

## VACANT POSITIONS

### I. PURPOSE

This policy describes procedures for filling vacant positions.

### II. POLICIES AND PROCEDURES

This policy describes procedures to be used by the City of Harlingen to fill vacant positions within the organization. The procedures cover hiring, promoting, transferring and demoting. Exceptions must be signed/approved by the Manager.

#### A. VACANCY IDENTIFICATION

Department Directors shall notify Human Resources when a vacancy occurs (or is imminent) by submitting a Request for Employee Form.

#### B. VACANCY ANNOUNCEMENT

Human Resources shall publicly announce, by appropriate means, all City vacancies. Job opportunity announcements will be prepared, posted and distributed only when there is or will soon be a vacancy. Each announcement, insofar as practical, shall specify the title, salary and nature of the position available, the required qualifications, and essential functions. The announcements for city employees only will be posted for five (5) working days. Announcements to the public may specify a deadline for application (normally five to ten days after initial public posting). This period may be shortened or extended, depending upon the circumstances. In high-turnover or critical-skill situations which make application deadlines unrealistic,

announcements can be posted as "open until filled." Human Resources shall maintain a bulletin board of announced vacancies for public inspection.

#### C. VACANCY APPLICATION

Applications for initial employment, promotion or transfer shall be submitted as specified in the job opportunity announcement or as prescribed by Human Resources. Only applications officially received in the prescribed manner shall be considered. All information submitted is subject to verification.

#### D. PRE-EMPLOYMENT PROCESS

The hiring department and Human Resources shall work through the application process jointly to ensure that applicants are treated equally. The departmental application processing steps are explained below:

##### 1. Minimum Qualification Verification

After the application deadline, Human Resources will review the applications and eliminate those that do not meet the minimum qualifications specified in the job announcement. Only applications meeting the minimum qualifications will be sent to the interviewing department. Exceptions may be granted upon request by the Department Director depending on recruiting circumstances.

##### 2. Applicant Evaluation

The hiring Department Director or supervisor will review the applications and Human Resources will schedule interviews. Interviewers shall complete an Applicant Referral Form following each interview process. After all reviews

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have been completed, the applications and Applicant Referral Form(s) shall be returned to Human Resources indicating the supervisor's choices in rank order.

### 3. Applicant Disqualification

Applicants may be disqualified from consideration for any of the following reasons:

- a. They do not meet the necessary position-performance qualifications or any State or Federal requirements.
- b. They make false statements on the application form or supplements.
- c. They commit or attempt to commit a fraudulent act at any stage of the selection process.
- d. They are in violation of the City of Harlingen Substance Abuse Policy.
- e. They are not legally permitted to work in the United States due to their alien status.

### 4. Nepotism

Employment may be restricted when an applicant or current employee is related by blood (consanguinity) or marriage (affinity) to another City employee or official.

- a. Nepotism restrictions are as follows:
  - (1) An individual related within the third degree of consanguinity or second degree of affinity to a member of the City Commission, or the Manager, shall not be appointed to serve or be

employed in any position in the City.

- (2) An individual related within the third degree of consanguinity or second degree of affinity to a Department Director shall not be hired into a position within that department.
- (3) An individual shall not be hired into any position directly supervised by someone to whom he/she is related within the third degree of consanguinity or second degree of affinity.
- (4) An individual shall not be hired into any position if the appointment would create a close working relationship within the department or functional area that could affect the health, safety or welfare of the employees; or the efficient departmental operation; or the best interests of the City.

- b. Relatives employed as of the effective date of this rule are exempt.
- c. Should a current employee become a relative of another employee and fall under the provisions of this rule, one of the employees must transfer to another area, resign or face termination. This rule applies to full-time, part-time, regular and temporary positions.

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### 5. Residency

Residency requirements or reasonable response time requirements may be established for certain positions. These requirements will depend on the duties of the position.

### 6. Screenings and Examinations

All persons selected for initial appointment shall undergo a drug screening test. Some job requirements may require a thorough medical examination.

Each of these tests will be conducted at the City's expense and in a manner prescribed by Risk Management. Employment shall be contingent upon successful completion of the required screening(s) and medical examination(s).

### 7. Background Checks

The City of Harlingen may conduct criminal history records checks on all new employees, including those in part-time, temporary and selected volunteer positions. Applicants selected may be offered provisional employment pending results. If applicants have not provided accurate information regarding their criminal history, they may be dismissed from employment.

NOTE: A criminal conviction will not necessarily disqualify an applicant for employment. The conviction will be reviewed against the job requirements.

## E. PROMOTIONS

Promotions are position changes to classes with higher maximum salaries. Qualified employees may apply for promotion to vacant positions when positions are advertised or posted.

Employees in their introductory period are not eligible for promotion. Exceptions may be granted by the Manager when such promotion is in the best interest of the City.

The following process shall be utilized for promotions:

### 1. Application

An employee applying for any position must complete an employment application.

### 2. Contacts

Qualified employees referred to the hiring department shall be contacted by the Human Resources department for interview arrangements.

### 3. Transfer Dates

If an employee is selected to fill the vacancy, the hiring department shall contact the employee's current department to establish a mutually agreed-upon transfer date. The department may require the employee to give two weeks' notice. Promotions should be effective the first day of a payroll period.

### 4. Promotion Initiation

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The gaining department will initiate an Employee Action Form to promote the employee.

### 5. Temporary Positions

Temporary promotions may be authorized to ensure the proper performance of City functions if a position is vacant or the regular incumbent is absent. Temporary promotions are intended to be temporary and shall not be used to circumvent the normal selection process. The employee(s) involved shall not acquire any permanent status or rights to the positions to which they are temporarily promoted.

### F. LATERAL TRANSFERS

A lateral transfer is the assignment of an employee from one position to another position in the same salary range. Qualified employees may apply for transfers to vacant positions when the positions are advertised or posted.

Employees in their introductory period are not eligible for lateral transfers. Exceptions may be granted by the Manager when such lateral transfer is in the best interest of the City.

The transfer process is described below:

#### 1. Application

Employees must complete an employment application.

#### 2. Contacts

Qualified employees referred to the hiring department will be contacted by the human resources department for interview arrangements.

### 3. Transfer Dates

If an employee is selected to fill the vacancy, the hiring department shall contact the employee's current department to establish a mutually agreed-upon transfer date. The department may require the employee to give two weeks' notice. Transfers must be effective the first day of a payroll period.

### 4. Transfer Initiation

The gaining department will initiate an Employee Action Form to transfer the employee.

### 5. Lateral Transfers

Lateral transfers may be implemented at any time for administrative convenience.

### G. DEMOTIONS

A demotion occurs when an employee moves from a position in one job classification to another position which is classified in a lower pay grade/range. A downgrade may be employee or employer initiated.

Employees in their introductory period are not eligible for voluntary demotion.