



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Applications and Appeals Policy

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Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

DESCRIPTION: APPLICATIONS AND APPEALS POLICY

I. POLICY

It is the City's policy to allow all interested job seekers to apply for available positions and to provide a method for appealing a disqualification determination, pursuant to the procedures set forth in this policy.

II. PROCEDURES

A. Acceptance of Applications

1. The Human Resources Director or Designee will establish a filing period to accept applications for a particular position
 - a. All job seekers must complete an application for a particular position through the City's online application system.
 - b. A filing period with a specific closing date may be established for a job posting.
 - c. When the need exists for a limited number of applicants, the filing period will only remain open until an adequate number of applications have been received.
 - d. When necessary to fill positions for which there is a constant need for qualified applicants, or for hard to fill positions, the Human Resources Director may establish an open filing period and accept applications for employment on a continuous basis until all anticipated vacancies are filled, or the need for accepting and processing of applications no longer exists.

B. Review of Applications

1. Human Resources Director: As required, the Human Resources Director or designee will review applications and identify candidates based solely on qualifications.

The Human Resources Director will permit education to substitute for experience as stated in the Equivalency Guidelines. Experience will be counted from the first day of entry into a qualifying job, to the day of the first component of the examination for which they have applied.

2. Hiring Official: When requested and as appropriate, applications may be referred to the hiring official to pre-screen.

C. Disqualification:

1. The Human Resources Director will refuse to examine an applicant, or after examination refuse to certify the applicant as eligible and will remove the name from the eligible list, for any of the following reasons, in each case to be fully documented:

- a) Lacks Minimum Qualifications: The applicant lacks the minimum qualifications established in the classification for the position:

- Applicants lacking three (3) months or less of the required job related work experience at the time of list promulgation may be placed on the eligible list. However, applicants lacking the required experience will not be certified for the appointment until after it is determined by the Human Resources Director that they have met the minimum experience required. Applicants may be asked to provide additional details concerning current or past work experience.

- b) Criminal History: The applicant has a criminal history within the seven (7) years preceding the date the application was submitted, which is determined to be job related to the position sought. For purposes of this subsection, criminal history includes conviction of a felony or misdemeanor. Additionally, the dates of release from prison, probation and/or parole for the relevant convictions will be evaluated and factored into the determination. *All applicants for Public Safety positions may be subject to more stringent criminal history standards deemed to be job related by the respective department or as required by regulatory agencies, or;*

- c) Dismissed from Public Service: The applicant has been dismissed from public service (to include City employment) for delinquency or misconduct, which is determined to be job-related to the position sought.

D. False Statement on Application

1. Any false statement knowingly made by an applicant in an application for admission to an examination or any other fraudulent conduct related to the application process will cause the Human Resources Director to:
 - a) Exclude the applicant from such examination;
 - b) Remove the applicant's name from any eligible list;
 - c) Remove the applicant permanently from the position if the applicant has secured appointment from such examination; and/or
 - d) Exclude the applicant from consideration for any City position for a period of two (2) years from the date the falsified application was submitted or discovered, whichever is later.

E. Appeals from Disqualification:

1. Appeals for disqualification from taking an examination, or from not being certified after examination, or from being removed from an eligible list, may be submitted as follows:
 - a) Regular Employee: A regular employee may file a written appeal to the Civil Service Commission. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed to the applicant. Late appeals will not be accepted.
 - b) Original Applicant: With the exception of C.1.(b) above, Criminal History, which applicants may file a written appeal to the Civil Service Commission in the form and manner described, original applicants who are not regular employees may file a written appeal to the Human Resources Director. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed. Late appeals will not be accepted.
 - c) Appeal Form: Applicants may obtain an appeal form by visiting the Human Resources Department website or office.

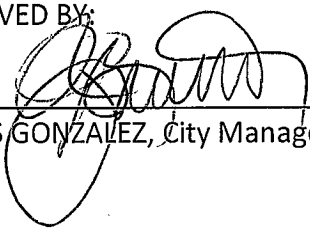
- d) **Timeline:** Untimely appeals will not be accepted. If the employee or applicant fails to update their contact information or respond within the timelines set, no further action will be taken.

 - e) **Administrative Dismissal:** If the examination is held before the appeal is reviewed, the Human Resources Director may allow the applicant to take the examination pending the disposition of the appeal. If the applicant fails to achieve a passing grade on the examination, the appeal shall be administratively dismissed.
- F. Application Retention and Reuse: Applications and/or supporting documentation filed with the City will become the property of the City. Applications for one examination will not be used for any other or later examinations.
- G. Contact Information: An applicant may update contact information by logging onto their Personal Account Profile. All applicants have the responsibility to update their Personal Account Profile through the City's online application system with any changes in their contact information.
- H. Non-Disclosure of Examinations: Examination questions, and answers to test questions that do or may reveal examination questions, are exempt from public disclosure under the Texas Public Information Act (the "Act"). Accordingly, requests for a copy of the examinations and/or such examination answers will be denied pursuant to the relevant provisions of the Act.

APPROVED BY:

FOR:

TOMAS GONZALEZ, City Manager



DATE:

July 14, 2015