

Livermore Area Recreation and Park District Staff Report

TO: Chair Furst and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Administrative Services

DATE: April 24, 2019

SUBJECT: District Notice 0004 – Hiring Process

PERSONNEL COMMISSION: Reviewed and approved, with identified edits, on April 2, 2019

PERSONNEL COMMITTEE: Recommended submission to the Board, with specific edits,
on April 11, 2019

Recommendation: That the Board of Directors adopt Resolution No. ____, approving District Notice 0004 - Hiring Process, which will supersede existing Rules and Regulations (included as Attachment B) concerning Selection of Employees.

Background – District Notices and Existing Personnel Rules, Regulations, and Policies

1. The Administrative Services staff is committed to the task of reviewing and updating the District's Personnel Rules and Regulations (last updated May 2012) and HR-related Policies to assure compliance with applicable laws and promote a culture of consistency and fairness in the District, where protocols and expectations are clearly defined.
2. In discussions with both the Personnel Commission and the Personnel Committee (from November, 2018 and as recently as March-April 2019), the following conclusions were drawn:
 - a. It was established that the current Personnel Rules and Regulations document is too outdated and ineffective in structure to attempt to amend. The District's recommendation is to prioritize areas of immediate need and submit for board approval through the process of a District Notice.
 - b. The process will include recommendations by the General Manager and Administrative Services Staff, review by the Personnel Commission and Personnel Committee, and final submission to the District's Board of Directors for approval.
 - c. At the conclusion of the process, board approved HR District Notices will be merged into a complete Employee Handbook format and the previous Personnel Rules and Regulations will deemed to be obsolete.
3. In November, 2018, the District began producing District Notices as a means of addressing relatively urgent opportunities to effect improvements to District policies and procedures,

explaining that existing rules and regulations would be superseded by these Notices and, eventually, completely replaced by them.

- a. The first two Notices, and a Staff report, were reviewed and approved by the Personnel Commission, Personnel Committee, and Finance Committee in November, 2018:
 - i. District Notice 0001 – Holiday Pay – clarification and revision;
 - ii. District Notice 0002 – Benefit Waiting Period for Part-Time Benefited Employees – eliminated 90-day waiting period for health and paid-time-off benefits to be effective.
- b. A third District Notice, 0003 – Required Tuberculosis Testing for All Employees, was released to all staff in February, 2019, following confirmation on approach with the Personnel Commission and Personnel Committee.
- c. In addition, the District issued a Staff Report that was approved by the Board in January, 2019, that, while not issued as a District Notice, did outline material changes to employee status:
 1. new rules and regulations for a new employee status, “Regular”, which amounts to a non-exempt, full-time employee;
 2. new hours constraints for part-time benefitted positions;
 3. a single part-time employee classification (eliminating part-time A and B designations; and
 4. the establishment of the term “Casual” to be used for all part-time, non-benefited staff.

District Notice 0004 – Hiring Process

Authority

The District’s Board of Directors is the appointing authority for all Board-appointed positions, which includes the General Manager (GM) and Legal Counsel. A representative of the Board may participate in the final interviews to fill the position of Assistant General Manager (AGM).

The General Manager is the appointing authority for all other positions in the District, which includes Pensioned, Regular, Part-time Benefited, and Casual positions, persons employed under contract to supply expert professional or technical service, and volunteers.

In hiring the most qualified candidates for positions, the following guidelines outline the process:

Personnel Requisitions – required for all benefitted positions

The hiring process for benefitted positions is initiated with a Personnel Requisition (ATTACHMENT A) submitted by a unit supervisor and/or manager. The requisition is reviewed by the GM and, at his/her discretion, the core management staff, consisting of the AGM, Administrative Services Manager (ASM), and other District Managers, and the hiring process will commence only upon the approval of the GM.

Recruitment Strategy Meeting

Upon receipt of an approved Personnel Requisition, Human Resources (HR) will arrange a meeting with the hiring manager, prior to posting a job opening, to gather information about the position and requirements for it, along with the profile of the ideal candidate. The recruiting strategy will be developed during this meeting, including the extent of outreach, and will be reviewed with the GM prior to implementation. Recruiting steps may include determining types of panels and participants, considering written and/or practical exams, and other talent assessment techniques.

For positions for which there is an active Eligibility List (see below), the hiring manager and HR may decide to invite candidates from the List to a final interview, thus avoiding the need to post the job opening again.

Alternatively, the hiring manager and HR may elect to invite candidates from an active Applicant Pool (defined as candidates who have yet to formally interview with the District but whose resumes have been on file for a particular role for less than a year) to initial interviews, thus providing an alternative to engaging in a new job posting.

Job Postings

HR is responsible for posting the position as outlined in the recruitment plan and tracking all applicants and retaining applications and resumes as required.

