

OTAY WATER DISTRICT
BOARD OF DIRECTORS POLICY

Subject	Policy Number	Date Adopted	Date Revised
RECRUITMENT, SELECTION, AND EMPLOYMENT POLICY	24	11/04/98	11/06/13

PURPOSE

It is the purpose of this policy to provide guidelines for the recruitment and selection of regular, student intern, temporary and/or contract employees.

POLICY

It is the policy of the Otay Water District (“District”) to recruit and select the best qualified Applicants on the basis of job-related standards of experience, education, training, ability, and merit; to encourage members of the communities which we serve to apply for employment opportunities with the District; to encourage District employees to apply for positions for which they believe they qualify, to assure that qualified internal Applicants are given fair and adequate consideration; and to advance regular District employees when it is determined that they are the best qualified.

EQUAL EMPLOYMENT OPPORTUNITY

The District is an equal opportunity employer. All employees and Applicants shall receive equal consideration and treatment. The District shall recruit, hire, and promote the best qualified individuals without regard to race, color, religion, sex (including gender, pregnancy, childbirth, or related medical condition), national origin, ancestry, age, physical or mental disability, medical condition, marital status, sexual orientation, or membership in any other “protected class” recognized by California or Federal law.

AUTHORITY OF THE GENERAL MANAGER AND EMPLOYMENT AT WILL

Section 2.01 of the District’s Code of Ordinance provides that, pursuant to Sections 71362 and 71363 of the California Water Code, the General Manager has the authority to manage and operate the affairs of the District. This authority includes the employment, discharging and fixing of compensation for all employees and assistants, except those referred to in California Water Code Section 71340, at pleasure, and to prescribe their duties and promulgate specific rules and regulations for such employees and assistants. All employment at the District is thus “at-will,” pursuant to Section 71362, and both employees and the District have a right to terminate employment at any time, with or without advance notice, and with or without cause.

The General Manager’s authority also includes making appointments of temporary or contract employees needed to perform District work resulting from such matters as interim vacancies, peak workload, and special projects so long as he/she operates within Board-approved budgeted appropriation levels. Contract or Temporary Appointments are not subject to amount limits for agreements, contracts, or other documents as defined in Section 2.01(E) of the District’s Code of Ordinance, or to formal competition, selection and advertisement requirements identified herein.

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DEFINITIONS

- A. Applicant: A person applying for a position, including a District employee who seeks Appointment to a different position.
- B. Appointment: The employment of a person in a position, whether on a regular or temporary basis.
- C. Closed/Promotional Recruitment: A recruitment open only to qualified regular District employees, or open only to qualified regular District employees in a particular classification, unit or division.
- D. Conviction: Any sentence, suspended sentence, probation or other resolution followed by a verdict, plea (including a no contest plea) or other finding of guilt. The term "Conviction," as used herein, shall not include any conviction that has been otherwise exempted by law.
- E. Eligible List: A list of qualified Applicants who remain eligible for consideration for a position.
- F. Employment Announcement: A formal notice by the District of an employment opportunity.
- G. Open/Competitive Recruitment: A recruitment open to all interested qualified Applicants.
- H. Promulgation: The date Human Resources certifies the list of eligible Applicants for consideration.
- I. Qualified Applicant: An Applicant who has passed all elements of the selection process, would be at least 18 years old at the time of Appointment and remains eligible for Appointment.
- J. Recruitment and Selection Plan: A planned process to establish an adequate pool of qualified Applicants which shall consist of an open/competitive or a Closed/Promotional Recruitment.
- K. Regular Appointment: An Appointment to a regular authorized position with benefits.
- L. Regular Vacancy: A vacancy in an authorized position.
- M. Student Intern: An employee who is currently enrolled at or near full-time status as a student in an accredited community college, college, or university in an undergraduate or graduate program in good academic standing.
- N. Temporary Appointment: An Appointment made for a specific duration, generally not to exceed one year. Temporary Appointments may be exempt from the formal Recruitment and Selection Plan.

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RECRUITMENT AND SELECTION PLAN

All Regular Vacancies shall be filled through an Open/Competitive Recruitment and Selection Plan unless otherwise approved by the General Manager. This is consistent with best practice and expected to maximize community participation, competition, diversity, and the number of highly qualified Applicants available for consideration for employment. However, the General Manager may authorize a Closed/Promotional Recruitment and Selection Plan given the requirements of the position and the quality of the internal Applicant pool.

All Applicants for regular positions shall submit to the same Recruitment and Selection Plan for that position. The General Manager may approve revising the Recruitment and Selection Plan in order to better meet the needs of the District.

A. Notice of Employment Opportunities

Human Resources shall post-employment opportunities for Regular Vacancies consistent with the approved Recruitment and Selection Plan.

The Employment Announcement shall include the following:

1. Classification Title
2. Salary Rate and/or Range
3. Essential Functions
4. Required Qualifications
5. Skills Exam
6. Application Filing Instructions
7. Equal Employment Opportunity Employer Statement

B. Disqualification of Applicants

Applicants may be disqualified at any time during the process for any of the following reasons:

1. The Applicant is found to lack any of the minimum job requirements established for the position.
2. The Applicant has made a false statement of material fact in the application or has committed fraud or deception in the selection process or in securing eligibility for Appointment.
3. The Applicant has a history of less than satisfactory employment.
4. The Applicant uses or attempts to use any personal or political influence to further eligibility.
5. The Applicant has without authorization directly or indirectly obtained information regarding examinations.
6. The Applicant fails to submit his or her application in compliance with articulated guidelines or within the prescribed time limits.

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7. The Applicant has taken part in the compilation, administration, or correction of the examinations for the position for which he/she is an Applicant.
8. Any other reason deemed by the General Manager to protect the best interests of the District.

C. Examination Content

The Recruitment and Selection Plan shall be job-related in order to determine the ability of Applicants to perform the duties of the job classification. The plan may provide for one or more of the following types of examinations:

1. Review of Employment Application and/or Required Supplementary Material(s);
2. Written Examination;
3. Physical Agility and/or Performance Skill Examination; or
4. Oral Interview.

D. Eligible Lists

Eligible Lists may be maintained to fill current and future vacancies. The Eligible List will be valid for up to twelve (12) months from Date of Promulgation. Human Resources may pull Applicants from any Eligible List in lieu of posting a position or to augment the Applicant pool for other similar classifications with related skills and abilities.

E. Conditions of Appointment

Once an Applicant is determined to be the best qualified, but prior to Appointment, the Applicant shall meet and agree to the terms and conditions of employment specified for a particular position. Failure of such pre-employment examinations may cause the Applicant to be disqualified for employment. Conditions of employment may include, but are not limited to the following:

1. Physical Fitness/Medical Examination;
2. Drug/Alcohol Screening;
3. Verification of lawful work status under Immigration rules; and
4. Verification of employment, education, certificates, licenses, driving, and criminal history including fingerprinting.

F. Evaluation of Criminal Conviction Information

Upon receipt of the Criminal Conviction information, the District shall determine if the information shall disqualify the Applicant. There shall be an automatic disqualification for employment for any of the following:

- a. Any felony Conviction;
- b. Any misdemeanor Conviction within one year preceding the date of application for any offense(s) considered to be crimes of moral turpitude by any court of the state, and/or

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- crimes involving, firearms, explosives, violence, dishonesty and/or requiring registration under Penal Code §290; or
- c. Intentionally failing to disclose a prior Conviction of any type, unless said Conviction has been otherwise exempted by law.