

## **3.00 HIRING PRACTICES**

**3.01 METHODS OF RECRUITMENT AND SELECTION.** The county has four methods of recruiting and selecting persons to fill vacancies: (1) promotion from within; (2) lateral transfer from within; (3) public announcement and competitive consideration of applications for employment which shall in all cases be posted in central places and on the county website and may be published in one or more newspapers; or (4) selection from a valid current eligibility list of applicants. (A valid current eligibility list is a record of applications for the same or a similar position for which recruitment was conducted within the preceding 180 days.) Promotions from within the same department may or may not be posted to other employees or the general public at the elected official's discretion. The elected officials(s) or appointed department head determines the method of selection to be used in filling each vacancy. The county encourages public announcements of all positions available.

If two or more applicants have substantially equal qualifications and one is a current county employee, the current employee may be given preference over the other applicant(s).

The county does not accept applications for employment unless a specific vacancy exists. Persons wishing to apply for a job with the county when a specific vacancy does not exist are informed as to how county job announcements are advertised and that they may return and file an application at any time an advertised vacancy exists for which they consider themselves to be qualified.

**3.02 POSITION ANNOUNCEMENTS.** Public announcements of position openings at the county, for which there will be competitive consideration, may be posted within the county work force simultaneously with notification to the general public. Current county employees will be notified of vacancies by the posting of a notice in central places and on the county website by the Human Resources office in those instances where the Human Resources office has been informed of a vacancy. Employees are permitted to apply for positions for which they believe themselves to be qualified. A county employee can transfer to another county position without loss of pay if his or her current pay is within the limits set by the commissioners' court for the transfer position.

The length of time during which applications will be accepted will be determined by the appropriate department head in accordance with the circumstances that exist at the time.

**3.03 QUALIFICATIONS.** The county maintains a job (class) description which establishes the required knowledge, skills, and abilities for each staff position and the acceptable levels of experience and training for each. The job description sets forth the minimum acceptable qualifications required to fill the position.

**3.04 SELECTION.** Except for positions filled by a vote of the commissioners' court, each elected official or department head is responsible for selection of persons to fill each vacant position within the pay limits set by the commissioners' court.

Once a selection is made, the elected official or department head will submit to the Human Resources Supervisor a Personnel Action Form listing the name of the applicant, the requested classification and the beginning salary. The Human Resources Supervisor will determine and advise the elected official or department head of the date on which the employee will first be eligible to report to work, based upon requirements for obtaining results of any applicable verifications, testing and/or physical examinations and will note the effective date of employment on the personnel action form. A copy of the applicant's resume and/or application for employment will be attached to the personnel action form. When a personnel action is approved by the Commissioners Court, the minutes will contain the employee's name and rate of pay. The personnel action form will be placed in the employee's personnel file.

The responsible appointing authority (i.e., elected official) is permitted to select the specific individual for each job in the department.

**3.05 AGE REQUIREMENTS.** Persons under 14 years of age will not be employed by the county under any circumstances.

Persons under 16 years of age will not be employed in any full-time regular position. Persons under 18 years of age will not be hired in any hazardous occupation. Generally, persons between 14 and 18 years of age are prohibited from performing the following types of duties; manufacturing, processing, machinery operation (excluding office machines), warehouse, construction, and duties requiring use of ladders or scaffolds. Driving is considered a hazardous occupation and is prohibited.

Any prospective county employee between 14 and 18 years of age must have written permission and age verification (a signed Minors Release Form) from his or her lawful parent or guardian on file in the county's payroll office prior to the first day of employment.

Any prospective county employee who is 18 years of age must have age verification on file in the county's Human Resources office prior to the first day of employment.

*(Legal Reference: Child Labor Regulations, Subpart C, issued pursuant to authority conferred by Section 3 (1) of the U.S. Fair Labor Standards Act of 1938, as amended)*

**3.06 APPLICATION FOR EMPLOYMENT.** When a specific vacancy exists, each person desiring employment with the county may complete an application on the

Polk County website ([www.co.polk.tx.us](http://www.co.polk.tx.us)). When an application is received by the Human Resources office for a specific departmental position vacancy, the Human Resources office shall forward all applications to the appropriate county department.