Interview Process

HR and the hiring manager/supervisor will screen applications to determine which candidates will move forward to the interview process. The number of selected candidates will vary depending on the applicant pool.

Eligibility List – required for all benefited positions (exception being Open Until Filled – see below)

After the initial interview, an eligibility list of the top qualified candidates is created based on criteria established in the recruitment strategy meeting and as assessed by the interview panel. Candidate rankings resulting from the initial interview process will include scoring of each candidate's interview responses, exams, and other selection-related processes as appropriate. The definition of a passing grade (e.g., 70% or higher) will be communicated to panel members by HR prior to the onset of interviews/exams to ensure clarity in scoring. While initial scores will be an important factor in identifying which candidates will be invited to the final interview process, hiring managers will have the opportunity to request an adjustment to the list, which must be approved by HR and the GM. Eligibility lists for all pensioned full-time positions will be reviewed with the District's Personnel Commission to ensure that a fair and objective process has been demonstrated in the creation of each list, and the Commission's recommendations will be reflected in the District's final eligibility list. The District's HR team will provide an equal level of assurance for processes associated with eligibility lists for all full-time and part-time benefited job classifications.

Eligibility lists are generally active for one year. If another, similar position becomes open, hiring supervisors/managers, with the GM's approval, may elect to open an active Eligibility List rather than restart the recruitment process.

Open Until Filled - exception

In some cases, significant hiring pressures may exist that warrant an exception to the aforementioned eligibility list process. In such cases, hiring managers may obtain approval from HR and the GM to recruit and interview qualified candidates as they become available by conducting interviews with a panel. HR will facilitate the panel process. Upon identifying a viable candidate, the hiring manager may work with HR to begin the pre-employment process as outlined below.

Pre-Employment Process and Job Offers

Upon the completion of the final interview process for benefited positions, the GM's approval is required prior to initiating the pre-employment process.

For any open position, an offer of employment is made contingent on the successful completion of required prescreening. This screening will vary depending on position-specific legal/licensing requirements and may include:

- Reference checks
- Fingerprinting: All employees or volunteers must be fingerprinted at time of hire
- TB Test: In accordance with Public Resources Code 5163, all employees are required to provide proof of a negative Tuberculosis (TB) test
- Physical Examination

Pay level recommendations to be reflected in a job offer will be developed by the hiring manager, in conjunction with HR, and, for all benefited positions, must be approved by the GM. If a candidate declines an offer of employment, the recruitment process may begin again or referred back to the existing, active eligibility list.

Selection of Casual Employees

HR will coordinate with hiring managers to recruit, conduct pre-employment, and complete job offers for Casual employees. The interview process for casual employees will be conducted by unit supervisors/managers; direct involvement by HR in the selection process for Casual employees will occur only on an exception basis.

Promotional Opportunities

The District supports and encourages opportunities for internal promotions. At the approval of the GM, a vacancy may be opened for current district staff only. Any current employee who meets the qualifications for the position and has maintained a satisfactory employment status is eligible to apply for internal job openings. The consent of the employee's manager and the HR department may be necessary for employees with less than three months service with the District.

Candidates for promotional positions are considered based upon factors such as meeting eligibility requirements, prior service accomplishments, performance reviews, completion of training courses, or any other screening methods. Meeting eligibility requirements is not a guarantee of placement. Hiring decisions remain with the hiring authorities' discretion at the best interest of the District.

Veterans' Preference Credit

The purpose of preferential credits for military service is to assist qualified applicants in transitioning from the military to civilian careers with the District. Military preferential credits apply when the applicant meets the minimum qualifications for the job and is successfully placed on the Eligibility List. The preferential credit (five percent) is applied to the successful candidate's final score. Proof of military service must be provided. Preferential credits are only given on open recruitments, and not promotional opportunities.

Hiring of Relatives

The District will consider hiring relatives of District staff if: a) candidates for employment will not be working directly for or supervising a relative; and b) candidates will not be in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages and leave requests. The GM will review any proposal for an exception to this general rule and make a determination regarding the potential hire.

A "relative" is defined as relationships by blood, adoption, marriage, or domestic partnership: partner, parent, child, sibling, first cousin, uncle, aunt, nephew, niece, spouse, brother- or sister-in-law; father- or mother-in-law, son- or daughter-in-law; step-parent, or step-child.

Personnel Rules and Regulations Sections to be superseded (ATTACHMENT B):

- III. SELECTION OF EMPLOYEES IN THE COMPETITIVE SERVICE
- IV. SELECTION OF AT-WILL PART-TIME, TEMPORARY AND SEASONAL PERSONNEL
- V. GRANT FUNDED POSITIONS
- VI. EMPLOYMENT OF RELATIVES

Board Policy Manual, Policy Title: Personnel Policy Number: 2000

ATTACHMENT A



Livermore Area
Recreation and Park District
An independent special district

Personnel Requisition Form

Required for approval of all requests to post a Benefited job, including replacements and additions to staff.

