

## **Personnel Rule 4.1 - Classified Service Selection Process—Internal Applicants**

### **4.1.0 Authority**

City Charter, Article XVI, Section 4, Merit Principles

SMC 4.04.040 and subsequent revisions thereto, Administration

SMC 4.04.050 and subsequent revisions thereto, Rule-making Authority

SMC 4.04.070 and subsequent revisions thereto, Rights of Employees

SMC 4.04.150 and subsequent revisions thereto, Employee Selection

SMC 4.04.160 and subsequent revisions thereto, Veterans' Preference

WAC 162-12-140 and subsequent revisions thereto, Pre-employment Inquiries

RCW 41.04.005 and subsequent revisions thereto, "Veteran" defined for certain purposes

RCW 41.04.010 and subsequent revisions thereto, Veterans' scoring criteria status in examinations

### **4.1.1 Definitions**

- A. "Appointing authority" shall mean the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and can be used interchangeably with department head, department director, superintendent, or chief.
- B. "Appointment" shall mean the placement of an employee in a position by initial hire, promotion, transfer, demotion or reduction.
- C. "Civil Service Commission" shall mean the Civil Service Commission of the City of Seattle, which is charged with hearing appeals regarding the administration of the personnel system.
- D. "Classification specification" shall mean a written description of a classification that includes a title, a description of distinguishing characteristics, a statement of duties and responsibilities, and a statement of minimum qualifications.
- E. "Classified service" shall mean all employment positions in the City of Seattle that are not excluded by ordinance, City Charter, or State law from the provisions of the Seattle Municipal Code Title 4 or these Rules.
- F. "Demotion" shall mean the movement of an employee from his or her current class to a class with a lower maximum salary rate, for cause.
- G. "Employing unit" shall mean any department of the City and, within the Executive and Legislative Departments, any office created by ordinance.
- H. "Inappropriate pressure" shall mean any written or verbal suggestion to a City employee the effect of which would preclude open consideration of qualified

- applicants, or result in the selection of an employee for reasons other than relative ability, knowledge and skills.
- I. "Initial appointment" shall mean the first appointment of an individual to a non-temporary position.
  - J. "Internal applicant" shall mean a regularly appointed City employee who applies for another position of City employment.
  - K. "Opportunity for Advancement Bulletin" or "OFA" shall mean the City's official internal communication of job vacancies.
  - L. "Personnel Director" shall mean the head of the Personnel Department or his or her designated management representative.
  - M. "Probation" shall mean an extension of the selection process during which period an employee is required to demonstrate his or her ability to perform the job for which he or she was hired. Employees shall serve one 12-month probationary period, except that their probation may be extended by subsequent appointments during that probationary period.
  - N. "Project Hire" shall mean a program administered by the Personnel Director that provides job referrals to individuals who are at risk of layoff or who are on a reinstatement list.
  - O. "Promotion" shall mean an appointment to a class or position with a higher maximum pay rate that occurs subsequent to an employee's initial appointment.
  - P. "Reduction" shall mean the voluntary or involuntary movement of an employee to a position with a lower maximum pay rate at the request of the employee to be reduced, or by the appointing authority or his or her designated representative for reasons of organizational change, reduction in force, poor job match or poor work performance.
  - Q. "Regularly appointed employee" shall mean an individual who has a probationary, regular or exempt appointment to a position of employment in the City.
  - R. "Reinstatement list" shall mean a list maintained by the Personnel Director of individuals who are eligible for reappointment to a position in a class in which they previously held regular status.
  - S. "Reversion recall list" shall mean a list maintained by the Personnel Director of individuals who are separated from City employment because of the lack of appropriate reversion vacancies.
  - T. "Standing" shall mean the classification in which an employee accrues service credit for layoff purposes.
  - U. "Transfer" shall mean the movement of an employee within the same employing unit from one position to another position in the same class or with the same maximum pay rate.
  - V. "Trial service" shall mean a 12-month trial period of employment of a regular employee who has completed a probation period and who is subsequently appointed to a position in another classification.
  - W. "Veteran" shall mean a person who has received an honorable discharge or a discharge for physical reasons with an honorable record and who meets at least 1 of the following criteria:

