V. RECRUITMENT, APPLICATIONS, AND EMPLOYMENT

Section 1. RECRUITMENT

A. When a vacancy occurs in a budgeted position, the department submits a Personnel Action Form (for employee who is separating from service) and a Position Vacancy Form to the Human Resources Department to initiate recruitment of a replacement. A Position Vacancy Form is submitted to request a seasonal position. A Temporary Request Form is used to request temporary staffing during the absence of an employee or as needed for special projects.

Requests for personnel should be submitted as soon as official notice of impending openings is received or need for a position is known.

B. The Human Resources Department prepares recruiting notices to publicize vacancies/solicit candidate applications. The following procedures apply:

1. All positions will be posted internally for City employees. Positions may also be advertised/posted externally concurrent with internal posting. If a position becomes vacant and was advertised within the past six months, the posting/advertising may be waived and the position filled from the existing applicant pool.

2. Job notices may be announced using a variety of media sources, including, but not limited to, the City's website and telephone job line; departmental bulletin boards; and/or newspaper/professional journals/internet job listings. The decision regarding the means by which a position is advertised is based on the availability of funding for advertising, the criticality of need to fill the position, input and approval of the Department Director and Human Resources Director, etc.

3. If it is deemed necessary to secure the services of an employment agency or professional recruiter to fill a key management/professional position, the City Manager must approve the services. The Human Resources Director will be assigned to ensure that the employment agency/professional recruiter is retained in accordance with City policy and will serve as liaison in this regard.

4. Job vacancy announcements include the following information: position title, salary information, application procedure/closing date, minimum qualifications' requirements, special requirements, federal/state requirements (e.g., equal employment opportunity statement, Veterans' Preference exemption, if applicable, drug-free workplace/drug-testing, etc.).

5. The City Manager reserves the right to appoint Department Directors and to waive internal posting and/or external advertising for such positions.

Section 2. EMPLOYMENT APPLICATIONS

A. FILING OF APPLICATIONS

1. Applications are accepted from candidates who are not currently City employees only after a position vacancy is posted externally or for positions for which recruitment may be continuous (i.e., sworn law enforcement and certified firefighter personnel).

2. No individual will be denied the right to file an application for employment in any job classification in the City for which there is a vacancy, in accordance with the rules established for internal/external posting and advertising.

B. REJECTION OF APPLICATIONS

The Human Resources Department may reject or remove from consideration any application, or applicant, when it has been determined that any of the following apply:

1. The application was not received on or before the closing date established for receiving applications.

2. The applicant lacks any of the required qualifications set forth in the position vacancy announcement.

3. The applicant falsified or failed to complete the Employment Application.

4. The applicant has been convicted of a felony which was related to or has bearing on the employment sought.

5. The applicant was previously employed by the City and was dismissed for cause, did not resign in good standing, or is otherwise ineligible for re-employment.

6. The applicant previously applied for a position and failed a drug test within the past six months.

Section 3. INTERVIEWS AND BASIS OF EMPLOYMENT

The Human Resources Department will refer to the hiring manager/supervisor qualified applicants for interview. The manager/supervisor to whom the position reports is responsible for scheduling interviews, interviewing qualified candidates, and selecting the candidate who best matches the position requirements. In making this determination, the manager/supervisor shall consider the candidates' merit and ability, as evidenced by training, education, experience, certification, skills, etc., based on valid minimum standards/requirements outlined in the position description. Additionally, Veterans' Preference requirements shall apply in this process.

A member of the Human Resources Department will participate in the interview process for all supervisory positions and will also participate in the interview process for other positions, if requested by the hiring department.

Following completion of interviews, the hiring department completes the Certificate of Eligibles Form regarding candidate selection and returns the form and all applications to the Human Resources Department for further action.

Section 4. CANDIDATE NOTICE

Each candidate who is interviewed will be provided with an appropriate notice from the Human Resources Department at the conclusion of the process. The candidate who is selected will receive notice of his selection for the position; those candidates not selected will receive written notice of non-selection.

Section 5. EMPLOYMENT PROCESS

Upon receipt of the Certificate of Eligibles Form and the Personnel Action Form with the recommended candidate for an open position, as determined by the hiring supervisor/manager, the Human Resources Department, or the Police/Fire Department for public safety personnel, initiates the following steps:

A. Human Resources Director reviews/approves completed Personnel Action Form from Department and forwards it to the City Manager/designee for approval.

