

## **Rule 5-20**

### **Recruitment and Assessment**

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#### **§ 5-20-005 Policy Statement**

The county is committed to achieving a workforce representative of the county's diverse labor market, and being a leader in providing candidates and employees fair and equal employment opportunities. Accordingly, Department Directors will ensure that equal employment opportunities are afforded to all candidates and employees and that employment related decisions are non-discriminatory and merit based. Directors will ensure that employment practices are consistent with the County's Affirmative Action Plan, diversity initiatives, cultural competency strategies, and the Gladys McCoy Standard defined in MCPR § 5-40-060 (D), in addition to state and federal laws designed to promote good faith efforts to achieve established affirmative action goals, including for persons with disabilities. Directors will take proactive steps to develop diverse applicant pools for position vacancies.

#### **§ 5-20-011 Types of Recruitments**

- A. Internal Recruitment: A recruitment that is open to all current regular, probationary/trial service and limited duration employees who are in paid status, on approved leave, or on an active recall list. Additionally, current temporary and on-call employees may apply for an internal recruitment if all of the following conditions are met:
1. The employee was hired into the current temporary or on-call position via a competitive recruitment and selection process consistent with these rules;
  2. The employee has worked in an on-call and/or temporary capacity at least five hundred (500) hours within twelve (12) months preceding the date of application;
  3. The recruitment is for a position in their current department; and
  4. The recruitment will not result in a promotion to a job profile with a higher maximum salary rate.

- B. External Recruitment: A recruitment that is open to any person. Departments may limit the number of applications to be accepted for a recruitment.
- C. Open Until Filled: An internal or external recruitment that is open to any person without a specific end date and which will be closed once a qualified candidate has been appointed to each vacancy. This is typically used when the department anticipates having a small or highly specialized pool of candidates, or if there are multiple vacancies within a job profile.

#### **§ 5-20-016 Recruitment Announcements**

- A. Whenever a classified service position is open for application, Central Human Resources or the Department will post a recruitment announcement inviting applications from qualified persons.
- B. Each recruitment announcement will include the title, pay range of the job profile, type of classification (i.e. represented, management or unclassified), a general description of the duties performed, the applicable minimum qualifications and desirable qualifications, the expected type of assessment, application procedures and application deadline.
- C. The recruitment announcement must designate the type of the recruitment: internal, external, or open until filled, and if it may be filled with a trainee. The department issuing the recruitment announcement may limit the size of the applicant pool for an external recruitment by specifying on the recruitment announcement the maximum number of applications that will be accepted. When that maximum is reached the recruitment will close immediately.
- D. Whenever a department significantly changes a recruitment announcement that may alter the applicant pool, the announcement must be revised and redistributed to provide notice of such changes.
- E. The department may decide to cancel a recruitment or not to fill a position at any time.
- F. Whenever a department cancels a recruitment, the department will notify all candidates in writing of such action.
- G. Central Human Resources is the “department” responsible for countywide recruitment announcements.

#### **§ 5-20-020 Filing Applications**

- A. Departments may elect to have candidates submit an official county application form or an alternative application format approved by Central Human Resources.
- B. Candidates must submit and complete the county’s standard application following the instructions specified on the job posting. The department may authorize the acceptance of late applications for good cause, provided all

similarly affected applications are treated consistently. Good cause includes but is not limited to the failure of an electronic device to fully transmit/deliver an application (computer). The candidate may be required to provide evidence that he or she made a reasonable attempt to submit the application by the deadline.

- C. For all recruitments, the final pool of candidates must submit either a completed and signed application; background check form or electronic application certifying the truth and completeness of the contents prior to the final screening process or interviews.
- D. Acceptance of an application does not guarantee an interview or admission to any part of the selection process. Admission to an assessment does not assure a passing grade; admission to a hiring interview does not assure selection for the position.
- E. If a candidate's contact information changes during the process, the candidate must this information in the system.

