



POLICY TITLE: **Hiring Process**

POLICY NO.: **PR-24**

I. PURPOSE

The purpose of this Policy is to provide written guidelines governing the employment of individuals within Washington County.

II. GENERAL POLICY

Washington County’s basic hiring policy strives to ensure that every reasonable effort is made to recruit, screen, and select job applicants on the basis of predetermined qualifications that do not arbitrarily discriminate against any qualified person. Washington County’s intention under this Policy is to hire and promote individuals who demonstrate the greatest and most desirable level of skills, knowledge, abilities, adaptations, fitness, and other appropriate qualifications.

III. GUIDELINES AND RESPONSIBILITIES FOR EMPLOYMENT

- A. The Director of Health and Human Services is responsible for developing the most suitable methods of recruitment, screening, and related hiring programs and procedures to ensure that this Policy is carried out in the most efficient, timely, and lawful manner.
- B. The Department of Human Resources is responsible for placement of recruitment notices and receipt of all employment applications. When a recruitment notice is placed, the Department of Human Resources will complete the necessary recruitment tracking records before forwarding all received applications to the employing department head or division director.
- C. The employing department head or division director will ensure that all applications are reviewed and that a reasonable representative number of individuals are selected for interview. The employing department head or division director will return all applications, including those of the applicants selected for interview, to the Department of Human Resources. After ensuring that all persons selected for interview meet the qualifications for the vacant position, the Department of Human Resources staff will work with the employing department head or division director to establish an interview schedule and to notify those applicants selected for interview.
- D. The employing department head or division director (or designated representative) will conduct all employment interviews in a legally acceptable format. Upon completion of interviews, the employing department head or division director will ensure that job-related reference

checks are conducted on the top candidates for the vacant position. The employing department head or division director may use a standard reference form available from the Department of Human Resources or a comparable written format that includes all necessary documentation to show that job-related references have been checked. Once a candidate has been selected, the employing department head or division director will forward a written and signed recommendation, along with all supporting documentation, to the Department of Human Resources for review. To the extent possible, three names will be submitted in priority of qualification to the Department of Human Resources.

- E. The Director of Health and Human Services will ensure that all applicable policies were followed during the interviewing process and that the recommended applicant meets the qualifications of the vacant position. Once the Director of Health and Human Services is confident that every reasonable effort has been made to hire the most qualified person for the vacant position, then he or she will endorse the recommendation and verify wage information. The recommendation is then taken before the Board of County Commissioners for final approval.
- F. If the vacant position is for a part-time or temporary position, the Director of Health and Human Services has authority to approve the recommendation. If the vacant position is for a regular full-time non-supervisory position, the Director of Health and Human Services will review the recommendation for approval.
- G. The Board of County Commissioners will be consulted if the employing department head or division director is recommending a wage higher than the minimum established within the appropriate salary grade.

IV. TEMPORARY UPGRADES

The Director of Health and Human Services has authority to approve temporary upgrade requests that conform to County policy.¹ Requests that deviate from County policy will be discussed with the County Administrator, and decisions will be made under those circumstances on a case-by-case basis.

V. DISCHARGE

The Board of County Commissioners has sole authority for discharge of any full-time County employee. The Director of Health and Human Services has the authority to discharge part-time, temporary, or seasonal employees.

¹ See Policy No. PR-10 Guidelines for the Temporary Upgrade of Employees.

VI. CRIMINAL BACKGROUND CHECKS

A. Historical and Legal Precedence

In 1986 the Maryland State Legislature enacted a law that requires criminal background checks of all persons hired after October 1, 1986, who supervise youth or who, by the nature of their jobs, are afforded the opportunity of direct, frequent contact with youths. Washington County instituted a standard procedure with regard to all full- and part-time employees hired after October 1, 1986. The departments most directly and frequently affected by these procedures are Washington County Parks and Facilities and the Washington County Recreation and Fitness Department. Section VI of this Policy outlines procedures to ensure that the Board of County Commissioners of Washington County complies with Title 5, Subtitle 5, Section 5-561, of the Family Law Article of the Annotated Code of Maryland, which requires criminal background checks to be conducted on all employees of a recreation center or recreation program operated by State or local governments primarily serving minors.

