:**

It is the policy of the City of Miles City, to provide preference in employment to veterans, disabled veterans, and eligible relatives, as required in Title 39, Chapter 29, Part 101 MCA.

Whenever the hiring committee uses a scored procedure, a veteran who is an initial applicant for hiring with the City, must have added to his/her score the following percentage points of the total possible points that may be granted in the scored procedure:

- 5 percentage points for being a veteran; and
- 10 percentage points if the veteran is disabled or an eligible relative.

In order for a veteran, disabled veteran, or eligible relative to be eligible for the preference, the applicant must be:

- A United States citizen; and
- Meet the minimum qualifications for the position applied for. If no applicant meets the minimum qualifications and the hiring supervisor fills a training position, then veterans' preference must be applied.

A disabled veteran who receives 10 percentage points for being disabled does not receive an additional 5 points for just being a veteran. The maximum percentage points that can be earned by a veteran is 10.

If the hiring committee does not use a scored process, the hiring committee must give preference to a disabled veteran, eligible relative, or veteran, in that order, over any non-preferred applicant holding substantially equal qualifications.

#### **Persons with Disabilities Employment Preference:**

It is the policy of the City of Miles City to provide preference in employment to eligible person with disabilities and certain spouses, when they are substantially equal in qualifications to others applying for initial appointments to positions, as required by the Persons with Disabilities Employment Preference Act, Title 39, Chapter 30, Part 101 MCA.

If an applicant who is a person with a disability or eligible spouse meets the eligibility requirements and claims a preference, the City shall hire the applicant over any other applicant with substantially equal

qualifications who is not a preference-eligible applicant when:

- The applicant has claimed a preference as required; and,
- The hiring is an initial hiring to employment covered.

A preference-eligible applicant who is a person with a disability shall be hired over any other preference-eligible applicant with substantially equal qualifications when the applicant also meets the requirements of this rule.

As provided for in Title 39, Chapter 30, Part 202, MCA; In order for a person to claim preference for a disability or eligible relative to claim preference, the applicant must be:

- A United States citizen;
- The individual has resided continuously in the state for at least 1 year immediately before applying for employment;
- The individual has resided for at least 30 days immediately before applying for employment in the city, town or county in which employment is being sought; and
- The individual meets those requirements considered necessary to successfully perform the essential duties of the position for which the individual is applying.

<b>Notice and Claim of Preference:</b>	<b>VETERAN</b>	<b>39-29-103 MCA</b>
	<b>DISABLED</b>	<b>39-30-206 MCA</b>

The City of Miles City shall, by posting or with the application form, give notice of the hiring preferences.

A job applicant who believes that the applicant has an employment preference shall claim the preference in writing before the time for filing applicants for the position involved has passed. Failure to make a timely employment preference claim for a position is a complete defense to an action in regard that that position under 39-29-104 MCA, and 39-30-207 MCA.

If an applicant for a position makes a timely written employment preference claim, the public employer shall give written notice of its hiring decision to each applicant claim preference.

<b>Enforcement of Preference:</b>	<b>VETERAN</b>	<b>39-29-104 MCA</b>
	<b>DISABLED</b>	<b>39-30-207 MCA</b>

Further information regarding Enforcement of Preference may be requested from the Human Resources Office.



## CITY OF MILES CITY PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Employment Interview Guide & Do's and Don'ts of Interview Questions

#### **The Interview Process**

The following guidelines are provided as an aid in complying with City of Miles City policy and procedures and with federal and state laws. Before the interview, take a few minutes to study the job application and supplemental materials. Never write on the original application or resume; your comments, "squiggles," highlighting, etc., could be used in legal proceedings if a subpoena is issued for the application materials. The application can be your interview map--keep it visible during the interview to keep you on track.

#### **Create a relaxed interview setting:**

The interview setting should be quiet, comfortable, and free of distraction from telephones and any other kind of interruption. If you must use an office, arrange that all phone calls be forwarded to another line. Keep on schedule, as applicants become apprehensive when asked to wait.

