

## **Rule 5-30**

### **Appointments**

**§§:**

[5-30-010 Appointments](#)

[5-30-020 Types of Appointments](#)

[5-30-030 Training Programs](#)

#### **§ 5-30-010 Appointments**

- A. Every person appointed or promoted to a position in the classified service must be certified as eligible, except on a temporary or on-call basis as provided below. Vacancies in the classified service will be filled only by appointment of an individual from a recall list, an eligible candidate certified from a list, a transfer from the list, a demotion of a regular or probationary/trial service employee, or through reinstatement. Employees may be reassigned from one position to another in the same job profile or with the same maximum pay rate. Such transfers will be subject to the restrictions contained in collective bargaining agreements.
- B. All unclassified positions, except those reporting directly to an elected official, will be filled through competitive recruitment and selection procedures that comply with applicable laws, county policies, and the Gladys McCoy Standard defined in MCPR § 5-40-060 (D) regarding equal employment opportunity or by direct appointment.
- C. For succession planning purposes, a department may job overlap a position for up to twelve (12) months if the department has the budgetary funds available.

#### **§ 5-30-020 Types of Appointments**

Individuals must be appointed to one of the following types of county service:

- A. Regular: An appointment from a certified eligible list to a regular, budgeted position in the classified service with a work schedule that is one-half time or more. An employee so appointed becomes a regular employee upon completion of the probationary/trial service period for the position.
- B. Limited Duration: An appointment to a classified service position will be made from certified eligible lists whenever possible and will be for time periods greater than six months for a defined period of time for a special project, a grant or to perform duties that have other limited funding. The manager must notify the employee of the duration at the time of hire. The notice must be in writing, and must state the ending date of the appointment. Regular employees appointed to limited duration appointments will be returned to a position within their department in their previous job profile at the end of the appointment. If no vacancy exists within their department, then they will be subject to the layoff

rules. If they did not have previous regular or probationary/trial service status with the county, their employment will be terminated.

- C. On-Call: An appointment that is intermittent, irregular or is normally less than half time. Persons appointed to perform on-call duties normally performed by regular employees must meet the minimum qualifications for the job profile. On-call appointments have no time limit. On-call employees may be discharged at any time by the manager and have no appeal rights within the county, unless specified in a collective bargaining agreement.
- D. Temporary: An appointment whose duration is uncertain due to an emergency workload, absence of an employee or because of a short-term need for a skill or ability.
  - 1. Such appointments must have prior approval of the Director.
  - 2. Temporary employees who perform duties normally performed by classified employees must meet the minimum qualifications established for the job profile.
  - 3. Temporary employees will be notified of their status when appointed. Their employment may be terminated at any time by the hiring manager and temporary employees have no appeal rights, unless specified in a collective bargaining agreement.
  - 4. A temporary appointment may be made for a period of up to six (6) months or one thousand and forty (1040) hours within the preceding twelve (12) months. A temporary employee who has already worked one thousand and forty (1040) hours may be appointed within the same 12-month period to a different position typically in a different department following a break in county service lasting fifteen (15) days or longer. A temporary employee may be reappointed to a different position when an unforeseen circumstance requiring the employee's services arises shortly after the termination of one appointment, even when the break in service is less than fifteen (15) days.
  - 5. An employee who has attained regular classified status and is subsequently given a temporary appointment will be returned to the position previously held or equivalent position upon expiration of the temporary appointment.
  - 6. All temporary appointments for management or executive job profiles which are expected to continue beyond ninety (90) days must be filled following merit principles utilizing a recruitment process that solicits candidates at a minimum from the functional work unit within which the

position exists, but does not preclude a broader recruitment process. Department Directors are responsible for ensuring processes are fair, equitable and comply with merit principles. A Department Director may request in writing an exception to the posting requirement following criteria similar to 5-30-020(E)(4)(a) with approval from the Multnomah County Chief Human Resources Officer.

E. Positions that are excluded from the classified service under MCC 9.110 are unclassified positions.

1. Unclassified employees serve at the pleasure of the Director. Unclassified employees may be discharged at any time.
2. Unclassified positions, except those directly responsible to elected officials, will be filled by competitive recruitment and selection procedures, or by direct appointment.
3. Each recruitment process, except for appointments to positions directly responsible to elected officials, must document the following information:
  - a. Position description, title and salary range
  - b. Name of the appointing manager
  - c. Recruitment sources utilized
  - d. Name, sex and race of each candidate
  - e. Name, sex and race of appointee
  - f. Description of the criteria and process used to determine qualifications and to make the final selection.
4. Direct appointments to unclassified positions
  - a. Direct appointments may be made by Directors, including elected officials, consistent with the following criteria:
    - i. Where job related ranking measures are not practical or appropriate;
    - ii. When a recent open competitive recruitment results in no suitable candidates as determined and documented by the Director;
    - iii. To fill positions that require special or unique skills; or

