



300 - EMPLOYMENT POLICY

I. PURPOSE

The purpose of this policy is to ensure that the procedures to recruit and hire qualified applicants for City employment provide an equal opportunity for all employees and applicants. Nothing in this policy shall preclude the demotion, transfer or termination of any employee as a result of reorganization, restructuring, reduction-in-force, reductions-in-funding, abolition or elimination of jobs or programs, changes in job requirements, changes in work, methods or any other activity relating to the management of the City of Newport News. The City of Newport News is an at-will employer. Nothing in this policy constitutes an employment contract. This policy applies to all city departments as defined by the Code of the City of Newport News.

II. DEFINITIONS

A. Applicant

Individual who has submitted an application for a specific, posted job opening or applicant register within the prescribed time limit and completed all steps required for the application process. Applications for posted job openings must be received in the Department of Human Resources by the specified deadline in order to be considered for employment.

B. Designated Hiring Manager

"Designated Hiring Manager" or "Designated Manager" means the department director or the manager appointed by the department director to oversee the selection process, to carry out certain aspects of the process, or to make the final selection recommendation.

C. Disability

An individual is considered to be an individual with a disability under the Americans with Disabilities Act of 1990 (ADA) if he/she has a physical or mental impairment that substantially limits one or more major life activities; or has a record of impairment; or being regarded as having such an impairment.

D. Equivalent position

A position having the "same pay, benefits and working conditions, including privileges, perquisites and status" as the original position. It must involve the same or substantially similar duties and responsibilities which must entail substantially equivalent skill, effort, responsibility and authority.

E. Essential Functions

Essential functions are the fundamental duties of a position.

F. Military Veteran

Any applicant who has received an honorable discharge and has (I) provided more than 180 consecutive days of full time, active duty service in the Armed Forces of the United States or reserve components thereof, including the National Guard, or (II) has a service connected disability rating fixed by the United States Veterans Affairs.

G. Physical Demands

Physical activities required to perform the job such as walking, lifting, and bending. Differentiation is made between activities pertaining to essential versus marginal functions.

H. Qualified

Possessing the minimum knowledge, skills and abilities required to perform the essential functions of a given job with or without reasonable accommodation, possessing any licenses and certifications required to perform the duties of the job, and meeting any specific requirements for education and work experience.

I. Reasonable Accommodation

A reasonable accommodation is "any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunity" as defined in the EEOC regulations. A reasonable accommodation is one that does not cause undue hardship in implementation. Reasonable accommodation is determined on a case-by-case basis. Department representatives should contact the Department of Human Resources when dealing with situations which may require reasonable accommodation under the ADA.

III. OUTLINE OF THE RECRUITING AND SELECTION PROCESS

The following steps must be followed to ensure that an appropriate recruiting plan is developed and that a job related selection process is used to select or promote qualified applicants for employment. Human Resources is responsible for the coordination of the recruitment and selection process.

- A. Preparation for Recruiting - Prior to recruiting for a vacancy, the requisitioning department must review the existing job description and update it, if necessary, or, if a job description is not available, the department should submit a Position Description Questionnaire (PDQ). Any changes to an existing job description must be coordinated with Human Resources. In conjunction with the review of the job description, the requisitioning department must identify and document the essential functions and physical demands of the position.

- B. Requisition Process - Once the job description is finalized, the department may begin the recruiting process by entering the requisition in the City's Application Tracking System.
- C. Advertising - Once departmental vacancies have been verified and approved, vacancies are posted on the City's applicant tracking system utilizing the below processes. In addition to being posted on City's applicant tracking system, vacancies may be advertised in local and out of town newspapers, trade journals, professional newsletters and other sources targeted to a specific vocational or professional audience. All advertising expenses are paid by the requisitioning department.
 - a. Internal Process: Advertising internal shall only be utilized for transfers, demotions, reinstatements and promotions for City employees. Applications shall be accepted only from eligible City employees and eligible former City employees seeking reinstatement. The standard posting period is one (1) week.
 - b. External Process: Advertising external shall be of those from the general public, City employees and former City employees eligible for and seeking reinstatement and/or reemployment. The standard posting period is two (2) weeks.
 - c. Non-competitive Process: The Director of Human Resources, or designee, shall have discretion in extenuating circumstances to authorize placement of an individual into a vacant position without advertising.
- D. Applicant Screening - Human Resources will be responsible for the initial screening of the applicants. Applicants will be screened based on the minimum qualifications of the position as set forth in the job description.
- E. Interviewing - The hiring department should establish a panel to evaluate each candidate's knowledge, skills, and abilities. In such case, the hiring department shall establish a diverse panel to include minority and female representation.
- F. Selection Process - The selection for a job vacancy is made by the hiring department director or designated hiring manager based on job-related criteria, reference checks and driving records (when required). Selections for any position vacancy may not be based on age, race, gender, national origin, religion or any other non-job related factor, unless such factor is a bona fide occupational qualification.
- G. Background Checks for Selected Candidate(s) - Human Resources will oversee the process of the comprehensive background checks on the candidate(s) selected for hire. The City's Criminal Background Check policy outlines the required criminal inquiries based on job classification.