B. The Human Resources Department issues a written conditional offer of employment to the selected candidate specifying the position to which hired, salary, etc., and notice that final employment is contingent upon successful completion of post-offer of employment examination(s) and background checks as described below:

1. Post-offer of employment examinations, which may include physical, psychological, and/or polygraph examination, and drug and alcohol screening, based on position requirements.

2. Comprehensive/background investigations, including verification of previous employment, driving record checks, police records checks, and other investigations as deemed necessary, based on position requirements.

C. After the candidate signs the conditional offer of employment, the Human Resources Department (or the Police/Fire Department for public safety personnel) initiates the following actions:

1. Conducts a comprehensive background check of the candidate. A candidate who has falsified information on the Employment Application or whose background, references, work history, driving record, etc., are not verified will not be hired.

2. Makes arrangements for post-offer of employment examinations. The purpose of the examination is to certify the fitness and ability of the applicant selected to perform the essential functions of the position. Examinations will be performed by an officially designated medical authority/facility.

3. Schedules the candidate (full-time, part-time, seasonal, temporary) for testing for the presence of controlled substances, narcotic drugs, and alcohol as part of the post-offer of employment physical examination. A candidate with a "positive" drug screen test result will not be hired.

D. The Human Resources Department issues the written final offer of employment to the selected candidate, provided all examination and background investigation results are satisfactory. The Human Resources Department also establishes the date of hire and schedules the employee's orientation.

Section 6. EMPLOYEE ORIENTATION/NEW HIRE PROCESSING

A. The Human Resources Department conducts new hire processing and orientation for new employees prior to or within the first week of employment. These programs include:

- completion of all required employment forms.
- receipt of position description for concurrence by employee of his understanding of job requirements and ability to perform same.

- information regarding position status: exempt, non-exempt; represented by a bargaining unit or non-represented, etc.

- explanation of the salary and fringe benefit programs for the employee's position.

- review of rules and regulations, policies and procedures, and standards of conduct; completion of all forms/documents required by statute, City policy, and benefit programs for employment purposes.

- certain safety information as required by City policy and/ or statutory regulations.

- receipt of City identification badge or other related security information.

- general overview of the municipal organization.

B. Each new employee receives various manuals/brochures issued by the Human Resources Department for use as a general guide to the City's procedures, rules, employee benefits, and standards of conduct.

C. It is the responsibility of each department/division to inform a new employee of City and departmental procedures and rules as well as to train the employee regarding duties and responsibilities.

D. The Human Resources Department periodically conducts meetings regarding City benefit programs and will issue policy updates as necessary.

Section 7. EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

A. The City of Oviedo is committed to a policy of fairness and equity for all employees, in order to afford every employee the opportunity to achieve maximum potential as an employee.

The City recognizes the value of diversity and is committed to continue to recruit, hire, and promote persons in all position classifications without regard to race, color, religious creed, national origin, ancestry, age, gender, family status (except as limited by Florida Statutes governing nepotism), or a disability which does not preclude the performance of the essential functions of the position, with reasonable accommodation(s) provided as necessary. Position descriptions will impose only valid educational, experience, and physical requirements which are necessary in order to perform the essential functions of the position.

All employee actions, such as compensation, benefits, transfers, layoffs, return from layoffs, City-sponsored training, education, social, and recreational programs will be administered without regard to race, color, religious creed, national origin, ancestry, age, gender, family status, or disability.

B. Disabled persons shall be given equal and fair consideration for employment or promotion, in accordance with the provisions of the Americans with Disabilities Act of 1990 (ADA), as amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), in positions where the disability does not interfere with the performance of essential requirements of the position, as defined in the position description. Disability is defined as a condition which "substantially limits one or more major life activities; e.g., caring for oneself, performing manual tasks, talking, seeing, hearing, speaking, learning, and working."

Section 8. VETERANS' PREFERENCE

A. In accordance with the provisions of Florida Statutes, Section 295, veterans and spouses of veterans who meet certain criteria are eligible for preference in employment or promotion provided the veteran or spouse possesses the minimum qualifications of the position as outlined in the position description. Such preference does not preclude the hiring of a non-veteran who is more qualified than a veteran.

B. A person eligible for veterans' preference does **not** forfeit employment preference eligibility once that veteran or eligible spouse of a veteran has been employed by a state agency or any political subdivision of this state.

C. The following positions in public agencies are exempt from Veterans' Preference:

- Elected officials and personal secretary of such officials.
- Members of Boards and Commissions.
- Temporary employees without benefits.
- Department Directors.

The position descriptions for such City of Oviedo positions will state that the position is exempt from Veterans' Preference and position vacancy announcements will also include this information.