#### **§ 5-20-030 Disqualification of Candidates**

- A. A department may refuse to accept applications and disqualify candidates at any time for the following reasons:
  - 1. The application was not received by the deadline for filing applications.
  - 2. Applications may be disqualified if they are substantially incomplete, are not completed on the prescribed form, are illegible or directions on the recruitment announcement for submitting the applications were not followed. If a decision is made to accept deficient applications, all candidates for that recruitment will be given the same latitude with respect to those deficiencies.
  - 3. The candidate does not meet the eligibility requirements on the recruitment announcement including the ability to perform the work with or without reasonable accommodations.
  - 4. The candidate does not have the legal right to work in the United States.
  - 5. The candidate has made a false statement of material fact on the application or in the hiring process.
  - 6. The candidate has used or attempted to use influence or fraud to secure an advantage.
  - 7. The candidate was previously dismissed for cause from a position with the county service except as required by law.

8. The candidate fails to pass required physical examination, psychological evaluation, drug screening tests, security clearance, credentialing, reference check, or other background investigation necessary to qualify for the position.
  9. The candidate does not meet the minimum age requirements for the position as required by Bureau of Labor and Industries regulations.
  10. The candidate has expressed unwillingness to accept employment.
  11. The candidate's name may be removed from an eligible list when considered three (3) times to the same job profile from the same eligible list and the candidate has not been employed or has declined interviews.
  12. Appointment of the candidate would result in a violation of these rules or the law.
  13. During the assessment process, candidates may be disqualified if:
    - a. They fail to appear for an assessment on time;
    - b. Improperly conduct themselves; or
    - c. Fail to complete all parts of an assessment.
  14. Any other good cause as determined by the county.
- B. A department may refuse to accept applications and disqualify a candidate if the candidate has been convicted of a crime of such a nature to make the candidate unfit for the position or a candidate fails to pass a required criminal history checks necessary to qualify for the position.
1. Except as provided in §5-20-030(B)(2) below, criminal history checks can only be conducted after an initial interview or after a conditional offer of employment is made if there is no interview conducted.
  2. The requirement that criminal history checks come after an initial interview or conditional offer of employment does not apply in the following circumstances:
    - a. If federal, state, or local law, including corresponding rules and regulations, require the consideration of a candidate's criminal history;
    - b. When the position with the County is in a law enforcement agency or the criminal justice system; or
    - c. When the County is seeking a non-employee volunteer.
- C. Each candidate for an announced recruitment will be notified of any disqualifying action taken.

**§ 5-20-040 Assessment Development**

- A. Central Human Resources may provide departments resources to assist with the development of assessments and other measurement devices. Assessment methods selected shall assist departments to determine the most qualified candidate for the position.
- B. The same assessment instruments and grading methods must be used for all candidates at the same stage of the assessment process.
- C. Central Human Resources may assist departments to establish procedures and practices for assessment processes.

**§ 5-20-050 Assessment Process**

- A. Central Human Resources or a department may waive an assessment in the following cases:
  - 1. When for a particular vacancy, there are five (5) or fewer candidates who meet the minimum qualifications for the job profile and job related requirements for the position; or
  - 2. Candidates are applying for positions that allow self-certification of their experience, skills and abilities. Candidates will be placed on the list in order of the dates their applications are received. Candidate records must contain detailed information regarding their certified experience, skills and abilities. Candidates will be notified when they have been placed on the list. Demonstration of their certified experience, skills and abilities may be required at any time during the screening process.
- B. Central Human Resources or departments will evaluate the effect of each assessment administered for adverse impact on race, sex, and ethnic groups. If an assessment's results have adverse impact and have not been validated in accordance with the Uniform Guidelines for Employee Selection Procedures, the assessment will not be used for future selection processes unless it is modified or used in a manner that eliminates the adverse impact.
- C. The rating of each assessment will be completed and the resulting list established not later than thirty (30) days after the date the last assessment was held. The thirty (30) days may be extended and written notice given if an assessment is declared illegal, the need to fill the advertised position ends, or other cause exists. Each person competing in the selection process will be given written notice of final earned rating and placement or non-placement on the list.

