



Merit Hire

Section: Human Resources	Attachment(s):
Policy #:	<ul style="list-style-type: none"> • Personnel Requisition • Interview Candidate Evaluation Form • Applicant Evaluation Form with Procedures • Flow Chart for New Hires • Reference Check Form • EEO Information Survey
Effective Date:	
Adoption Date: 10/29/2019	
Revision Dates:	
Prior Recruitment, Selection Appointment Policy: Adopted 04/24/1997; Revised 12/16/2004, 03/08/2007, 01/02/2008, 02/21/2008, 12/05/2013, 04/24/2014, 11/06/2014, 03/12/2015, 07/02/2015, 07/26/2016, 10/19/2017	
Prior Simultaneous Employment Policy: Adopted 04/24/1997; Revised 11/16/2017	
Prior Employment of Relatives: Adopted 04/24/1997; Revised 07/03/2003, 05/24/2007, 11/06/2014, 09/29/2016, 10/05/2017	
Issuing Department: Centre County Office of Human Resources	
Responsible Officer: Human Resources Director	
Required Review Period: As needed	
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Section 1: Policy Statement

Centre County Government will: (1) recruit, select, and appoint qualified persons for positions in the County's service, (2) prohibit simultaneous employment in Centre County Government, (3) comply with federal, state and local laws some of which are defined in Section 5; and (4) meet grant required employment practices when applicable to ensure Centre County's eligibility for receipt of federal and state funds. Recruitment and selection shall be conducted in an affirmative manner to ensure open competition, provide equal employment opportunity, and prohibit discrimination.

Section 2: Overview

This policy has been developed in accordance with the principles of merit system standards, contained in United States Code, 2006 Edition, Supplement 4, Title 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES, PART III – EMPLOYEES, Subpart A - General Provisions, CHAPTER 23 - MERIT SYSTEM PRINCIPLES and shall be implemented without regard to non-merit factors. Further basis can be found in the General Civil Service Act of 1907, the Civil Rights Acts of 1964, as amended, and the Pennsylvania Public Employee Relations Act of 1970. Coverage is applicable to all employees of Centre County Government except where a negotiated contract or state mandated regulations take precedence; and is founded on the premise that Centre County will recruit and maintain a qualified professional workforce by providing a fair, open and transparent opportunity to compete for job opportunities.

Nothing in this policy shall be construed as an expressed or implied guarantee of permanent employment. With the exception of Human Services employees, a person's employment with Centre County Government is at will and may be terminated in management's discretion at any time subject to the provisions of any applicable contract or County policy.

Section 3: Provisions

This policy describes the process of attracting, selecting, promoting and offering employment opportunities to qualified persons for positions within County Government.

Section 4: Procedures

a. Requisition

A Personnel Requisition is required for each open position to be filled. The form must be completed, signed by the hiring department head, and forwarded to the Office of Human Resources (HR) before recruitment can begin. The personnel requisition provides information to HR explaining what information should be included in the job posting. The job duties on the personnel requisition MUST match those that are on the job description. If not, the job description for the open position may need to be updated as part of the hiring process.

The HR Office will obtain the budget impact of the personnel requisition request from the Office of Financial Management (Finance), if applicable. The Director of Human Resources must present the requisition to the Board of Commissioners for approval to fill the open position. Once the personnel requisition is approved by the Board of Commissioners, the job notice may be posted.

Job Postings, at a minimum, should include the following elements: Job Title, Hiring Department, Salary Grade, Pay Rate, Shift, Required Education, Required Experience, Posting Date, Length of Time Applications will be Accepted, and Summary of Job Duties.

b. Recruitment

The HR Office shall develop and conduct an ongoing recruitment program designed to meet current and projected County manpower needs. Job postings must be posted for a minimum period of seven (7) days on job bulletin boards throughout the County, the Centre County website, PA CareerLink, and other publications, technical journals and internet based posting boards applicable to the open position. Posting for vacancies in the Office of Aging will be posted at all Centre County Senior Centers. Funding for publicly advertised job postings in newspapers, internet sites, etc. must come from the hiring department's budget

Equal employment opportunity will be provided for all candidates for positions in Centre County Government regardless of race, color, ancestry, national origin, religion, gender, sexual orientation, marital status, age, veteran status, medical condition, mental, or physical disability as required by applicable federal and state laws. Applicants requiring accommodations in the application or interview process should contact the HR Office at (814)355-6748 or at humanresources@centrecountypa.gov.