Ask each applicant to arrive 10 to 15 minutes before the interview. Give him/her a copy of the position description and any other materials you feel are important before the interview. Allow at least 15 minutes between interviews to permit applicant to come and go without overlap, and to allow the Hiring Committee members to evaluate an applicant's responses to questions while the answers are still fresh in their minds.

#### **Follow a logical sequence:**

Keep the same format for each applicant and allow an equal amount of time for each applicant to answer questions. Introduce the applicant to the rest of the committee and invite him or her to be seated. Provide information regarding the expected timeframe for filling the position and what the interview is meant to accomplish. You can briefly define the job responsibilities.

#### **Let the applicant do the talking:**

After defining the job responsibilities, let the applicant "do the talking." It is extremely important to listen and concentrate on what he/she is saying. The applicant should carry 80-85% of the total

conversation. The Hiring Committee members' input should be limited to asking questions, probing deeper, and keeping the applicant on track. The panel should clear up points on the application form, asking follow-up questions that encourage the applicant to talk. Ask only questions that are directly related to the job. Use "W" questions--who, what, when, where, and why; also, how? Several types of questions are useful:

- **Direct questions** are easy to understand, and are more likely to yield concise answers and specific information. Example: *"Why did you apply for this position?"*
- **Open ended questions** often produce unexpected and valuable information, it may reveal attitudes and feelings, and can indicate how well an applicant can organize his/her thoughts. Example: *"Tell us about your job at XYZ Corp."*
- **Behavioral questions** are encouraged. These types of questions require applicant to analyze a situation and can reveal the extent of his/her experience. Example: *Describe an experience when you...* These questions must be specifically related to the job functions discussed in the position description.
- **Probing questions**, such as *"Could you explain what you mean by ...?"* can further clarify the applicant's views.

Allow silence after asking a question so that you don't interrupt the applicants thinking process. Encourage the applicant with: *"Take your time, we want you to be specific."*

#### **Be mindful of your questions:**

Formulate questions that indicate whether or not an applicant meets the requirements you have established for the position. Keep three rules in mind:

- Ask questions that focus on past employment performance. Avoid questions that address the applicant's personal lifestyles or habits.
- Ask questions that relate to your listed skill, ability, knowledge or experience requirements.
- Ask the same questions of all applicants.

#### **Avoid:**

- Closed questions that require merely a yes or no response
- Multiple questions that require several answers
- "Loaded" questions that force a choice between two alternatives
- Questions that are illegal and dealing with areas that are not factors for job performance, such as **gender** (if you would not ask a question of a man, do not ask it of a woman, and vice versa), **age, race, religion, veteran status, marital status, political belief, medical conditions** (do not make medical judgments or disqualify an **applicant** on factors that are purely medical in nature), and disability (it is illegal

to ask about the nature and/or severity of the disability, the condition causing the disability, if the applicant will need treatment or special leave because of the disability, or about any prognosis or expectation regarding the condition or disability). Contact your Human Resources Officer if you have questions.

**Take Notes:**

Taking notes will help you remember details of the interview; however, writing notes during the interview could be distracting and upsetting to an applicant. If you plan to take notes, explain before the interview starts that you will be taking notes of the applicant's responses to interview questions so that you will not have to rely on memory. This should help reduce suspicion and nervousness. Make sure you maintain some eye contact while you are writing.

***Close on a proper note:***

After the Hiring Committee members have explored all performance factors, they can ask the applicant if he or she has any questions, needs clarification, or anything to add. Thank the applicant for coming, and explain your notification process--when a decision will be made, whether a second interview will be conducted, and how applicants will be notified. Remember to smile, shake hands, and lead the applicant to the door.

Note: *Keep the process the same for all applicants.*

## Do's & Don'ts of Interview Questions

The rule of thumb: if a question is job related, it is usually appropriate to ask. If it isn't job related, caution is in order. Any questions involving race, religion, gender, marital status, and so on must be avoided in application forms and during interviews.