It is the responsibility of the employing department to make appropriate checks to verify education, experience, character, and required certifications and skills of an applicant prior to appointment. In the case of applicants for positions with the county which require driving a vehicle or equipment, the Human Resources office will verify current applicable licenses which may include a criminal history check. In addition, this information will be checked at least annually. See 3.11, Driving Record.

**3.07 EMPLOYMENT OF RELATIVES (NEPOTISM).** Nepotism is the showing of favoritism toward a relative. The practice of nepotism in hiring personnel or awarding contracts is forbidden by the county.

No person may be hired who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the commissioners court, elected official or department head for whom he or she works. (Prohibited degrees of relationship are defined in the chart on the following page.) No person may continue in county employment who is related in one of the prohibited degrees unless the employee has been employed continuously by the county for a period of:

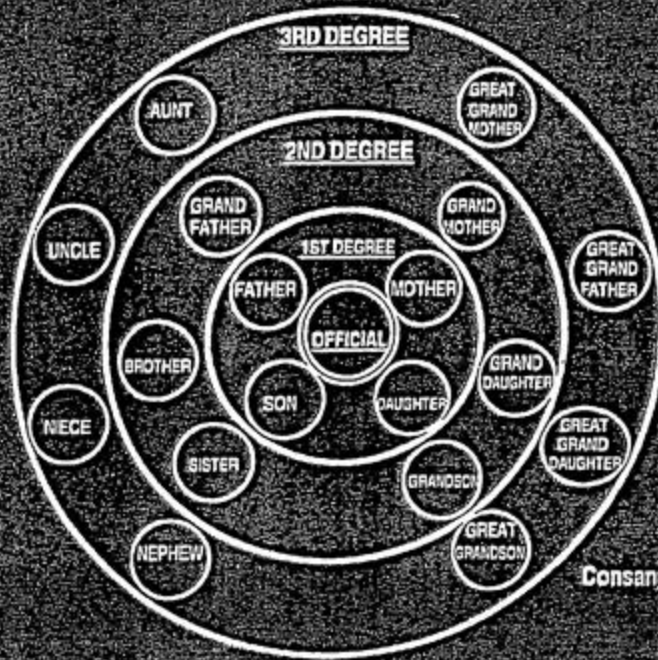
1. At least 30 days, if the officer or member is appointed;
2. At least six months, if the officer or member is elected at an election other than the general election for state and county officers; or
3. At least one year, if the officer or member is elected at the general election for state and county officers.

(Legal Reference: V.T.C.A., Government Code, Chapter 573, as amended)

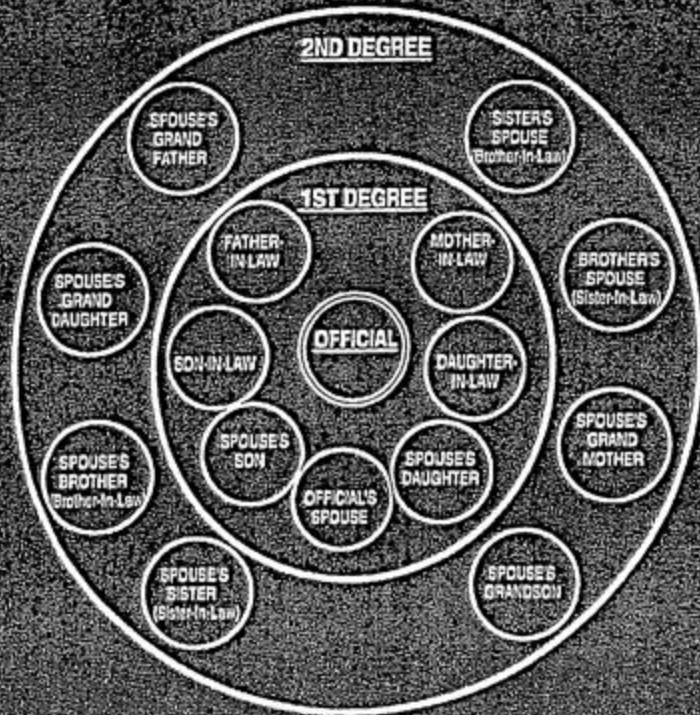
In addition, no personnel action will be taken that would result in any employee's supervising another employee who is related within the second degree of affinity or the third degree of consanguinity to the supervisory employee.