Human Services Appointments: These Centre County departments, Aging (PA Department of Aging), Children and Youth Services (PA Department of Human Services), Emergency Management Administration (PA Emergency Management Agency), Mental Health/Intellectual Disabilities/Early Intervention PA Department of Human Services), and Drug and Alcohol (Department of Health) will follow their state department procedures for Veterans' Preference and Age Preference when applicable to the position when all other training and education requirements are equal. Veteran status will be confirmed by DD-214 or other military documentation that clearly shows discharge status, service time, and any qualifying medals or awards.

c. Safety/Security Recruitment Procedures

Safety/security employees are defined as individuals who have the authority to arrest and confine or carry firearms. The following titles have been identified as safety/security, but this list is subject to change/revision as the Centre County Board of Commissioners' deem appropriate.

- Correction Officers, Lieutenants, and any other identified Correctional Staff
- County Detective
- Sheriff Deputies
- Security Officers
- Enforcement Officers in Domestic Relations
- Probation Officers

The following steps will be followed in the post offer/pre-employment process for individuals hired in these positions.

1. Drug screening
2. Physical exam
3. Criminal background checks
4. Any clearances required by law for the hiring department

Section 1209 of County Code requires the Sheriff prepare a list of potential deputy appointees, and to post that list in a public place for not less than ten days, and to file the list with the Prothonotary's Office. No deputies shall be appointed by the sheriff whose names do not appear on this list.

d. Application and Interview Process

All applications will be reviewed to determine if the candidate meets the minimum qualifications of the position.

Current County employees must be in their position a minimum of 12 months and be in good standing, before they are eligible to apply for another position outside of their department within the County. The waiting requirement may be waived if the position is being adversely effected due to a reduction in work force or job elimination, or there is significant change in the terms and conditions of employment (e.g. work schedule, hours, salary, status, etc.).

The HR Office shall make applications available to the hiring department head or designee for review and selection of candidates to interview. With the exception of the Human Services Department, interviews may begin as soon as applications are received by the hiring department. Qualified employees of the County who apply for a vacant position intradepartmental (within their current department) must be interviewed if they meet the minimum education, certification and training requirements of the job description. County employees who apply for a vacant position outside of their department will be considered for an interview on the basis of qualifications, skills, work experience, etc., per the discretion of the hiring department head.

After receipt of the applications, the hiring department head or designee of non-human service departments may sort the applications into the following categories:

- Lead Qualified Candidates: Those applicants whose qualifications and experience exceed the minimum experience and training requirements set forth in the job description for the position.
- Qualified Candidates: Those applicants whose qualifications and experience meet the minimum experience and training requirements set forth in the job description for the position.
- Unqualified Candidates: Those applicants whose qualifications and experience do NOT meet the minimum experience and training requirements set forth in the job description for the position.

Lead qualified candidates will be selected for an interview. Qualified candidates may be selected for an interview.

Human Services departments must use a standard applicant rating procedure, a method for distinguishing among applicants, to determine whether an applicant meets the minimum requirements to perform satisfactorily on the job. The applicants which rank in the top 10% based on the Applicant Rating Process and meet the minimum requirements set forth in the County job description for the position will be offered an interview. ~~5~~ Please see the attached Applicant Rating Procedures for specific instructions.

Hiring department heads or their designee are responsible for conducting timely, effective interviews of qualified candidates for the position. The HR Office is available to advise on interview techniques and final candidate selection. A standard evaluation form must be used for all candidates and will be provided by HR, but each department may select to use their own version. Interview notes must be submitted to HR.

e. Hiring Process

Please see attached **New-Hire Process Flowchart** for specific instructions.

