

Title: Hiring  
Policy Number: 106  
Effective Date: July 1, 2009  
Revision Date:  
Authorized by: Board of Supervisors

Policy:

It is the policy of Pottawattamie County to be an equal opportunity employer and to hire individuals on the basis of their qualifications and ability to perform the essential job functions of the position. Employment with the County is considered to be at will, so that either party may terminate the relationship at any time and for any lawful reason.

Comments:

- (1) Job openings shall be posted for a minimum of ten (10) calendar days. Job postings shall specify the title and salary range of the position, the nature of the work to be performed, the experience and training required, application procedure, and any other pertinent information related to the position.
- (2) The County will attempt to fill job openings above entry level by promoting from within, if qualified internal applicants are available. In addition, the County may give consideration to any known qualified individuals who are on layoff status with the County before recruiting applicants from outside the organization.
- (3) When candidates from outside the County are to be considered for job openings, the following procedures should apply:
  - (a) Any candidate for employment must fill out and sign an employment application form in order to be considered for hiring. Upon completion of the application, the candidate becomes an applicant for purposes of County recordkeeping. Department heads may require that applicants submit resumes however, this must be in addition to the application form. For equal employment opportunity (EEO) record keeping purposes, all applicants are required to complete and sign an employment application form.

- (b) Job openings shall be posted and applications shall be accepted only at the time a vacancy occurs. However, applications will be considered “active” for the purpose of filling like vacancies for a period of one hundred eighty (180) calendar days. If a like position becomes available within one hundred eighty (180) calendar days from the date of original hire, applications for the like position will be forwarded to the Department Head for review. Qualified applicants shall be contacted to determine whether or not they remain interested in working for the County. If the Department Head determines that no qualified candidates are available, the position will be posted and new applications accepted.

Unsolicited applications and resumes shall be forwarded to the Human Resources Department. Unsolicited applications and resumes shall be destroyed and shall not be kept on file for future vacancies.

- (c) Applicants determined to be qualified for consideration for available job openings will be interviewed by the Department Head and/or designated representative and shall be given any tests required for the job.
- (d) It is the policy of Pottawattamie County that all applicants given a conditional offer of employment receive a pre-employment medical examination which includes a drug screen. The pre-employment physical may include a back screen or a psychological evaluation as deemed necessary. Pre-employment physicals shall be conducted by the County’s occupational health provider(s) at the County’s expense.
- (e) The Human Resources Department or designee will determine whether the applicant has the legal right to work in the United States and, where appropriate, will arrange for credit, personal reference, driving record and criminal record checks. A prior conviction, taken by itself, may or may not disqualify an applicant.
- (f) If the background, medical, drug test, or any other subsequent investigation discloses any deliberate misrepresentation during the hiring process or information indicating that the individual is not suited for employment with the County, the applicant will be disqualified and the conditional job offer, if made, shall be rescinded. This includes falsifying information on an application.

***Applicants provided with a conditional job offer shall not begin employment with the County until all pre-employment screenings have been successfully completed.***

- (4) **Nepotism:** It is the policy of the Board of Supervisors to discourage the employment of relatives of other employees, department heads and elected officials within the same County office. Chapter 71 of the Code of Iowa makes it unlawful for any elected or appointed official to appoint any relative related within the third degree as a deputy, clerk or helper in said office unless the appointment receives prior approval from the Board of Supervisors. This however, shall not apply in cases where such person appointed receives compensation at the rate of six hundred (\$600) dollars per year or less.

An immediate family member may not be hired for full-time or regular part-time employment, if the employment would:

- (a) Create either a direct or indirect supervisor/subordinate relationship with a family member; or
- (b) Create either an actual conflict of interest or the appearance of a conflict of interest.
- (c) Otherwise conflict with policy and allowed by law.

These criteria also will be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "immediate family" includes: the employee's spouse, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandchildren, aunts, uncles, 1<sup>st</sup> cousins, and any other member of the employee's household. Immediate family includes biological, adoptive and step relationships.

- (5) Employees who marry or become members of the same household may continue employment as long as there is not:
- (a) A direct or indirect supervisor/subordinate relationship between the employees; or
  - (b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the County will attempt to find a suitable position within the County to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

- (6) **Veteran's Preference:** Veteran's who are defined in Section 35.1 of the Iowa Code who are citizens are entitled to preference in appointment and employment over other applicants of no greater qualifications. In the event that there are applicants for employment whose qualifications are otherwise substantially equal, veterans shall have preference in the matter of employment at Pottawattamie County. In the event the applicants whose qualifications are substantially equal are both veterans, disabled veterans will have preference. In the event that a veteran is not hired for a position, the reason the veteran was not hired shall be set forth in writing as required by the Code of Iowa.
  
- (7) **Rehire:** Former employees who left the County in good standing may be considered for re-employment with the approval of the Board of Supervisors. Former employees who resigned without written notice or who were dismissed for disciplinary reasons may not be considered for reemployment. A former employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than (30) thirty calendar days, in which case the employee will retain accumulated seniority and the following shall apply:
  - (a) Rehires may be required to serve an introductory period as determined by the Department Head.
  - (b) Rehires shall have their original date of hire adjusted by the number of days separated from the County. This adjusted date of hire shall be utilized for the determination of benefits.
  - (c) If the employee is rehired by the same department from which they left, the adjusted date of hire shall also be utilized for seniority purposes. If rehired by another department, the date of entry into the new department shall be the date utilized for departmental seniority issues, with the exception of those represented by collective bargaining agreements. Refer to collective bargaining agreements for those represented individuals.
  - (d) Rehired employees shall receive the rate of pay comparable to the rate of pay received upon departure from the county if they are rehired to the same position or to a position assigned to the same pay grade.
  - (e) Employees rehired for a position whose maximum rate of pay is lower than the position from which the employee separated, shall be paid at the step of the pay grade which is closest to the rate of pay received upon separation.

- (f) Rehired employees shall be credited with the amount of sick leave accrued on the date of separation, excluding bonafide payout for retirement.