Spouses of relatives within the first or second degree of consanguinity (i.e., son-in-law, mother-in-law, brother-in-law, sister-in-law, etc.) are also included in the prohibition.

(Legal Reference: V.T.C.A., Government Code, Chapter 573)



Consanguinity Kinship Chart  
(Blood)



Affinity Kinship Chart  
(Marriage)

**3.08 TESTING.** Except for standard drug and alcohol screening included in the post-offer pre-employment physical, drug and psychological tests for law enforcement officers, TB testing for food handlers, and any other tests that may be required by state law, the only performance tests administered for employment or promotion will be specifically job-related (“piece-of-the-job”) tests (e.g., typing, operating a computer, operating a piece of equipment, lifting something heavy required in the job, tabulating columns of numbers, writing samples). Please refer to the county’s Substance Abuse Program document for detailed information about required testing when reasonable suspicion exists that an employee is using or abusing illegal drugs or alcohol.

**3.09 PHYSICAL STANDARDS.** Knowledge of physical conditions and existing health problems of employees is necessary to avoid occupational injuries and to ensure that it will be possible to differentiate any future job-related injuries from existing medical problems. For these reasons, a person is required to pass a drug/alcohol screening prior to passing a physical examination after a conditional offer of employment has been extended prior to employment, and will not be placed on the county payroll until he or she has passed both exams. Back x-rays are required for persons who will perform physical labor.

If the selected applicant fails the physical examination a second opinion may be obtained from a physician, selected by the county, at the applicants own expense. The decision of the applicant must be made promptly whether or not to proceed with a second opinion. The forms, to obtain a second opinion, will be completed in the Human Resources Department. The results of this second examination will be provided to the county by the physician. The results of this second opinion will be the final determination and the applicant will be notified in writing.

In addition to the physical examination and drug/alcohol screening required by the county for all prospective employees, prospective employees for law enforcement officer positions must be tested by a licensed physician and declared by the physician in writing to show no trace of drug dependency or illegal drug usage, and examined by a licensed psychologist or psychiatrist and be declared in writing by the psychologist or psychiatrist to be in satisfactory psychological and emotional health. The required examinations will be made by a physician and psychologist or psychiatrist of the county’s choice and will be paid for by the county.

*(Legal Reference: V.T.C.A., Government Code, Section 415.057)*

**3.10 VERIFICATION OF ELIGIBILITY TO WORK.** In order to comply with the Immigration Reform and Control Act of 1986, each new employee will be required to complete and sign an INS Form I-9 within three days of his or her first day of employment to provide proof of his or her identity and employment eligibility.

(Legal Reference: Federal Immigration Reform and Control Act of 1986, P.L. Number 99-603)

**3.11 DRIVING RECORD.** Every county employee who is required to drive a vehicle or operate a piece of equipment which requires a valid driver's license must maintain a safe driving record and may be required to participate in Defensive Driving courses at the county's request. The Human Resources office must check the validity of a prospective employee's drivers license prior to a Department Head offering the applicant county employment in a capacity which requires operating a vehicle or piece of equipment and may make subsequent periodic checks to ensure that a safe driving record is being maintained. If the results of a driving license verification are not received by the County prior to the first day of work scheduled for the prospective employee and the personnel action form has been approved by the Commissioners Court placing the employee on the county payroll, continued employment is contingent on the results of the driving license verification being satisfactory. Unsatisfactory results of a drivers license verification will be subject to disciplinary action up to and including discharge.

### **3.12 FELONY/MISDEMEANOR CONVICTIONS**

**BACKGROUND CHECKS.** It shall be the policy of Polk County to run background checks after a conditional offer of employment is made on all applicants that are selected for a position. Background checks may be run on a current employee each time a suspected policy violation has occurred, and random background checks may be run on all current employees once a year.