### YOU MAY ASK

### QUESTIONS & STATEMENTS TO AVOID

<b>AGE</b>	Are you 18 years or older?	How old are you?  When did you graduate from high school?  How do you feel about working for a person younger than you?  You must be getting close to retirement age....
<b>GENDER</b>	Do you have responsibilities other than work that will prevent you from performing specific job requirements such as traveling?  What hours and days can you work?  Have you ever worked under a different name?	Do you have plans for having children?  Childcare is so hard to get. Do you have any babysitting problems?  What is your maiden name?  How would you feel working for a man/woman? Our customers sometimes prefer to be served by men. I hope you don't have a problem with that.  Do you think your women's intuition would come in handy on this job?  Tell me...how did a man come to be interested in this kind of work?
<b>ARRESTS</b>	It is best to only ask about <i>convictions</i> for crimes related to the job.	Have you ever been arrested?
<b>RACE</b>	None	There aren't very many minorities in our department. Will that be a problem for you?  You look like you have an interesting family history.  How would you define your race?
<b>SEXUAL ORIENTATION</b>	Request the name of a person to contact only after the individual is employed.	What is the name of a relative to be notified in case of an emergency?  Are you married?  <i>You people</i> are so creative; you'd be just perfect for the job.  This is a real family oriented department. Is that okay with you?

## YOU MAY ASK

## QUESTIONS & STATEMENTS TO AVOID

<b>NATIONAL ORIGIN</b>	<p>Are you legally eligible to work in the United States?</p> <p>After making a conditional offer, an employer may inform the applicant that they will have to produce documents for work eligibility.</p>	<p>Where were you born?</p> <p>Of what country are you a citizen? Yablonski, what kind of name is that?</p> <p>I see you speak Spanish. Did you learn that in your native country or in school?</p>
<b>RELIGION</b>	<p>Will you be available to work the required schedule?</p>	<p>What church do you attend?</p> <p>Will you need to take time off from work to observe (name of particular religious holiday)?</p>
<b>EDUCATION</b>	<p>Do you have a high school diploma or equivalent?</p> <p>Do you have a university degree?</p>	<p>When did you graduate from high school or college?</p>
<b>MILITARY</b>	<p>What type of education, training, and experience did you receive in the military?</p>	<p>What type of discharge did you receive?</p>
<b>WORKER'S COMP</b>	<p>None</p>	<p>Have you ever filed for worker's compensation?</p> <p>Have you had any prior work injuries?</p>
<b>DISABILITY</b>	<p>Are you able to perform the duties of the job with or without accommodation?</p> <p>If the applicant indicates that she/he can perform the tasks with an accommodation, you may ask:</p> <p>What accommodation would you need in order to perform the tasks?</p> <p>Now that you have heard the hours, leave policies, and other requirements of this position, do you feel you will be able to meet these requirements?</p> <p>An employer may make medical inquiries or require a medical examination of all applicants at the stage a conditional job offer is made.</p>	<p>Do you have any disabilities?</p> <p>Are you in good health?</p> <p>Do you have any physical defects that prevent you from performing certain kinds of work?</p> <p>That's a noticeable limp....</p> <p>Those are very thick glasses...How severe is your disability?</p> <p>What is the prognosis for your condition?</p> <p>Will you require a special leave because of your disability or its treatment?</p> <p>Please list any conditions or diseases you were treated for in the last 3 years.</p> <p>How many days were you absent last year because of illness?</p> <p>Have you ever been treated by a psychiatrist or counselor?</p> <p>Do you have any family members or relatives who are disabled?</p>

## **SECTION 2-B**

### **Recruitment and Selection Forms**



City of Miles City





# City of Miles City Employment Application

- ✓ Please complete this application by typing or printing in ink. **INCOMPLETE** applications will not be considered.
- ✓ We are an equal opportunity employer. We do not discriminate on the basis of race, religion, color, sex, age, national origin, marital status, disability, or political belief
- ✓ Do you need an accommodation to participate in the application or interview process? \_\_\_\_Yes \_\_\_\_No

Job #: \_\_\_\_\_ Job Title: \_\_\_\_\_

## Personal Data

Name: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Present Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Message Phone: \_\_\_\_\_

Driver's License: \_\_\_\_\_ Operator \_\_\_\_ CDL \_\_\_\_ CDL Type \_\_\_\_ Endorsements: \_\_\_\_\_

## Education

High School Diploma or Equivalent \_\_\_\_ Yes \_\_\_\_ No Post Secondary Degree? \_\_\_\_\_

