

CHAPTER 3 HIRING PRACTICES

- 3-1 General Practice
- 3-2 Anti-Nepotism
- 3-3 Exception to Anti-Nepotism Policy
- 3-4 Veterans Preference
- 3-5 Job Announcements
- 3-6 Rejection of Application
- 3-7 Background Checks
- 3-8 Criminal History Required
- 3-9 Hiring Authority
- 3-10 Types of Employment
- 3-11 Transfers

3-1 General Practice

The City is an equal opportunity employer. We conform to all the laws, statutes, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all of our job openings. We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, national origin, disability status, Genetic Information & Testing, Family & Medical Leave, protected veteran status, or any other characteristic protected by law. We prohibit Retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

It is the policy of the City to fill all job openings with the most qualified individual available. All applicants must fill out a General Employment Application. (**See Exhibit 3A – General Employment Application**). Where possible, it shall be the policy of the City to promote from within provided that all promotions shall be made based upon candidates' qualifications.

3-2 Anti-Nepotism

It is the City's policy to comply with Title 52, Chapter 3, Utah Code Annotated. The City prohibits any person holding any position, to appoint, vote for the appointment of, directly supervise, be in the line of supervision of, or be directly supervised by their father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild. This policy applies to full-time regular employees, part-time employees, temporary or seasonal employees, and paid-on-call employees.

3-3 Exception to Anti-Nepotism Policy

Chapter 3-2 shall not apply if the Mayor determines that the employee/relative is the only person available or best qualified to perform supervisory functions. The employee who exercises

authority over a relative may not evaluate the relative's job performance or recommend salary increases for the relative. The employee or public officer shall make a complete written disclosure of the relationship to the Mayor (Utah Code 52-3-1).

3-4 Veterans Preference

In accordance with Title 71, Chapter 10, Utah Code Annotated, eligible veterans and their spouses shall be given preference in interviewing and hiring for a position.

3-5 Job Announcements

Job announcements shall specify the title and salary range of the position for which is announced; the nature of the work to be performed; the experience and training required, the time, place and manner of making application; the necessary special qualifications; and other pertinent information consistent with the position to be filled. (See **Exhibit 3B – Job Opening Notice**).

Announcements shall be posted for every job opening in order to inform interested and qualified persons of the opportunity to apply.

Announcements shall be posted where eligible persons might reasonably be expected to be located. Announcements shall be posted for a minimum of five working days, unless a longer announcement period is required to attract a sufficient number of applicants for the position at any time.

3-6 Rejection of Application

Any application may be rejected if the applicant:

- a. is found to lack the qualifications prescribed for admission to the examination or filling the position; or
- b. has a record of unsatisfactory employment; or
- c. has pleaded guilty to a felony or been convicted of a felony or pled no contest to a felony which would bar the applicant from effective performance of the duties of the position applied for; or
- d. has practiced or attempted to practice deception or fraud in the applicant's application or examination; or
- e. has otherwise violated provisions of these rules and regulations; or
- f. is not a U.S. citizen.

A sample job rejection letter is attached. (See **Exhibit 3C – Job Rejection Letter after Interview**)

3-7 Background Checks

It is the policy of Plain City Corporation that all individuals currently employed may be asked to submit to a voluntary criminal history and background check. Any individuals who are seeking such employment, either as a “new hire” or a transfer from a different department, may be required

to submit to a mandatory criminal history background check after the City extends to the person a conditional job offer and before his/her employment begins with the City.

3-8 Criminal History Required

Plain City Corporation shall require that any applicant, paid or volunteer, for a position involving interaction with minors and/or vulnerable adults authorize and submit to a Criminal History Review and Background Investigation to establish that the applicant's character and conduct is consistent with that of those entrusted to hold such positions. Those applicants found to have been convicted of offenses involving minors and/or vulnerable adults, or any offense affecting their ability to appropriately interact with minors and/or vulnerable adults, shall not be hired or permitted to serve regardless of when the conviction occurred. The use of this information shall conform to Utah law. Those volunteers and employees approved for positions involving interaction with minors and/or vulnerable adults shall be required to authorize and submit to criminal history reviews and background investigations every year.

3-9 Hiring Authority

The head of each City department or division, with approval of the Mayor and the advice of the council person over that department, shall be the hiring authority for the employees in that department or division.

3-10 Types of Employment

Full-time Employment. Full-time employment shall be made only following action and recommendation of the hiring committee as designated by the Mayor.

Part-Time/Paid-On-Call Employment. Hiring part-time positions may be made by the department head after approval of the Mayor with the advice of the council person over that department. Hiring shall be made, however, by using the formal application and eligible certification provisions outlined in these procedures.

Temporary and Seasonal Employment. Temporary and seasonal employment for parks shall not exceed 180 days in a calendar year. Seasonal recreation employees shall be limited to seasonal officiating, score keeping and other duties and responsibilities associated with city recreation programs. Hiring temporary or seasonal positions may be made without the use of formal certification procedures. However, applicants must meet age requirements and meet minimum position qualifications as determined by the Mayor. Departments shall demonstrate that the recruitment to fill temporary and/or seasonal positions was done in an open and competitive manner, ensuring the city attracts the most qualified employees. Temporary and seasonal positions shall be recommended by the department head and approved by the Mayor.

Temporary Emergency Employment. In an emergency, to prevent undue delay or serious interference with the provision of vital City services, department heads may make a temporary emergency appointment for a period not to exceed thirty calendar days. Such appointments can be made without use of the formal certification provision of these procedures. Approval of the Mayor is required to make a temporary emergency appointment.

3-11 Transfers

A position may be filled by transferring an employee from another position of the same or similar class having the same salary range, after that employee has completed six months employment. Interdepartmental transfers must be approved by the Mayor with advice of the council person over each department and be consistent with the outlined hiring process.