All applicants should be made aware during the interview process that if an offer of employment is made it will be contingent upon satisfactory completion of a criminal background check.

All interviewed applicants for Human Services department positions must receive an interview rating score. Applicants with the highest combined applicant rating score and interview rating score should then have reference and background checks completed. Copies of the candidate's transcripts may be requested to confirm education as needed based upon the minimum qualifications of the position. Human Services hiring departments must compile and consider the applicant rating score, interview rating score, and the results of the reference checks when making their hiring recommendation. The hiring department should contact the HR Office to confirm if Veterans' Preference or Age Preference applies to any of the applicants. All criteria being equal, Veterans and Age Preference will be applied.

Any examinations administered as part of the hiring process/selection procedure must be relevant to the job duties and requirements. Examinations must be administered equally to all interviewed candidates. Examinations should be provided to the HR Office for review prior to administering. At this time, Centre County will not be administering examinations for Human Services departments.

f. Selection

Subsequent to interviews, the hiring department head, elected official or designee shall forward to the HR Office a signed memorandum recommending a candidate for appointment. This memo must contain the estimated date of hire and salary information. Interview notes for all candidates interviewed must be submitted with the memo. A minimum of two reference checks on the recommended candidate will be conducted, compiled with recommendations filed with the HR Office. The HR Office is available to assist with reference checks.

The HR Office shall ensure that proper documentation has been prepared prior to presenting recommended candidates to the County Administrator and the Board of Commissioners for approval.

g. Offer of Employment

Offers of employment are issued by the Board of Commissioners in writing and must be signed by the Director of the HR Office, elected officials, or the hiring department head.

All offers of employment are contingent upon satisfactory completion of pre-employment screenings, which may include, but ~~is~~ are not limited to, a criminal history record check through the Pennsylvania Access to Criminal History (PATCH) system, drug screening, motor vehicle reports, medical examination and other screenings required for the position or as requested by the hiring department head.

- Physical examinations will be paid for by the employee, conducted by the employee's own doctor and must utilize the County's Physical Form.
- Criminal Background checks must be paid for by the employee.
- Drug testing will be done on safety security position candidates and will be paid for by the County.
- Any additional clearances required by law for the hiring department will be paid for by employee.

If a record is found the candidate will have the opportunity to provide information regarding the record. The record details and information provided by the candidate will be provided for consideration to:

- Board of Commissioners and County Administrator
- Human Resources (HR)
- Risk Management
- Hiring department head and/or elected departmental official

The conviction of a crime will not automatically result in a denial of employment. The nature and gravity of the offense, whether it is job related, and when it occurred will be considered. The information will be reviewed in consideration of the hiring department, duties of the position, gravity of the offense, and length of time past. If there are concerns brought up by one (1) or more parties listed above a decision will be made by the Board of Commissioners on whether to rescind the offer of employment.

Former County employees who completed at least two (2) consecutive years of service for the County, and are rehired within ten (10) years from their original date of separation will receive credit for prior service for the purpose of calculating Paid Time Off accruals. Former County employees should contact the Controller's office regarding prior service credit for retirement.

h. Promotion Process

Promotion will be defined as the movement of an employee to a higher classification with a pay range having ~~with~~ a higher maximum salary within the same department.

Vacancies that will be filled internally through promotion must be posted and/or emailed to all Centre County Government employees. Employees who would like to be considered must fill out an updated County application.

If a specific individual is being chosen for a position, and no other internals are qualified, the vacancy does not need to be posted.

Promotions will be based on an employee meeting the qualifications set forth by the County to fill a vacant position. The qualifications will be as followed:

1. The employee must be in a lower class position.
- ~~2.~~ The employee's performance evaluations must reflect a higher score than employees in the same, lower class position. If two employee candidates reflect the same score through performance evaluations, the candidates will then be interviewed in order to find the best fit for the position.
- ~~3.~~ The employee must meet the, education requirements and certifications required for the vacant position.

Copies of the candidate's certified transcripts will be requested as needed to confirm educational requirements to meet the minimum qualifications of the position.