Name of school beyond High School: \_\_\_\_\_

Training Length: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Major: \_\_\_\_\_ Minor: \_\_\_\_\_

Apprenticeship Level: \_\_\_\_\_ In which trade? \_\_\_\_\_

## Work Experience (list most recent work experience first)

Company Name: \_\_\_\_\_ Immediate Supervisor: \_\_\_\_\_

Complete Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Job Description: (duties, skills, equipment used) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Dates: From \_\_\_\_\_ To \_\_\_\_\_ Reason for leaving: \_\_\_\_\_

### Work Experience

Company Name: \_\_\_\_\_ Immediate Supervisor: \_\_\_\_\_

Complete Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Job Description: (duties, skills, equipment used)

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Dates: From \_\_\_\_\_ To \_\_\_\_\_ Reason for leaving: \_\_\_\_\_

### Work Experience

Company Name: \_\_\_\_\_ Immediate Supervisor: \_\_\_\_\_

Complete Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Job Description: (duties, skills, equipment used)

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Dates: From \_\_\_\_\_ To \_\_\_\_\_ Reason for leaving: \_\_\_\_\_

**Additional information that could help you qualify for this position**

Examples include: Classes (include dates), certificates, current licenses, specific equipment and other skills.

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**List References (preferably persons who know about your work/training)**

Name	Address	Phone Number
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<hr/>	<hr/>	<hr/>
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The information that you provide on this application is subject to verification. Falsifications or misrepresentations may disqualify you from consideration for employment or, if hired, may be grounds for termination at a later date. Do you want to be informed before we contact your present employer? \_\_\_\_\_Yes \_\_\_\_\_No

With my signature below (typed or written), I certify that all information on this and all attached pages is true, correct and complete to the best of my knowledge and contains no willful falsifications or misrepresentations. I authorize all former employers to release job-related information they may have about me and I release all persons or companies from any liability or responsibility for providing such information.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## EMPLOYMENT PREFERENCE FORM

Name: \_\_\_\_\_ Position Applied for: \_\_\_\_\_

Employment preference allows applicants to claim a preference under the Veterans' Public Employment Preference Act or the Persons with Disabilities Public Employment Preference Act. Applying for a preference is voluntary. All information related to a preference will be kept confidential and used only during the hiring process. Applicants hired by the City of Miles City will have this information placed in a separate confidential selection file.

Contact your local Job Service Workforce Center for details on veterans' preference. Contact your local Montana Vocational Rehabilitation Services Office, Department of Public Health and Human Services (DPHHS) for details on obtaining persons with disabilities preference certification.

1. To claim **Veterans' Employment Preference** you must be a U.S. Citizen and (check one of the boxes below):

- ☐ **A Veteran**, if
  - 1) You were separated under honorable conditions, **AND** you served more than 180 consecutive days of active federal military duty other than for training in the Army, Air Force, Navy, Marines, or Coast Guard or were a member of the reserves who served on federal military duty during a period of war or in a campaign or expedition for which a campaign badge is authorized.
  - 2) You are or were a member of the Montana Army or Air National Guard who satisfactorily completed a minimum of 6 years service in armed forces, the last 3 of which have been served in the Montana Army or Air National Guard.
- ☐ **A Disabled Veteran**, if
  - 1) You were separated under honorable conditions from military duty, **AND**
  - 2) You have an established Armed Forces service-connected disability **OR** are receiving compensation, disability retirement benefits, or pension from the U.S. Department of Veterans Affairs or military department, **OR** you have received a Purple Heart.
- ☐ **The spouse of a disabled veteran**, if the veteran's disability prevents him or her from working.
- ☐ **The unremarried surviving spouse of a veteran or disabled veteran.**
- ☐ **The mother of a veteran**, if
  - 1) The veteran died under honorable conditions while serving in the Armed Forces, or the veteran has a service-connected, permanent, and total disability, **AND**
  - 2) Your spouse is totally disabled, **OR** you are unremarried widow of the father of the veteran

2. To claim **Montana Persons with Disabilities Employment Preference**, you must be (check one of the boxes below):

- ☐ **A person with a disability** certified by DPHHS, **OR**
- ☐ **The spouse** of a totally (100%) disabled person certified by DPHHS **AND** have resided continuously in Montana for at least 1 year immediately before applying for employment