B. Employees

1. All employees working with youth, as governed by the laws of the State of Maryland, must undergo criminal background checks (State and FBI) upon hire.
2. The fingerprinting required for criminal background checks will be conducted by an agency designated by the County at its sole discretion. The background investigation is considered to be the last step in the employment process and will only occur after the appropriate approvals for employment have been made pursuant to Section III of this Policy. Newly hired employees who are requested to report to work prior to the receipt of background check results do so with the understanding that, if an unfavorable report is received, this will be treated as a violation of established County policy and immediate termination will result. The County is responsible for all fees associated with conducting criminal background checks.

3. Independent Contractors

All independent contractors hired by the County to work with youth or to have frequent access to youth are required to undergo criminal background checks as part of a contract award. The costs associated with the criminal background checks are the sole responsibility of and must be paid by the independent contractor.

4. Volunteers

The Board of County Commissioners, in keeping with the letter of the law, requires all unpaid volunteers to undergo criminal background investigations at County expense if their volunteer work includes involvement in programs that put them in direct, frequent contact with youth.

5. Confidentiality

All results of background investigations will be kept in strictest confidence.

VII. PHYSICAL EXAMINATIONS

A. Pre-Employment Physical Examination

Before any applicant or prospective employee is finally accepted for employment with Washington County, he or she must undergo a pre-employment physical examination, including a drug screening, to determine physical capability of handling job duties and to identify any pre-existing condition that might jeopardize the health or safety of the prospective employee, other employees, or the public. Pre-employment physical examinations will be conducted by a physician selected by the County Commissioners, and any expenses incurred will be paid by Washington County. If, during the course of a pre-employment physical examination, an applicant or prospective employee is found to have a physical restriction or disability that was incurred prior to applying for employment with Washington County, the County-designated examining physician will determine whether the applicant or prospective employee can perform the essential functions of the job for which the applicant or prospective employee is being considered. This condition is imposed to protect Washington County and the public and to prevent denial of employment due to disability.²

B. Return-to-Work Physical Examination

If an employee has been absent from his or her position for a prolonged length of time, whether due to a work-related or non-work-related injury or illness, he or she may be asked to undergo a return-to-work physical examination to determine physical capability to return to work and resume normal job duties. Return-to-work physical examinations will be conducted by a physician selected by the County Commissioners, and any expenses incurred will be paid by Washington County. Failure to comply with the

² See Policy No. PR-31 Americans with Disabilities Act (ADA) and Americans with Disabilities Amendments Act (ADAAA).

requested examination may subject the employee to disciplinary action up to and including termination.

C. Conditions of Employment

All applicants, prospective employees, and employees are required to comply with the recommendations of the County-designated examining physician, including any determination made pursuant to Section VII of this Policy regarding conditions, if any, of employment or continued employment. If a question arises as to whether the County should employ or should continue to employ a person who does not pass the physical examination, the decision of the Board of County Commissioners or designated representative will be final.

VIII. EMPLOYMENT OF RELATIVES

A. Background and Rationale

Washington County's employment policy fosters the hiring, promotion, and transfer of employees on the basis of individual merit and seeks to avoid any appearance of favoritism or discrimination in making employment decisions. Certain positions within County government represent a sphere of influence with regard to employment- and compensation-related decisions that have the potential to appear fraught with favoritism or discrimination when such decisions involve relatives who are employed by Washington County. Also, the employment of relatives within any one department or division in County government may produce discomfort and dysfunction in working relationships. The employment of relatives at certain levels of County government that result in supervisor-subordinate relationships between relatives, or the employment of relatives in positions where a relative might have influence over another relative's status or job security, is regarded as a potential violation of Washington County's employment policy.