Unit #/Name:
(drop down menu - select unit number and the rest of the unit-related data are populated)

Supervisor Name:

Manager Name:

Is this a new job classification?

If yes: Attach a new job description and compensation recommendation that has been reviewed and approved by Human Resources

If no: Job Code: < this is populated based on your job classification entry
 Job Classification:
 Job Status: < Full Time (ACERA), Regular, Part-Time Benefited

Desired Start Date: < coincides with the start of a pay period

Desired Step:

Salary per Hour: Hours per Week: Salary per Year:
 Full Cost per Year (assumes max ben):

Is this a replacement? If yes, indicate the name of the person being replaced and when that person has/will leave LARPD

Yes/No If Yes, Employee being replaced

IF this is an addition to staff, is this position in your budget and when was it assumed?

in Budget?	Yes
Start Date assumed in the Budget?	September
Pay Step assumed in the budget?	3
Status assumed in Budget?	PT Benefited

Justification:

Management Assessment:

	Signature	Approved/ Declined	Comments
Unit Supervisor			
Department Manager			
Human Resources			
Administrative Services Manager			
General Manager			

For HR Use Only:

Note: a new job classification and related compensation recommendation requires a review by the Personnel Commission and Personnel Committee, and approval by the Board of Directors, prior to the onset of a job posting.

Approval Dates (new job classifications only):
 Personnel Commission
 Personnel Committee
 Board of Directors

ATTACHMENT B

**LIVERMORE AREA RECREATION AND PARK DISTRICT
EXISTING PERSONNEL RULES AND REGULATIONS**

< to be SUPERSEDED BY District Notice 0004 >

Amended by Resolution No. 2334 dated May 30, 2012

III. SELECTION OF EMPLOYEES IN THE COMPETITIVE SERVICE

- A. A "full-time" employee in the competitive service is defined as either:
1. Full year: an employee holding a 12-month position scheduled to work 40 hours per week;
OR
 2. Three-quarter year: an employee holding a 9-month position, scheduled to work 40 hours per week. Positions so designated in the classification plan are identified by "9", i.e., "Park Maintenance I (9)" or "7474 (9)".
- B. Eligibility List
1. Vacant positions in the competitive service shall be filled from qualified candidates certified on an eligibility list. The selection procedure described herein does not apply where the District is required to fill a vacancy as a result of a legal obligation, disciplinary action, or where an employee has preferential rehire or reinstatement rights.
 2. Eligibility lists shall be developed for each vacant position in the competitive service and shall be in force for three months after certification, subject to a six month extension at the discretion of the General Manager. In the event the District does not hire a candidate on the eligibility list, the list shall be terminated and the District may conduct another recruitment to fill the vacancy.
 3. Only qualified candidates shall be certified on an eligibility list. To the extent qualified candidates are available,
 - a. Four candidates with the highest scores shall be certified on an eligibility list established to fill one vacant position.
 - b. For two or more vacant positions in the same classification, the number of candidates certified on the eligibility list for the classification shall be three times the number of vacant positions.
 4. The General Manager is the appointing authority for competitive service employees, and may select any candidate on the eligibility list.
- C. Vacant full-time positions in the competitive service subject to this selection procedure shall be posted and advertised where appropriate.
- D. Any offer of full-time employment in the competitive service is conditional on a medical examination certifying that the candidate is able to perform all the essential tasks and duties of the position, with or without reasonable accommodation. The medical examination will be made by a physician selected by the District and at District expense.
- E. Examination

1. An eligibility list of qualified candidates shall be based on a competitive examination. A qualified candidate is one who meets or exceeds the minimum qualifying aggregate score.
2. A competitive examination is an evaluation of the job-related abilities of the candidates. The method of examination may consist of any of the following personnel selection techniques: achievement tests, aptitude tests, interviews, performance tests, evaluation of daily work performance, work samples or physical agility tests.
3. The General Manager shall determine the manner and method of the examination. The Board of Directors, on recommendation of the Personnel Commission and General Manager, may contract with any qualified agency or individual to conduct any aspect of the examination. In the absence of such a contract, the General Manager shall conduct the examination.
4. The General Manager shall establish the minimum qualifying score for each part of the examination and the total examination. If the examination consists of multiple parts, the General Manager shall determine the appropriate weight of each part of the examination. To the extent possible, the examination announcement should describe the method of examination, the weight given to each part of the examination and the minimum qualifying score. In a multi-part examination, failure to pass one part of the examination may subject the candidate to disqualification from the entire examination.

F. Veterans Preference

For initial employment with the District, an honorably discharged armed forces veteran of the United States who meets the minimum final qualifying score in an open competitive examination shall be given an additional credit equal to five percent of the maximum score attainable in the examination. The candidates must apply for this credit by presenting with the application proof of honorable discharge from the armed forces of the United States showing the dates of military service.