3. **In the box below, check the attachment you have included to document your eligibility for employment preference.**

- ☐ DD-214 showing the character of discharge
- ☐ Service-connected disability letter
- ☐ DPHHS Disability Certification
- ☐ A document issued by the Office of the Adjutant General of the Montana National Guard certifying service

**SIGNATURE** (typed or written):

**DATE SIGNED:**

## APPLICANT SURVEY

Title VII of the U.S. Civil Rights Act requires the State of Montana to “make and keep records relevant to the determinations of whether unlawful employment practices have been or being committed”. This is also a requirement of the Montana Human Rights Act and state and federal laws providing employment opportunities for veterans and person with disabilities. The following survey helps to fulfill these requirements.

This applicant survey will be separated from your application. The City of Miles City is subject to certain governmental record keeping and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws, the employer invites applicants to voluntarily self-identify their race and ethnicity. Submission of this information is voluntary. Refusal to provide it will not subject you to any adverse treatment. The information will be kept confidential and will be used in accordance with the provisions of applicable laws, executive orders and regulations, including those that require the information to be summarized and reported to the federal government for civil rights enforcement. When reported, data will not identify any specific individual.

Position Closing Date: \_\_\_\_\_

☐ Male ☐ Female

Are you 18 years or older? ☐ Yes ☐ No

Name: \_\_\_\_\_

Social Security No. \_\_\_\_\_

Job Applied For: \_\_\_\_\_

Department: \_\_\_\_\_

How did you first learn of this position?

☐ Newspaper ad or journal ad ☐ Telephone Job Line ☐ Career/Job Fair  
☐ Job Service ☐ A friend/employee ☐ Posted at City Hall  
☐ Female, minority, or handicapped referral organization ☐ Other (specify): \_\_\_\_\_

**RACE/ETHNICITY** – Please check the ONE box that best describes your race/ethnicity:

☐ **Hispanic or Latino** – a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origins regardless of race  
☐ **White (Not Hispanic or Latino)** - A person having origins in any of the original peoples of Europe, the Middle East, or North American  
☐ **Black or African American (Not Hispanic or Latino)** - A person having origins in any of the black racial groups of Africa  
☐ **Native Hawaiian or Other Pacific Islander (Not Hispanic Or Latino)** - A person having origins in any of the Hawaii, Guam, Samoa, or other Pacific Islands  
☐ **Asian (Not Hispanic or Latino)** -A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.  
☐ **American Indian or Alaska Native (Not Hispanic or Latino)** –A person having origins in any of the original peoples of North and South America (Including Central America), and who maintain tribal affiliation or community attachment.  
☐ **Two or More Races (Not Hispanic or Latino)** – All persons who identify with more than one of the above five races

**MILITARY STATUS** – Please check the ONE box that best describes your military status:

☐ No Military Service ☐ Inactive Reserve ☐ Vietnam Veteran  
☐ Active Reserve ☐ Retired ☐ Other Veteran

☐ **DISABLED VETERAN**

☐ **DISABLED PERSONS' EMPLOYMENT PREFERENCE**



# CITY OF MILES CITY

## PERSONNEL REQUISITION FORM

To be Completed by Requesting Department

Department: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Date Needed: \_\_\_\_\_ Position to be Filled: \_\_\_\_\_

Position Type:

\_\_\_\_ Full-Time  
\_\_\_\_ Part-Time

\_\_\_\_ Temporary  
\_\_\_\_ Seasonal

\_\_\_\_ Replacement  
\_\_\_\_ New Position

Budgeted Position (circle one):      Yes      No      If no, please explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Brief Description of Essential Functions:

☐ Check if Position Description is attached

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specific Qualifications/Requirements Not Indicated in Position Description :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Department Head Signature: \_\_\_\_\_

\*\*\*\*\*

☐ Approved

Date Hired: \_\_\_\_\_

☐ Not Approved

Mayors Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resource Officer: \_\_\_\_\_ Date: \_\_\_\_\_