- D. Candidates who fail an assessment will not be permitted to retake the assessment during that assessment process, but will be permitted to compete again when the position is next announced.

**§ 5-20-060 Assessment Scoring**

- A. Candidates may be required to attain a minimum score on each part of an assessment to receive a passing grade or to be allowed to compete and be rated on the remaining parts of the assessment process.
- B. The total combined assessment score will be given the value of seventy (70) and the maximum score will be one hundred (100).
- C. In assessments composed of several assessments that are graded separately, weights may be assigned to each assessment, assessments may be administered on a pass/fail basis, or assessment results may be ranked in order with those deemed to be below the equivalent of a seventy (70) receiving a rank of fail. Candidates who do not complete all assessments will not receive a final total score.
- D. Each eligible veteran or disabled veteran furnishing the required proof of eligibility and requesting a preference will be allowed the legal preference provided by law. At each stage of the process where a score is given, five (5) points will be added to the score of a veteran or ten (10) points will be added to the score of a disabled veteran.

**§ 5-20-070 Application or Assessment Review**

- A. Not later than ten (10) days after the date of notification by a department or Central Human Resources of disqualification of assessment results and/or placement or non-placement on an eligible list, each candidate may request:
  - 1. A review of disqualification for not meeting minimum qualifications stated in the recruitment announcement. Any changes due to a disqualification review will not affect the previous selection decision(s) concerning other candidates.
  - 2. Requests must be made in writing to the department or Central Human Resources, whichever conducted the assessment. The department or Central Human Resources must respond to the candidate within fifteen (15) days.
  - 3. If not satisfied by the response of the department, the candidate may send a letter appealing the decision to the Multnomah County Chief Human Resources Officer within ten (10) days of receiving the department's or Central Human Resource's response. The Multnomah County Chief Human Resources Officer must respond to the candidate within fifteen (15) days. The decision of the Multnomah County Chief Human Resources Officer is final for non-represented

employees. Represented employees have ten (10) days to appeal to the Merit Council under MCPR § 2-20-010.

- B. If errors are found, the candidate's score will be corrected.
- C. Candidates who wish to challenge the appropriateness of any question or answer on a written objective assessment, may review a "Keyed" copy of the assessment unless it would jeopardize the ability of the department or Central Human Resources to reuse the assessment, or it would violate a publisher's condition of use.
  - 1. A challenge to the appropriateness of assessment materials may only be made before candidates review their answers to specific questions. Candidates who request to see their own answers will be advised that they have waived the right to challenge the appropriateness of any question.
  - 2. Candidates who wish to view their answer sheets to confirm that they have received full credit for correct answers may compare their answer sheets with a "Keyed" answer sheet without the questions.
- D. The subject matter experts will make an evaluation when the correct response cannot be clearly defined and ratings are based on their judgment. The ratings assigned by such experts may only be appealed based on allegations of discrimination on the basis of race, color, gender identity, gender expression, source of income, sex, sexual orientation, familial status, marital status, age, religion, national origin, political affiliation, or physical or mental disability. When the department or Central Human Resources determines that a rater has discriminated based on an illegal factor, ratings of the challenged rater will not be included in the makeup of the final scores for candidates affected, unless there is another more appropriate remedy. In no instance will the comments or ratings by expert raters be changed nor will anyone substitute their judgment regarding the qualifications of a candidate for that of the rater's.

#### **§ 5-20-080 Assessment Records**

The department or Central Human Resources will retain a file for each assessment based on the document retention schedule for the department or Central Human Resources. Each file will include individual applications, assessment utilized, scores given, a certificate of eligibles list, interview notes, adverse impact analysis and other relevant information.