- iv. To fill positions that have critical timing requirements affecting recruitment, and
- v. The individual appointed meets the minimum qualifications of the position.

b. Clarification of criteria:

- i. To be considered recent, an open competitive recruitment must have been completed within the previous six months.
- ii. The suitability of a candidate is determined by the Director and consists of job related factors that are in addition to the minimum qualifications required by the job profile.
- iii. Critical timing requirement affecting recruitment means that the position is critical to department operations and there is a demonstrated need to fill the position quickly.

F. Documentation of the recruitment process must be retained by the department for three years.

### **§ 5-30-030 Training Programs**

A. Central HR or Department Human Resources Units may establish training programs for selected job profiles or for specialties within job profile subject to the final approval of the Central Classification and Compensation Unit Manager. The purpose of a training program is to develop new or existing employee knowledge, skills or abilities necessary for competent job performance. A training program will have an outline of the length of the training period, and knowledge, skills and abilities to be developed during the course of the program. A training position will have a position description, and all positions within a training program must be classified by Central Classification and Compensation Unit.

1. Training programs may be established:

- a. When the department can document that a position in a selected job profile or specialty within the job profile is difficult to fill based on responses to recent recruitments or projected response rates to recruitments; or
- b. To create developmental positions for internal career opportunities; or
- c. To aid in succession planning within selected job profiles or specialties within job profiles.

2. Individuals hired into training programs will be considered trainees.

3. Candidates for trainee positions must be able to meet the minimum qualifications of the budgeted position by the end of the probationary/trial service period, or the training program, whichever is longer. Training programs will not exceed two years except where the trainee position is part of an established program which requires the completion of an extended course of study or attainment of licensure or other specific credentials, such as a trades apprentice program; professions or disciplines requiring the completion of an advanced degree; or other specific training or experience requirements which typically exceed the two-year limitation. Exceptions to the two-year time limit must be supported by documentation showing the requirements that must be completed, and must be approved in advance by the Central Classification and Compensation Unit Manager or designee.
- B. Before a training program will commence, central or department human resources will submit a Training Program Plan to the Central Classification and Compensation Unit Manager for approval. The request will include at a minimum:
1. Final position description for the budgeted position without consideration for the training program.
  2. Draft position description for the trainee position which will include a suggested job profile if a suitable current job profile exists or if one does not exist suggested modifications to the budgeted position's minimum qualifications.
  3. A suitable job profile will be one in a series or where the principle duties, responsibilities and minimum qualifications of the trainee position are less but similar to the duties, responsibilities and minimum qualifications of the budgeted position's job profile.
  4. If a suitable job profile does not exist, the budgeted position's job profile will be used with a modified pay range, as determined by the Central Classification and Compensation Unit, no less than two pay scale groups below the standard range. The Central Classification and Compensation Unit, in consultation with Department of Human Resources, will determine the modified minimum qualification for the trainee position.
  5. Length of trainee program.
  6. Summary of the plan to provide training and support to develop the trainee into the budgeted position's job profile.
  7. Regularly scheduled formal evaluations to document how the Trainee is progressing.

- C. Trainees will be selected through a competitive recruitment process and training will be coordinated by department human resources units.
1. Recruitment announcements will include language to indicate the position will or may be filled with a trainee.
  2. Trainees will meet the minimum qualifications for the trainee job profile or the modified qualifications for the budgeted position's job profile before hire.
  3. All documentations for the trainee program, including approval from the Classification-Compensation Manager, will be maintained in the recruitment file.
- D. Trainees will be promoted non-competitively as authorized by MCC 9.150 into the budgeted position's job profile or its regular pay scale group at the end of the trainee period provided the trainee's principle duties and responsibilities match the job profile and the trainee meets the minimum qualifications of the budgeted job profile.
1. Training programs may end sooner than the expected date provided the trainee's principal duties and responsibilities match the budgeted position's job profile and the trainee meets the minimum qualifications of the budgeted position's job profile.
  2. Pay at the end of the training program will be set by following the promotional policy in either MCPR § 2-40 or MCPR § 4-10.
- E. Probationary/Trial service period for employees in training programs will follow MCPR § 2-15-030.

**§ 5-30-040 Nepotism**

(Section moved to MCPR § 3-30 - October 28, 2011)