1. The person served between World War I and World War II; or in the Korean conflict; or during the Vietnam era, defined as beginning August 5, 1964 and ending May 7, 1975; or in the Persian Gulf War; or the period beginning on the date of any future declaration of war by the United States Congress and ending on the date prescribed by presidential proclamation or concurrent resolution of the United States Congress; or in the following armed conflicts if the person was awarded the respective campaign badge or medal: the crisis in Lebanon, the invasion of Grenada, Panama—Operation Just Cause, Somalia—Operation Restore Hope, Haiti—Operation Uphold Democracy, or Bosnia—Operation Joint Endeavor.
2. The person was a member in any branch of the United States armed forces; a member of the women's air forces service pilots; a U.S. documented merchant mariner with service aboard an oceangoing vessel operated by the war shipping administration, the office of defense transportation, or their agents, from December 7 1941 to December 31, 1946; or a civil service crewmember with service aboard a U.S. army transport service or U.S. naval transportation service vessel in oceangoing service from December 7, 1941 to December 31, 1946.
3. The person received the armed forces expeditionary medal, or marine corps and navy expeditionary medal, for opposed action on foreign soil for service in any branch of the armed forces of the United States or as a member of the women's air forces service pilots.

#### **4.1.2 Application of this Rule**

- A. The provisions of this Rule apply to regularly appointed employees who apply for positions in the classified service.
- B. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this Rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any established and recognized practice relative to the members of the bargaining unit.
- C. This Rule does not apply to individuals who are employed under the terms of a grant that includes employment provisions that conflict with this Rule.
- D. This Rule does not apply to individuals hired by the City on a temporary, intermittent or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract to the City.
- E. Appointing authorities may establish written policies and procedures for the implementation and administration of this Rule to facilitate the management of the personnel system within their employing units, provided that such policies and procedures do not conflict with the provisions of this Rule.

#### **4.1.3 Merit Principles**

- A. The Personnel Director shall provide for the recruitment, selection, transfer and advancement of individuals based on their relative ability, knowledge and skills, without regard for political beliefs or activities.
- B. Recruitment and selection processes shall include the advertisement of employment opportunities and open consideration of applicants based on a job-related assessment of their qualifications.

#### **4.1.4 Employment Advertisement**

- A. Employing units must submit notice of all classified service employment opportunities for publication in the Opportunity for Advancement bulletin, unless the Personnel Director waives publication. Internal advertisement may occur concurrent with or prior to any authorized external advertisement. The transfer, reduction or demotion of an employee to a vacancy within the same employing unit is not considered an employment opportunity for advertising purposes.
- B. Published descriptions of the level, nature and complexity of duties assigned to a classified service position and the minimum qualifications required to perform them must be consistent with the adopted classification specification or, in the absence of a classification specification, with a documented description of the position. A statement of desired qualifications may be included to more closely reflect the job-related requirements of the specific position and the business needs of the hiring department.
- C. At the request of the appointing authority, the Personnel Director may waive the requirement for internal publication of employment opportunities for the following reasons:
  - 1. Return of a former City employee from a reinstatement list (i.e., reappointment within 12 months of layoff);
  - 2. Return of a former City employee from a reversion recall list (i.e., return from a trial service period);
  - 3. Employment of a participant in Project Hire;
  - 4. Reasonable accommodation of an injured worker, and accommodation under the Americans With Disabilities Act or the Washington State Law Against Discrimination;
  - 5. Promotion of an employee who has successfully completed an apprenticeship or a formal upward mobility program;
  - 6. Compliance with a court order, Civil Service Commission order, or similar remedial action;
  - 7. Use of the results of a recent advertisement for a position of the same title, duties, and working conditions;
  - 8. Movement of an employee to avoid layoff as a result of reorganization or job rotation;
  - 9. Return from exempt to classified service when the employee has return rights.

#### **4.1.5 Internal Applicants**

- A. Internal applicants may apply directly to the employing unit in which an advertised employment opportunity exists by submitting a resume as instructed in the OFA.
- B. Internal applicants may use City computers, printers, copiers and related equipment to prepare resumes and other materials for application to a City employment opportunity that is published in the OFA as long as such activities do not unreasonably interfere with the employee's ability to carry out his or her normal job duties. Internal applicants must obtain advance supervisory approval for work time spent on resume and application preparation.
- C. Internal applicants may participate in interviews and other official selection processes for City jobs during normal work hours without loss of pay or paid leave balances. Advance supervisory approval of work release time is required. Internal applicants will not be compensated for additional time or other expenses related to their participation in selection processes.

#### **4.1.6 Selection Process**

- A. To ensure that selection processes are conducted in a fair and reasonable manner, each employing unit will provide a copy of its current selection procedures to the Personnel Director. The appointing authority must file revisions to its selection procedures with the Personnel Director within 30 days of adoption by the employing unit.
- B. The employing unit will evaluate resumes from all qualified applicants in order to determine which applicants are most competitive to proceed to the next phase of the selection process.
- C. The employing unit may develop and administer any job-related skills tests and interviews that the appointing authority deems necessary. All available information related to the suitability of the applicant for the job will be used to evaluate each applicant.