It is the responsibility of the department head, elected official or designee to determine if an employee qualifies for a promotion. The HR Office will aid in any questions about the definition of a promotion and what the qualifications are.

Collective bargaining agreement language on seniority promotions will be followed for all union covered positions.

i. Board of Commissioners Approval

The Board of Commissioners, as final authority for appointment of new employees or the promotion of current employees to positions within County Government, will be provided adequate information by the HR Office and the hiring department head, elected official or designee prior to granting approval. This information will be combined with an agenda request to the Salary Board of Centre County for their consideration. This can include requested detail on the qualifications of the recommended candidate for a position as well as those interviewed for the same positions. The effective date of hire and compensation will be included on the Salary Board Agenda Request.

All of the following information will be required at the time recommended candidates are considered for appointment:

1. List of applicants for the position – name and address.
2. Application and resume (if submitted) of the recommended candidate.
3. Applications and resumes (if submitted) of the interviewed applicants.
4. Notification of Veterans' or Age Preference.
5. Reference checks for the candidate's pre-employment requirements and interview notes.

6. If only one applicant was interviewed for the position, the memorandum or recommendation shall contain an explanation of the procedure used.

After the person is appointed by the Centre County Salary Board and/or the Centre County Board of Commissioners, HR will send an official offer letter and schedule orientation with the hiring department and candidate.

j. Elected Officials

Centre County Government recognizes the rights of elected officials under The County Code Sections 1620 and 1209, relating to the hiring of employees.

The Board of Commissioners also adopts employment policies designed to comply with employment laws and regulations. It is recommended that elected officials follow County policy to avoid the risk of violating employment laws or statutes for which they may be held personally liable. The Board of Commissioners reserves the right to note and record breaches from County employment policy.

The salaries of individuals hired by elected officials will be determined by the Centre County Salary Board under the guidelines of the County Wage and Salary Classification System.

k. Tracking and Record Keeping

Human Resources (HR) will be responsible for tracking and monitoring the merit hiring process. This includes but is not limited to the collection and tracking of: requisition forms, job postings, collection of applicants, tracking of applicants through the evaluation and interview process, collection of reference checks, EEO data, Veteran status, Age Preference status, Section 3 Eligibility, appointment requests, approvals from the Board of Commissioners and offer letters. All data is maintained for a minimum of 3 years. **Personnel files are protected from unauthorized or inappropriate access per the Inspection of the Personnel File Policy.**

l. Applicant Communication

The HR Office is given the opportunity to respond to job applicants at several stages during the application and selection process. Various forms of communication may be used: telephone, email, or written correspondence. The stages that initiate communication are listed below. All require utmost respect and careful communication to address unique circumstances of an applicant.

- Acknowledgement of Job Application: This opportunity thanks applicants for their interest and the time they have invested in applying, and provides current information about the status of the job opening.
- Interview Selection or Rejection: Inviting an applicant to an interview is easily done by phone; rejecting an applicant by telephone is difficult largely due to the applicant's probability of asking for feedback. Regardless, this task is important and reflects on the County's professionalism and the impression left with the applicant. A phone call or written correspondence are the preferred means for communication that rejects an applicant at this stage.
- Second Interview Selection or Rejection after an Interview: This process mirrors the project described above.
- Job Offer or Rejection: The Director of the HR Office will determine the approach used to reject an applicant. Job offers will be made in writing, will include a deadline for the applicant's acceptance and are contingent upon the successful completion of pre-

employment screenings. Job offers are issued by the Board of Commissioners and must be signed by the HR Director, elected officials, or the hiring department head.

When an offer of employment is accepted by the selected candidate, the HR will notify all other candidates for the position. In-house candidates will be notified in person. These communications must address unique circumstances of an applicant.