- H. Extending the Offer - Once Human Resources has received all relevant information regarding the selection of a candidate(s) for hire, Human Resources will issue conditional job offers for new hires. The Designated Hiring Manager may offer positions to internal candidates.
- I. Post-Conditional Offer Testing - Applicants for certain designated positions shall be required to submit to post-conditional offers to include medical examinations, alcohol/drug screenings and Special Conservator of the Peace requirements. In such cases, the selected candidate shall not report to work or assume the new positions until clearance has been received from Human Resources.
- a. Responsibility for Medical Evaluations - All medical evaluations are provided at the City's expense after an offer of employment has been accepted. If, as a condition of employment, the City's medical officer refers the individual to other medical providers for treatment of a medical condition, the cost of such treatment will be the responsibility of the individual concerned.
 - b. Arrangements for Medical Evaluations - Prospective employees covered by this policy must complete the medical evaluation and be cleared for employment by the City's medical officer prior to beginning work. The medical evaluation may be coordinated through out-of-town physicians at the City's expense when necessary. Human Resources is responsible for coordinating the medical evaluation appointments and discussing the requirement for the evaluation when the job offer is extended. The medical officer will contact Human Resources in the event that a problem should arise during the medical evaluation.

IV. EMPLOYMENT PROCEDURES FOR DRIVERS

In addition to City policy, the U.S. Department of Transportation (DOT) and the State of Virginia prescribe requirements for candidates for positions which require a Commercial Driver's License (CDL). These requirements and procedures apply to outside applicants as well as to current employees who transfer to a position or assignment requiring vehicle operation.

V. ELIGIBILITY TO WORK

All new employees must present proof of their identity and eligibility for employment in the United States at the time of employment processing in compliance with the Immigration Reform and Control Act (IRCA) of 1986.

VI. EMPLOYMENT OF MINORS

The Commonwealth of Virginia's Child Labor Laws set forth specific regulations dealing with the employment and working conditions of individuals under 18 years of age. Candidates under the age of 16 must obtain an Employment Certificate prior to their first day of employment. Additionally the following regulations must be followed:

- A. Minors must be 14 to work in most jobs
- B. Minors 14 and 15 have limited hours in which they can work and cannot work in certain positions;
- C. Minors 16 and 17 are barred from working in certain particularly hazardous jobs.

VII. MOVING EXPENSES

The City of Newport News may reimburse certain regular full time employees for the movement of their household goods when they are required to relocate in order to accept employment with the City. To qualify for reimbursement, an employee must move within one year of the employee's date of employment. Extension of this time limit may be approved by the City Manager.

Moving expense reimbursement for the movement of household goods will be extended to those applicants hired in the following categories of the General and Management/Executive Staff Schedules. The City shall pay 100% of the cost of moving household goods for Department Directors and Comparable Level positions. For Assistant Director, Division Head or Comparable Senior Professional or Management Level Positions, the City shall pay moving expenses not to exceed \$5,000. The City Manager may extend the moving expense reimbursement to other employees on an individual basis.

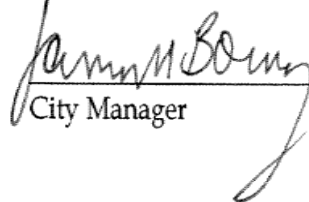
VIII. DISQUALIFICATION OF APPLICANTS

The City reserves the right to reject applicants for any lawful reason. Causes for rejection of applicant may include, but are not limited to the following examples:

- A. The applicant does not meet the basic and necessary requirements specified in the announcement;
- B. The applicant has falsely stated or omitted any material fact or has attempted to practice deception or fraud on the application or resume;
- C. The City physician has determined that the applicant has a medical condition that would prevent the applicant from satisfactorily performing the duties of the position; and
- D. The applicant fails the controlled alcohol and substance abuse testing;

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Approved:



City Manager

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