

Subject: Employment Procedures and Records Maintenance	Number: 2-6
	Date Issued: April 1, 2003 Date Revised:
Responsible Department: Personnel Services	Approved:

Purpose

To establish procedures to be used when hiring new employees.

To establish procedures for maintaining records within Personnel Services and the employing department/division.

Policy

1. The type of position being filled and its assigned department will determine the length of time required, following certification of names from an eligible list, to actually fill the position. Considering that successful candidates may be required to give two weeks notice to current employers, combined with the reference check and the criminal conviction check, it may be five or more weeks from the date names are certified before the vacancy can be filled.
2. When practical, for positions with frequent hiring activity or a high rate of turnover, Personnel Services may provide names in addition to those eligible for certification to the appointing authority to permit an earlier start on the background process to reduce the time required to fill vacancies.
3. The appointing authority shall fill the vacancy or vacancies, as quickly as possible, from the eligibles certified, or notify Personnel Services that the appointment will not be made, whereupon the eligibles shall be restored to their relative positions on the list from which they were certified.
4. Eligibles certified for employment consideration may be required to complete a background check and driving record check at the City's discretion. The background check for permanent appointments will include a criminal conviction check through the California Department of Justice and may also include a reference check.

Temporary or provisional appointments may also be required to undergo a reference check at the City's discretion. All temporary and provisional appointments will also require the criminal conviction check.

Due to the time required to process criminal conviction checks from the Department of Justice, the City Manager may approve appointments to non-public safety positions. Positions that do not require the supervision of minors, and positions that do not handle cash transactions may begin prior to the return of the criminal conviction check.

However, if the results from the background checks are not satisfactory, the appointee will be immediately dismissed.

5. The Personnel Services Department shall designate those classes that require candidates to successfully complete the medical evaluation process prior to appointment.

An appointing authority shall extend an offer of employment to the selected candidate(s) prior to the medical evaluation process and shall notify the Personnel Services Department of the candidate's selection and request that a medical examination be scheduled. The Personnel Services Department shall schedule the selected candidate(s) for medical evaluation and shall communicate the physician's findings and recommendations to the appointing authority.

If the physician determines that the candidate cannot perform the full range of duties, the appointing authority shall consider the availability of accommodation that would permit the candidate to perform the essential duties of the position. Consideration shall be on a case-by-case basis and shall include making existing facilities readily accessible, job restructuring, modifying work schedules, and acquiring or modifying equipment or devices. This list is not intended to be exhaustive; rather it is intended to provide general guidance regarding the appointing authority's obligation to explore reasonable accommodation.

The appointing authority may reject a candidate when the accommodation required would create an "undue hardship." The term "undue hardship" is defined as an action that would impose undue financial or administrative burdens or would require a fundamental alteration in the nature of City operations. The appointing authority shall communicate in writing to the Personnel Services Department, the specific reasons or circumstances that constitute an "undue hardship" precluding the hiring of the candidate.

6. An Employee Action Form shall be prepared and forwarded to Personnel Services, as soon as approval of the appointment is received, to place the person selected on the payroll. That includes an approved Personnel Requisition for permanent appointments or an approved Attachment "B" for temporary appointments. The appointing authority will then notify all persons interviewed that the position has been filled.
7. New hires must complete and submit required paperwork to Personnel Services either prior to, or immediately upon, beginning employment with the City. The Immigration Reform and Control Act requires that newly hired employees provide to Personnel Services acceptable proof of their right to work in the United States. The effective date of the appointment shall not precede the date that all required paperwork and documents are provided by the new hire.
8. The following documents shall be filed and retained in the employee file located in Personnel Services:
 - a. Original applications/resumes.
 - b. Original Employee Action Forms.

- c. COBRA designations and related documentation.
 - d. Approved, original Work Permit applications.
 - e. Unemployment Insurance claims/related documentation.
 - f. Finalized disciplinary actions, starting with written reprimands.
9. Some portions of police officer personnel files shall be destroyed by the Personnel Services Department five and one-half (5-1/2) years after the date of the incident. Those documents include:
 - a. Complaints.
 - b. Disciplinary actions.
 - c. Training certificates.
 - d. Performance evaluations.
10. Immigration Reform and Control Act documentation and medical records shall be retained in separate files, also located in Personnel Services.
11. Active Workers' Compensation claims shall be maintained in a separate file until the claim is closed. Upon closure, materials shall be merged with the employee's medical file.
12. The following documents shall be retained in the employee's file within the employing department/division:
 - a. Performance evaluations (except as indicated in #9 above).
 - b. Driving record check (if required).
 - c. Commendations.
 - d. Training certificates (except as indicated in #9 above).
 - e. Copy of approved Work Permit applications.
 - f. Approved leave request slips.
13. Upon transfer, promotion or reassignment of an employee to another department, materials retained at the department shall be forwarded to the receiving department upon, or immediately following, the transaction.
14. Upon termination of employment, materials retained at the department shall be forwarded to Personnel Services.