- **Revoked Offers:** Should the pre-employment screenings identify an issue(s) that would be cause to revoke an offer of employment the HR Director must notify the applicant/candidate in writing and state a legitimate reason for revoking the offer. Legitimate reasons may include: unacceptance of an offer within the specified deadline, falsification of information included on the job application and any associated documents submitted for consideration by Centre County, or findings during completion of the pre-employment screenings that would legally prohibit hiring the applicant/candidate for the specified position.

m. Employee-Employer Relations

Centre County has no provisions against collective bargaining. When collective bargaining takes place procedures will be established to assure that collective bargaining agreements do not infringe upon merit system principles.

n. Simultaneous Employment

No full-time or part-time employee of Centre County Government may be simultaneously employed in an additional full-time or part-time capacity with the County. Temporary assignments which result in simultaneous employment are also prohibited.

o. Employment of Relatives

Centre County Government will not appoint relatives, partners, or members of the same household to County Government positions except under specific circumstances. Relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

An individual who is a relative, partner, in a dating relationship with, or a member of the same household as an employee will **not** be considered for employment if one or more of the following conditions exist:

- The vacant position is in a department having a related employee on staff.
- An employee is in a position to supervise or control the work of the relative.
- An employee is in a position to influence the relative's rate of pay or promotion.
- The handling of confidential information could cause a conflict of interest.

Exceptions to these provisions shall be approved only by the Board of Commissioners. In considering exceptions, the Board of Commissioners shall use, but not be limited to, the following guidelines:

- The applicant-relative or partner has specialized skills or knowledge not generally available in the local labor market.
- The applicant-relative or partner is the most qualified candidate under the County's Merit Hire system.
- The applicant-relative or partner is being recommended for appointment by an elected official in accordance with the County Code. The refusal to appoint the relative would be in violation of state or federal statutes.

Centre County Governments reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting / supervisory relationship or authority involved. Each case will be decided on its own merits in consultation between the HR Office, the County Administrator or designee, and the Board of Commissioners.

Section 5: Definitions

Many of the employment practices established by this policy were developed in accordance with federal, state and local laws and regulations; some of which are defined below.

Age Discrimination in Employment Act and Pennsylvania Human Relations Act: Prevents employers from giving preferential treatment to younger workers to the detriment of older workers; only applies to workers 40 years of age and older, and to workplaces with 20 or more employees; doesn't prevent an employer from favoring older employees over younger employees.

Age Preference: In accordance with PA Code, Chapter 5, Age Preference for positions in the Area Agencies on Aging, Age Preference facilitates preference in selection of eligible persons 60 years of age or older. If a position is in the Centre County Department of Aging, all other things being equal among the top candidates, the qualified applicant with an age of 60 or over and who has claimed Age Preference during the interview process will be recommended for the position. This provision was adopted under Section 14 of the Act of June 20, 1978 (P. L. 477, No. 70) and in conformity with the Older Americans Act of 1965 (42 U.S.C.A. § 3001—3057g) and 45 CFR Part 1321 (relating to grants for state and community programs on aging) in order to assure the continued eligibility of the Commonwealth of Pennsylvania and its political subdivisions for Federal grants-in-aid.

Americans with Disabilities Act of 1990 (ADA): Title 1 prohibits employment discrimination against qualified individuals with disabilities in applying for jobs, hiring, firing and job training.

Criminal Background Check: Centre County will utilize various sources to conduct criminal background checks – all of which have a legal basis. The Pennsylvania Criminal History Information Act contained in Chapter 91 of Title 18, Crimes Code allows for the Pennsylvania State Police (PSP) to disseminate criminal history data for an individual. The PA Access to Criminal History (PATCH) website will be used for ACT 34 clearance. The Pennsylvania Child Protective Services Law provides for a Child Abuse History Clearance (ACT 151) and implements a five-year renewal cycle. As a result, the Pennsylvania Child Welfare Information Solution (CWIS) will be used to access the search results. The Federal Bureau of Investigation (FBI) ACT 114 criminal background check will be used when applicable.

Employment First Act (PA Act 36 of 2018): Provides for competitive-integrated employment services and opportunities for working-age individuals with a disability who have received publicly funded services and who are eligible to work under federal and state law. The overarching goal of this legislation is to help people supported by federal and state funded human service programs to achieve an everyday life through employment and greater community inclusion.