## CITY OF MILES CITY

### APPLICANT SCREENING FORM

To be Completed by Interviewer

Applicant: \_\_\_\_\_ Position Interviewed: \_\_\_\_\_

#### Scoring

Applicant evaluation forms are to be completed by the interviewer to rank the applicants overall qualifications for the position. Under each heading the interviewer should give the applicant a numerical rating and write specific job related comments in the space provided. The numerical rating system is based on the following:

5-Exceptional    4-Above Average    3-Average    2-Satisfactory    1-Unsatisfactory

Relevant Education	Rating:	1	2	3	4	5	_____
Job Experience	Rating:	1	2	3	4	5	_____
Ability to Learn	Rating:	1	2	3	4	5	_____
Attitude	Rating:	1	2	3	4	5	_____
Communication Skills	Rating:	1	2	3	4	5	_____
Cooperation	Rating:	1	2	3	4	5	_____
Motivation	Rating:	1	2	3	4	5	_____
Overall Impression	Rating:	1	2	3	4	5	_____

Total: \_\_\_\_\_

5 percentage points Veteran Status \_\_\_\_\_

10 percentage points Disabled Veteran or Spouse \_\_\_\_\_ \*(10 max)

Date Available \_\_\_\_\_ Total: \_\_\_\_\_

Comments \_\_\_\_\_

Recommended for Hire:    YES    NO    NOT SURE

Interviewer Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## CITY OF MILES CITY

### REQUEST FOR INVESTIGATION

To be Completed by Requesting Department

To: Orion International Corporation  
Fax: 406-458-8787  
Telephone: 406-458-8797 or 8796

From: City of Miles City  
Fax: 406-234-2903

Department: \_\_\_\_\_ Director: \_\_\_\_\_

Please conduct an investigation as outlined below on the following individual. **(please print)**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Please check all that apply:**

- \_\_\_\_\_ Montana Criminal Check
- \_\_\_\_\_ Montana Sexual/Violent Offender Check
- \_\_\_\_\_ Montana Professional Licensing Check: \_\_\_\_\_ (profession)
- \_\_\_\_\_ Montana Driving Record, License#: \_\_\_\_\_
- \_\_\_\_\_ Out of State Criminal Check in: \_\_\_\_\_ (states)
- \_\_\_\_\_ Out of State Sexual/Violent Offender Check in: \_\_\_\_\_ (states)
- \_\_\_\_\_ Out of State Professional Licensing Check in : \_\_\_\_\_ (states)
- \_\_\_\_\_ Out of State Driving Record in: \_\_\_\_\_ states) License #: \_\_\_\_\_

- \_\_\_\_\_ Social Security Number Verification
- \_\_\_\_\_ Federal Court Check
- \_\_\_\_\_ Credit Report: Current Address: \_\_\_\_\_
- \_\_\_\_\_ Education/Degree Verification: (indicate school, course of study and date of graduation if known): \_\_\_\_\_

\_\_\_\_\_ Reference Checks (2 references) Please indicate the position the prospective employee has applied for: \_\_\_\_\_

- \_\_\_\_\_ Package 1- Montana Criminal Check & 2 Reference Checks
- \_\_\_\_\_ Package 2- Montana Criminal Check, Montana Sexual/Violent Offender Check, Social Security Number Verification, Federal Court Check
- \_\_\_\_\_ Commercial Database Check
- \_\_\_\_\_ Other Investigations: (please be specific): \_\_\_\_\_





## CITY OF MILES CITY

### AUTHORIZATION TO RELEASE INFORMATION

#### To be Completed by Applicant

I authorize the City of Miles City, Montana through their agent, **Orion International Corporation**, to obtain information related to past employment, employers, school activities, verification of education, criminal justice agencies, motor vehicle/registration departments, credit checks, professional licensing registries, or relevant sources of information. This information may include, but is not limited to, information about my academic achievement, performance, attendance, disciplinary, employment history, criminal history record information, credit screening, and driving and motor vehicle record.

I authorize **Orion International Corporation** to disclose the record of my background investigation to the City of Miles City. I authorize custodians of records and other sources of information pertaining to me to release such information to **Orion International Corporation**.