G. Promotional Examination

At the discretion of the General Manager, a vacant position in the competitive service may be "closed" to candidates who are not presently employed in the competitive service with the District. Candidates for promotional positions may be examined based upon prior service accomplishments, completion of training courses, or any other testing method. Candidates must be full-time employees in the competitive service who possess the minimum qualifications for the position. For purposes of this section, promotion for an employee in the competitive service is defined as a move to a position in the competitive service with a higher salary range than that currently held by the employee.

H. Payment of Travel Expenses for Candidates

The General Manager may, in his or her discretion, authorize payment of travel expenses for candidates invited to participate in examinations for openings in positions at or above the supervisory level, provided the candidate is required to travel a distance in excess of 200 miles.

IV. SELECTION OF AT-WILL PART-TIME, TEMPORARY AND SEASONAL PERSONNEL

- A. A Part-Time position is defined as an at-will position with a regular work schedule of less than 40 hours per week. A temporary and/or seasonal position is defined as an appointment for a specific length of time. Part-Time, temporary and seasonal positions are not competitive service positions and are not eligible for competitive service benefits. Part-Time, temporary and seasonal positions may

be compensated on an hourly, monthly, or per event basis as specified annually in the salary resolution.

- B. At the discretion of the General Manager, job postings for Part-Time, seasonal or temporary positions may be advertised.
- C. Although Part-Time, temporary and seasonal employees are not required to be residents of the District, such openings will be filled in so far as possible by qualified residents of the District.
- D. The General Manager shall determine the method of selection for Part-Time, temporary and seasonal positions. At the discretion of the General Manager, a competitive examination may be conducted.
- E. The General Manager is the appointing authority for all Part-Time, temporary and seasonal positions.

V. GRANT FUNDED POSITIONS

Employees holding grant funded positions shall come under the provisions of these rules and regulations only as required by the implementing federal/state legislation and its administrative regulations. Where no such legislation and/or administrative regulations exist, such employees shall be considered as exempt from the competitive service.

VI. EMPLOYMENT OF RELATIVES

As a general rule, relatives of employees, members of the Board of Directors or the Personnel Commission are not eligible for employment with the District where potential problems of supervision, safety, security or morale, or potential conflicts of interest exist, as determined in the General Manager's sole discretion. Relatives are defined as a spouse, registered domestic partner, child, parent, grandparent, brother, sister, in-law, or any other relative living in the same household. In addition, unrelated persons living in a family relationship in the same household are included in this category.

For non-benefitted positions, the Personnel Commission will review any proposal for an exception to this general rule and make a determination regarding the potential hiring. The minutes of the Personnel Commission meeting will report the outcome. The approval to hire individuals into a benefitted position under these circumstances must come from the Board of Directors after a review by the Personnel Commission and Personnel Committee. Per prior Board action, this rule does not apply to part-time aquatics positions.

VII. CLASSIFICATION SYSTEM

A. Definitions

1. "Position Classification Plan" means the District's comprehensive plan to assign all positions in the competitive service to a class specification, including title and job description of duties and responsibilities.
2. "Job Classification" means the position held by an employee in the competitive service which is described in the Position Classification Plan and which is assigned a salary range in the Compensation Plan.
3. "Reclassification" means a material change in a competitive service employee's duties and responsibilities which requires an evaluation of the employee's job and salary consistent with the Position Classification Plan and Compensation Plan. The reclassification may mean a

change in job classification which is assigned a higher or lower salary range in the Compensation Plan.

4. "Transfer" means a change from one job classification to another in the competitive service.

B. Position Classification Plan

1. All positions in the competitive service shall be assigned a class specification, including title and job description of duties and responsibilities.
2. When a new position is created, the class specification should be reviewed by the Personnel Commission for recommendation prior to submission to the Board.
3. Supervisors and managers are responsible for ensuring that employees perform their jobs consistent with the employee's class specification.

C. Reclassification

1. Competitive service employees are expected to perform duties and responsibilities described in the job description for the class specification.
2. In the instance where an employee's actual duties and responsibilities materially change from that described in his or her job description, the General Manager may conduct an evaluation of the employee's job and recommend to the Board of Directors that the employee be reclassified to a class specification consistent with the actual duties and responsibilities performed.
3. Reclassification may be to a job classification assigned a higher or lower salary range in the Compensation Plan.
4. In the instance where an employee's reclassification would be to a position with the same salary range, the General Manager shall have the authority to approve the reclassification.
5. Reclassification shall not be used to fill a vacancy which should be filled through the competitive examination process.

D. Transfer

An employee in the competitive service may change from one job classification to another only through the competitive examination process, unless the transfer is required as a result of a legal obligation, disciplinary action, or where an employee has preferential rehire or reinstatement rights.