Equal Employment Opportunity (EEO): Equal Employment Opportunity is fair treatment in employment, promotion, training, and other personnel actions without regard to race, color, religion, sex (which includes gender, sexual harassment, and pregnancy), age, national origin, reprisal (for prior EEO activity), physical or mental disability, genetic information, status as a parent, and sexual orientation

Executive Orders 1126 (amended by 12086) and 11375: These executive orders prohibit discrimination on the basis of race, color, religion, sex, and national origin.

Merit system: Employment practices that promote, recruit and maintain a qualified workforce based on the merits of job seekers' abilities and qualifications to perform the jobs.

PA Human Relations Act: This Pennsylvania act provides that no individual shall be subject to discrimination on the grounds of race, color, familial status, religious creed, ancestry, age, sex, national origin, handicap or disability, use of guide or support animals because of their blindness, deafness or physical handicap, or because of their use as a handler or trainer of support or guide animals.

PA State Civil Service Act: qualified persons of character and ability and their appointment and promotion on the basis of merit and fitness for the position.

Rehabilitation Act of 1973: This act prohibits discrimination based on the person's disability in program or activity that receives federal funding. This act defines disability as any physical or mental impairment that "substantially limits one or more major life activities" such as performing physical tasks, working, walking, speaking, leaning, eating, or breathing. Impairment is typically documented through medical records.

Section 3 of the Housing and Urban Development Act of 1968. P.L. 90-448, as amended (12 U.S.C 1701(u)): It is the purpose of this section to ensure, to the greatest extent feasible and consistent with Federal, State and local laws and regulations, that counties who receive a minimum of \$200,000 of Federal financial assistance under the programs administered by the Housing and Urban Development's Office of Community Planning and Development (such as CDBG and HOME programs), attempt to meet compliance with the Section 3 requirements to employ low and very low income persons at 30 percent (30%) of the aggregate number of new hires per federal fiscal year. A low income person is one whose family income does not exceed 80 percent (80%) of the County's median income as determined by HUD and adjusted annually. A very low income person is one whose family income (including single persons) does not exceed 50 percent (50%) of the County's median income as determined by HUD and adjusted annually. Nothing in this act shall be construed to require the employment of a Section 3 resident who does not meet the qualifications of the position to be filled.

Title VII of the Civil Rights Act of 1964 / Equal Employment Opportunity: Prohibits employers from discriminating in the hiring process based on race, color, religion, sex, or national origin; applies only to employers with 15 or more employees.

Veterans' Preference: PA Consolidated Statutes, Title 51 – Military Affairs Act, Chapter 71 (51 Pa.C.S. §7103) applies to all municipalities and provides employment preference for appointment and promotion to jobs for qualified soldiers who possess the requisite qualifications (experience, training, education, skills, certifications, and other attributes required to perform successfully in the position). Should all attributes be equal among the top candidates, the applicant who has stated and attained documented Veteran status on their application will be recommended for the position. Soldier is defined as a person who served in the armed forces of the United States during a war or armed conflict (so designated by the Department of Military and Veterans Affairs) and was honorably discharged from service. Veterans' Preference also applies to the spouses of disabled veterans and qualified widows or widowers. A reservist receiving an honorable discharge from active duty during a conflict, but still obligated as a reservist, qualifies as a "soldier" entitled to Veterans' Preference.

Section 6: Related Policies:

Clearance Required for Safety Sensitive Positions

Drug-Free Workplace Policy

Equal Employment Opportunity Policy

Inspection of the Personnel File Policy

Physical Examinations Policy

Section 3 Policy

Repealer and Severability:

All prior policies and/or directives or parts of policies and/or directives that are contrary to the provisions of this policy are hereby repealed to give this policy full force and effect.

If any section, clause, sentence, provision, or any part of this policy is held to be invalid or unconstitutional, the remaining sections, clauses, sentences, or parts not included therein, will remain in full force.

Exception to this policy may only be granted by the Board of Commissioners.

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