I believe to the best of my knowledge that all information I have provided is accurate, true, and correct and that I fully understand the terms of this release. In consideration of the City's acceptance and consideration of my intent I hereby, release and forever discharge the City, **Orion International Corporation**, and all affiliated entities from all claims, demands, damages, actions and causes of action pertaining to or arising out of the City's consideration of my application for employment and use, so long as not malicious, or all information obtained in the course or as a result of all inquiries made into my personal history.

By my signature below, I also acknowledge that the City of Miles City has provided me with a summary of my rights under the Federal Fair Credit Reporting Act (attached copy).

**Copies and facsimile transmissions of this authorization that show my signature are as valid as the original release signed by me.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Full Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Other Names Used: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Current Address: \_\_\_\_\_

Other State(s)/Cities of Residency last 10 Years: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work/Cell Phone: \_\_\_\_\_

SS#: \_\_\_\_\_ Driver's License Number & State: \_\_\_\_\_



## CITY OF MILES CITY AUTHORIZATION TO RELEASE INFORMATION

FOR OFFICAL USE BY THE MILES CITY POLICE DEPARTMENT

To be Completed by Applicant

I am an applicant for a position with the **Miles City Police Department**, hereinafter referred to as **MCPD**. I acknowledge that the department needs to thoroughly investigate my employment background and personal history to evaluate my qualifications to hold the position for which I applied, and that it is in the public's best interest that all relevant information concerning my personal and employment history be disclosed.

I authorize the City of Miles City, Montana through their agent, any representative of the **MCPD**, bearing this release, to obtain any information in your files pertaining to my employment records and I hereby direct you to release such information upon request of the bearer. I do hereby authorize a full review of and full disclosure of all records, or any part thereof, concerning myself, by and to any duly authorized agent of the **MCPD**, whether said records are public, private, or confidential nature. The intent of this authorization is to give my consent for full and complete disclosure. I reiterate and emphasize that the intent of this authorization is to provide full and free access to the background and history of my personal life, for the specific purpose of pursuing a background investigation that may provide pertinent data for the **MCPD** to consider in determining my suitability for employment in that department. It is my specific intent to provide access to personnel information, however personal or confidential it may appear to be. I direct you to release such information upon request of the duly accredited representative of the **MCPD** regardless of any agreement I have made with you previously to the contrary. The **MCPD** will discontinue processing my application if you refuse to disclose the information requested.

I consent to your release of all public and private information that you may have concerning me, my work record, my background and reputation, my military service records, my financial status, my criminal history record, including any arrest records, any information contained in any investigatory files, efficiency ratings, complaints or grievances filed by or against me, the records or recollections of attorneys at law, or other council, whether representing me or another person in any case, either criminal or civil, in which I presently have, or have had an interest, attendance records, polygraph examinations, and any internal affairs investigations and discipline, including any files which are deemed to confidential, and/or sealed.

I hereby release you as the custodian of such records, your organization, including its officers, employees, or related personnel both individually and collectively, and all others, from any liability or damages that may result from furnishing the information requested, including any liability or damage pursuant to any state or federal laws. It is my intent to authorize all former employers and all other public and private concerns, including but not limited to: schools, colleges and all scholastic institutions, Consumer reporting agencies, and similar entities, to release any and all information maintained by any such employer or educational entity, agency, person, including, but not limited to: my personal, employment and salary history and condemnations. I understand that should information of a serious criminal nature surface as a result of this investigation, such information may be turned over to the proper authorities.

By my signature below, I acknowledge that the **MCPD** has provided me a copy of the summary of my

rights under the Federal Fair Credit Reporting (attached copy) and I understand my rights under Title 5, United States Code, Section 552a, the Privacy Act of 1974, and with regard to access and disclosure of records, and I waive those rights with the understanding that the information furnished will be used by the **MCPD** in conjunction with employment procedures.

This waiver is valid for a period of one year from the date of my signature. Should there be any questions as to the validity of this release, you may contact me at the address listed on the form.

I agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees, from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of or by reason of complying with this request.

**Copies and facsimile transmissions of this authorization that show my signature are as valid as the original release signed by me.**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Applicant

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Street Address/P.O. Box

\_\_\_\_\_  
Date of Birth

Signed and subscribed to before me this  
\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_.