#### **4.1.7 Final Selection**

- A. The Personnel Director will conduct qualifications audits of all applicants identified by the employing unit as finalists for a job vacancy. The audit will include a comparison of the finalist's or finalists' qualifications with those qualifications advertised for the job. No job offer will be made to any finalist for a job vacancy until the Personnel Director has conducted a qualifications audit.
- B. The employing unit shall make a provisional job offer to the position finalist contingent upon passing a pre-employment physical and/or drug test if either is required for the position.
- C. No individual shall apply inappropriate pressure to influence the outcome of a selection process.
- D. If the employing unit's selection process includes a competitive examination, veterans' preference of 5% shall be added to the passing mark or grade, based upon a possible perfect mark or grade of 100 points, for a veteran who was called to active military service from employment with the City, or with the State of

Washington or any of its political subdivisions. This preference shall apply to an individual's first promotional examination only, and must be claimed by the eligible veteran within 15 years of the date of release from active military service. This period may be extended for valid and extenuating reasons, including but not limited to documented medical reasons beyond the veteran's control or documentation of a disability from the United States Department of Veterans' Affairs.

#### **4.1.8 Trial Service**

- A. An employee who has satisfactorily completed a probation period and is subsequently appointed to a position in another classification shall serve a 12-month trial service period in the subsequent position. An employee's trial service period may be extended up to 3 additional months by written mutual agreement between the department and employee, subject to approval by the Personnel Director prior to expiration of the trial service period.
- B. The trial service period shall provide the department with the opportunity to observe the employee's work and revert such an employee without just cause. Employees who have been reverted during the trial service period shall not have the right to appeal to the Civil Service Commission.
- C. **Reversion to Former Position**
  - 1. An employee who has been appointed from one classification to another classification within the same or different department and who fails to satisfactorily complete the trial service period shall be reverted to a vacant position within the former department (if applicable) and classification from which they were appointed. Where no such vacancy exists, such employee shall be given 15 calendar days' written notice prior to being placed on a Reversion Recall List for their former department and former classification and prior to being removed from the payroll.
  - 2. The names of regular employees who have been reverted for purposes of re-employment in their former department shall be placed on the Reversion Recall List for the same classification from which they were promoted or transferred for a period of 1 year from the date of reversion.
  - 3. If a vacancy is to be filled in a department and a valid Reversion Recall List for the classification for that vacancy contains the name(s) of eligible employees who have been removed from the payroll from that classification and from that department, such employees shall be reinstated in order of their length of service in that classification. The employee who has the most service in that classification shall be the first reinstated.
  - 4. An employee whose name is on a valid Reversion Recall List for a specific job classification who accepts employment with the City in that same job classification shall have their name removed from the Reversion Recall List. Refusal to accept placement from a Reversion Recall List to a position the same, or essentially the same, as that which the employee previously held shall cause an employee's name to be removed from the Reversion Recall

List, which shall terminate rights to reemployment under this Reversion Recall List provision.

5. A reverted employee shall be paid at the step of the range that they normally would have received had they not been promoted or transferred.

D. Subsequent appointments

1. If a probationary employee is subsequently appointed in the same classification from one department to another, the receiving department may, with approval of the Personnel Director, require that a complete twelve (12) month probationary period be served in that department. If a regular employee or an employee who is serving a trial service period is subsequently appointed in the same classification from one department to another, the receiving department may, with the approval of the Personnel Director, require that a twelve (12) month trial service period be served in that department.
2. If a probationary employee is subsequently appointed to a different classification in the same or different department, the employee shall serve a complete twelve (12) month probationary period in the new classification, not to exceed a total of 24 months of probationary employment. If a regular employee is subsequently appointed to a different classification in the same or different department, the employee shall serve a complete twelve (12) month trial service period in the new classification.
3. Within the same department, if a regular employee is appointed from a lower classification for which he or she is serving a trial service period to a higher classification in a closely related field, the trial service period for both classifications shall overlap. The employee shall complete the term of the original trial service period and be given regular status in the lower classification, and then serve out the remainder of the 12-month trial service period in the higher classification.
4. Within the same department, if a probationary employee is regularly appointed from a lower classification to a higher classification in a closely related field, the probationary period and the new trial service period for the higher classification shall overlap. The employee shall complete the term of the original probationary period and be given regular standing in the lower classification and then serve out the remainder of the 12-month trial service period in the higher classification.