B. Definition of Relative

For purposes of Section VIII of this Policy, relative is defined as the following and includes step- and half-relationships:

Father	Wife	Son-In-Law
Mother	Father-In-Law	Daughter-In-Law
Son	Mother-In-Law	Brother-In-Law
Daughter	Uncle	Sister-In-Law
Brother	Aunt	Grandfather
Sister	Nephew	Grandmother
Husband	Niece	Grandchild

C. Prohibited Employment Relationships

Supervisors, department heads, and division directors are prohibited from attempting to influence the hiring of or recommending the employment of relatives as defined in Section VIII.B. Supervisors, department heads, and division directors are also prohibited from remaining in employment relationships with relatives as their subordinates. When employment circumstances arise which are contrary to Section VIII. of this Policy, whether by promotion, transfer, marriage, or some other means, the affected employees will have six (6) months in which to voluntarily resolve the prohibited employment circumstances; that is, one or more of the affected employees may request a transfer to a different department or division or may voluntarily terminate employment. If the affected employees are unable to resolve the prohibited employment circumstances on their own, their immediate supervisor(s), the Director of Health and Human Services, and the County Administrator will review the case and will recommend to the County Commissioners which employee(s) should be transferred or terminated. The County Commissioners will make the final decision concerning the resolution of the situation, and the Board's decision will be binding.³

IX. EMPLOYEE RESIDENCY REQUIREMENT

A. Residency Requirement for Specified Positions

The County Administrator, all department heads and division directors, and all members of boards and commissions appointed by the Board of County Commissioners must reside in Washington County. All newly hired department heads and division directors, as well as all members of boards and commissions appointed by the Board of County Commissioners, if not already County residents, must establish County residency within six (6) months of date of hire or appointment. Any department head, division director, or commission or board member who fails to relocate his or her residence inside Washington County within six (6) months of date of hire or appointment will be terminated, unless, under specially warranted circumstances as determined solely by the Board of County Commissioners, the Board grants a longer period of time for said relocation. Any department head, division director, or member of any board or commission appointed by the Board of County Commissioners who relocates his or her residence outside Washington County will be terminated from employment or be removed from his or her position on the board or commission.⁴

³ See Policy No. PR-13 Anti-Harassment and Complaint Procedure for County policy and procedure relating to dating and consensual romantic and sexual relationships.

⁴ See Policy No. PR-22 Boards and Commissions for additional information regarding residency requirements for appointees to County boards and commissions.

B. Exception to Residency Requirement for Specified Positions

All department heads and division directors residing outside of the County prior to the adoption of this Policy will be allowed to maintain their out-of-County residence and will not be required to relocate.

X. INTERNAL JOB POSTING PROCEDURE

- A. The internal job posting procedure ensures that all employees are made aware of and have the opportunity to apply for open positions either before or concurrently with the County's consideration of external candidates for employment. All positions will be posted internally when openings occur. Job postings within a bargaining unit only will be posted or advertised internally within County government for a period of five (5) business days prior to being advertised outside of County government. Bargaining unit jobs will only be advertised externally if no qualified candidate applies during the five (5) day posting period and is selected to fill the job opening.
- B. While it is the County's philosophy to promote from within whenever possible, there are conditions under which a position could be posted internally and externally at the same time. Examples of conditions that justify simultaneous internal and external posting include, without limitation, organizational restructuring; position requirements that include skills, education, or experience not known to match any existing employee; and critical operation needs.
- C. The following procedure will be followed for internal job postings:
1. Method of Posting - Internal job postings will be distributed via e-mail. Department heads and division directors will be requested to distribute postings or display them on departmental bulletin boards for all employees who do not have access to e-mail.
 2. Posting Duration - Jobs are posted for seven (7) calendar days during which time applications may be submitted to the Department of Human Resources.
 3. Posting Information - Each job posting will contain the following information:
 - a. Job title;
 - b. Department;
 - c. Complete job description which includes a summary of principal duties, responsibilities, and requirements of the job, and minimum qualifications of the candidates for the job; and

- d. Grade and salary range.
4. Application Procedures - Employees who wish to apply for a posted position must complete the following:
- a. Obtain and complete an Internal Job Application Form available from the Department of Human Resources or online at the County's website at www.washco-md.net;
 - b. Forward the completed Internal Job Application Form and an updated resume to the Department of Human Resources by the closing date specified on the job posting.

