

RESOLUTION NO. 4314

A RESOLUTION REVISING CITY OF MILES CITY PERSONNEL POLICIES REGARDING RECRUITMENT AND SELECTION

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

AND WHEREAS, the City Council finds that certain revisions to such policies should be adopted;


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

1. That the following revised policy: 2A, Recruitment and Selection attached as Exhibit "A"
2. 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 10th DAY OF MARCH, 2020.



John Hollowell, Mayor

ATTEST:


Lorrie Pearce, City Clerk



EXHIBIT "A"

**CITY OF MILES CITY
PERSONNEL POLICY**

Section 2A:	Recruitment and Selection
Effective:	9/23/2014
Last Revised:	07/09/201903/10/2020

Recruitment and Selection

Resolution #42604314

- **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 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 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 certified, return receipt 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. In accordance with Section 39-71-317, MCA When an injured worker is capable of returning to work within 2 years from the date of injury and has received a medical release to return to work, the worker must be given a preference over other applicants for a comparable position that becomes vacant if the position is consistent with the worker's physical condition and vocational abilities.
- B. The Human Resources 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 withdraws 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 or disability is not applicable.
- F. Human Resource 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 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 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 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 or disability 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 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 ten (10) working days when possible, but may be closed sooner, or extended at the discretion of the Mayor, in consultation with the Human Resources 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 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 Human Resources Officer will screen applications for basic qualifications, and will notify applicants directly if they do not possess these qualifications. All applicants must complete a City of Miles City employment application form.
- B. Applications of applicants will be forwarded to the Supervisor for consideration. The immediate supervisor will select the top applicants for interview based upon a review of qualifications and/or supplemental application questions. The Mayor must approve all applicants hired.
- C. All applications and/or resumes will be retained by the City of Miles City for two-three 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.

- 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 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 and notes from the interviews 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 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 questions addressed to every applicant. The responses of the applicants to each question are scored 0-2 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. For a “Department Director” vacancy the Mayor may appoint, but will need the consent of the majority of the Council for finalization of the employment offer. (7-3-213, MCA)

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 an outside vendor. A “Request for Investigation” will be completed by the Human Resources Office for the department hiring.
- 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”.
- B.C. Fire and Police officer positions which require a more extensive background process that may include the obtaining of fingerprints. Background checks for these positions will be conducted as outlined by the Montana Department of Justice and in accordance with MCA7-33-4107 “Qualifications of Firefighters” and MCA7-32-303 “Qualifications of Firefighters”.

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 shall establish a salary using the ~~the~~ "Non-Union Employees Wage Scale" as a guideline, so long as the salary is within the amount budgeted for said position. If the Mayor deems that a deviation from the wage scale is necessary, such amount must be approved by the City Council.
- 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 Officer. Additionally, internal applicants and interviewed applicants will receive a phone call from the Human Resources Officer prior to the written notification.

Document Retention:

The following materials shall be included among the documents to be saved, by Human Resources 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 be accepted from outside applicants, employment candidates must successfully complete MLETC testing.

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 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.