**DISQUALIFICATION.** Felony or misdemeanor convictions (excluding minor traffic citations) must be listed on your application for employment. Applicants who provide false or inaccurate information or documentation when applying for a posted position may be disqualified from employment consideration. An applicant is disqualified from employment by the county if he or she (1) does not meet the minimum qualifications for the performance of the duties of the position involved; (2) knowingly has made a false statement on the application form; (3) has committed fraud during the selection process; (4) is not legally permitted to hold the position; (5) has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process; (6) does not provide proof of citizenship or legal work status in the United States within the first three days of employment.

**NOTIFICATION.** If an arrest for a criminal offense is received while employed with Polk County, the employee shall immediately notify their Department Head or Elected Official within 72 hours of said arrest.

**FELONY CONVICTION.** A background check will be completed on all current employees. If fewer than 7 years have elapsed since completion of sentencing or community supervision for a felony offense, you may be terminated from employment. An employee convicted of a felony or misdemeanor involving moral turpitude during their employment will be subject to termination.

**MISDEMEANOR CONVICTION.** Applicants convicted of a misdemeanor may be considered for employment only after completion of the applicant's sentence, including any community supervision.

**DWI.** All applicants whose job involves the operation of a county vehicle or heavy equipment shall have no charges of driving while Intoxicated or driving under the Influence of drugs or alcohol within the previous 5-year period.

(Legal Reference: Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq)

(Legal Reference: Federal Immigration Reform and Control Act of 1986, as amended)

**3.13 PRIOR SERVICE WITH THE COUNTY.** Employees entering service with the county who have had prior service with the county may be considered for appointment above the customary entry salary level. Employees rehired to fill regular full-time positions with the county will not receive credit for their prior length of service as regular full-time employees for longevity pay purposes. A break in continuous service with the county also forfeits vacation and sick leave benefits accrued prior to the break.

**3.14 PLACEMENT ON COUNTY PAYROLL.** Except in the case of emergency hires new employees will not be permitted to report to work until the employee's position and pay have been approved by the commissioners' court. The Human Resources Supervisor shall inform the Elected Official or Department Head as to the first eligible date that a prospective employee may report to work.

**3.15 EMERGENCY EMPLOYEES.** On rare occasions, a sudden unforeseen vacancy occurring within a department has such a detrimental effect that the minimum daily operations of the department would be severely hindered should a prospective employee being hired to fill the vacancy not be allowed to report to work until the Personnel Action Form has been approved by the Commissioners Court. In this instance only, the elected official or department head may submit a Personnel Action form to the Human Resources Supervisor, requesting an emergency hire. Before a department head or elected official may hire an emergency employee, the County Auditor must verify that sufficient funds, authorized by the Commissioners Court, are available in the department's salary line item to cover the incoming employee's salary for the specified period of employment. Additionally, any request for emergency hire must be approved by the County Judge, as Budget Officer. Approval of an emergency hire will allow an employee to report to work immediately.

In a declared disaster, the County Judge acting as Emergency Management Director, may waive any and all hiring practices stated herein in order to provide for sufficient personnel for the County's disaster response and operation.

If the department's budget does not contain sufficient funds for emergency employee salaries, the department head must first obtain authorization from the commissioners' court prior to hiring any or emergency employee(s).

**3.16 ORIENTATION AND TRAINING.** The Human Resources office provides a general orientation for new employees about employment with the county. During this orientation, employees are shown the Personnel Policies manual, are required to read it within two weeks, are informed of its continued availability to them and the reference locations, and are given information about county programs.

Before an individual begins performing his or her actual duties, he or she normally will be given a brief orientation conducted by the elected official or department head for whom he or she will be working or by that person's designated representative. The purpose of the session is to enable a new employee to understand his or her job better and its relationship to the overall operation of county government.

Training an employee is the responsibility of the elected official or department head for whom he or she works. Whenever possible, employees receive on-the-job training under close supervision.