## CITY OF MILES CITY

### AUTHORIZATION TO RELEASE INFORMATION

**FOR OFFICAL USE BY THE MILES CITY DISPATCH CENTER**

**To be Completed by Applicant**

I hereby authorize any representative of the **City of Miles City, Montana** through their affiliated agency **Miles City Dispatch Center** to obtain information related to past employment, employers, school activities, verification of education, criminal justice agencies, motor vehicle/registration departments, credit checks, professional licensing registries, or relevant sources of information. This information may include, but is not limited to, information about my academic achievement, performance, attendance, disciplinary, employment history, criminal history record information, credit screening, and driving and motor vehicle record.

I believe to the best of my knowledge that all information I have provided is accurate, true, and correct and that I fully understand the terms of this release. In consideration of the City's acceptance and consideration of my intent I hereby, release and forever discharge the **City of Miles City**, and all affiliated entities from all claims, demands, damages, actions and causes of action pertaining to or arising out of the City's consideration of my application for employment and use, so long as not malicious, or all information obtained in the course or as a result of all inquiries made into my personal history.

By my signature below, I also acknowledge that the City of Miles City has provided me with a summary of my rights under the Federal Fair Credit Reporting Act (attached copy).

**Copies and facsimile transmissions of this authorization that show my signature are as valid as the original release signed by me.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Full Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Other Names Used: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Current Address: \_\_\_\_\_

Other State(s)/Cities of Residency last 10 Years: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work/Cell Phone: \_\_\_\_\_

SS#: \_\_\_\_\_ Driver's License Number & State: \_\_\_\_\_



## CITY OF MILES CITY

### ACKNOWLEDGMENT

#### To be Completed by Applicant

I have provided the foregoing Authorization to Release Information by reason of my intent to become employed with the City of Miles City, Montana, and acknowledging that by my employment, I may come into contact with information which could be deemed confidential.

I understand that inquiries made under the foregoing authorization may include credit history, criminal and driving records, past behavior, character and reputation, and other related matters.

It is my intent to authorize all former employers and all other public and private concerns, including but not limited to: schools, colleges and all scholastic institutions, Consumer reporting agencies, and similar entities, to release any and all information maintained by an such employer or educational entity, concern, agency, person, including, but not limited to: my personal, employment and salary history and condemnations. I understand that any or all of these investigations or inquiries can be performed prior to and periodically throughout the duration of my employment. I further authorize my supervisors and other work associates to disclose their opinions and observations of my work habits, qualities, competency and skills. Furthermore, I authorize full disclosure of any and all substance abuse testing results.

I understand that if I am not selected for employment in whole or in part due to the information contained in a consumer report obtained from a consumer reporting (or similar) agency, that I will be entitled to receive from the City the name and address of the consumer reporting agency or agencies from which the report was obtained.

#### **APPLICANT:**

Print Full Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### **WITNESS ATTEST:**

Print Full Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## CITY OF MILES CITY

### Summary of Your Rights Under the Fair Credit Reporting Act

To be Given to Applicant

*Para informacion en espanol, visite [www.ftc.gov/credit](http://www.ftc.gov/credit) o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.*

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.ftc.gov/credit](http://www.ftc.gov/credit) or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - ✓ a person has taken adverse action against you because of information in your credit report;
  - ✓ you are the victim of identity theft and place a fraud alert in your file;
  - ✓ your file contains inaccurate information as a result of fraud;
  - ✓ you are on public assistance;
  - ✓ you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive

credit score information for free from the mortgage lender.

- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.ftc.gov/credit](http://www.ftc.gov/credit).
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.ftc.gov/credit](http://www.ftc.gov/credit).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:**

<b>TYPE OF BUSINESS:</b>	<b>CONTACT:</b>
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help (FRCH) P O Box 1200 Minneapolis, MN 55480 Telephone: 888-851-1920 Website Address: <a href="http://www.federalreserveconsumerhelp.gov">www.federalreserveconsumerhelp.gov</a> Email Address: <a href="mailto:ConsumerHelp@FederalReserve.gov">ConsumerHelp@FederalReserve.gov</a>
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation , Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture