

TA 10/3/2017

County to Union 9/27/17

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AFSCME Agreement
2014-2017/2017-2020
JW

ARTICLE VIII

SELECTION/PROMOTION

Section 1 – Job Posting

- (A) Vacant bargaining unit positions, except those filled by lateral transfer or promotion as provided below, shall be posted for employment applications.
- (B) Non-probationary bargaining unit members who desire promotion may submit a request to be considered for promotion to the Human Resources office at any time. Such request shall specify the classification(s) to which the employee wishes to be promoted. When a position in a classification for which an employee has filed a promotional request becomes vacant, the employee will be notified and may apply.
- (C) Where the **COUNTY** believes that fewer than three (3) qualified bargaining unit employees will apply, the **COUNTY** shall have the option of posting the vacancy in-house or recruiting from outside the bargaining unit.

Section 2 – Legal Requirements

- (A) The **COUNTY** and the **UNION** both recognize that there may be a legal requirement to place an employee into a position due to the reinstatement rights of an injured worker, an employee returning from military or other protected leave, a court order, an accommodation under the Americans with Disability Act, or similar mandated rights that may take precedence over the provisions of this Article.

Section 3 – Promotional Preference

Permanent, non-probationary bargaining unit employees who complete an official employment application and who meet the minimum qualifications for the classification shall be granted promotional preference for all bargaining unit ~~positions~~classifications.

- (A) All postings will be displayed in a central location electronically within each department through the COUNTY's website. Further, Supervisors/Hiring Authorities shall notify all AFSCME staff of positions opening within their respective departments.
- (B) Employees may fill out the AFSCME Promotional Request form at any time of the year and will be immediately added to the promotion list.
 - (1) Completing the AFSCME Promotional Request form only guarantees that the employee will be sent a recruitment announcement. Once the employee has been notified of the promotional opportunity, the employee must complete an employment application for the vacant position.
 - (2) Employees who will be absent from work for more than one week have a responsibility to notify Human Resources in writing or by e-mail of where they may be reached if they want to be notified of any promotional opportunities.
 - (3) Employees should keep a copy of the completed promotional request form in order to help themselves remember positions for which they have requested promotional notification. Employees will receive notification only of those positions listed on their promotional request form.
 - (4) Employees can keep themselves informed of current posted positions by ~~calling the Lane County Job Line or~~ accessing the **on-line County Employment Opportunities web**

page.

- (5) Employees must keep Human Resources notified of their current address and phone number.
- (C) Human Resources staff will accept electronic and/or paper Promotional Request forms and maintain an up to date promotional request file. When a vacant AFSCME position is posted, Human Resources will send a copy of the recruitment announcement individually to the employees on the promotional notification list for that classification via the employee's current email address on file.
- (D) Promotional preference will occur subject to the following:
- (1) As determined by the **COUNTY**, promotional eligibility shall be based on:
 - (a) Supplemental questionnaire and/or examination score;
 - (b) Seniority - The weight of the questionnaire and/or examination shall be one hundred (100) points with a passing score of seventy percent (70%). All employees who achieve a score of at least seventy percent (70%) will receive seniority points at the rate of two (2) points for each six (6) months of employment up to a maximum of sixty (60) points (fifteen (15) years of service).
 - (c) Veteran's Preference – Employees who are veterans will have five (5) points added to their score. Employees who are disabled veterans will have ten (10) points added to their score. Employees must include the appropriate documentation verifying their veteran status, a DD214 or DD215 long form and/or disabled documentation, for each position for which they apply.
 - (2) Candidates for internal promotion as determined in Paragraph 1 above and all veterans who meet the minimum and special qualifications shall be referred to the appointing authority for an employment interview. The appointing authority may select any one of the candidates referred.
 - (3) All employees on layoff status shall be given an opportunity to apply for any bargaining unit vacancy in any classification which has a pay grade above that of their previous classification and for which they are qualified. When applying for the vacant bargaining unit position, the employee on layoff status shall be eligible as an in-house candidate, subject to the provisions above.
- (E) If a minimum of three (3) qualified applicants who are currently members of the bargaining unit apply for the position and receive a score of at least seventy percent (70%) on the questionnaire/examination as specified in Section 3 (D) above, all internal candidates who score at least seventy percent (70%) and all veterans who meet the minimum and special qualifications shall be referred to the appointing authority for an employment interview. The appointing authority may select any of the candidates referred.

Section 4 – Outside Recruitment

If fewer than three (3) qualified employees apply for promotion and receive a score of seventy percent (70%) on the questionnaire/examination, the appointing authority may select one of the qualifying internal applicants or applications may be accepted from other sources. For each vacancy, candidates from all sources, including all promotional candidates who have scored seventy percent (70%) or more on the questionnaire/examination as well as all veterans who have met the minimum and special qualifications, shall be referred to the appointing authority for an employment interview. The appointing authority may select any one of the candidates referred.

Section 5 – Lateral Transfers

- (A) Lateral transfers are generally made from one authorized position to another within the same classification. Lateral transfers may also be made to other classifications at the same pay grade or one (1) pay grade lower either within the department or in a different department provided that employees wishing to transfer can demonstrate that they meet the minimum qualifications for the new classification. The **COUNTY** may require an employee wishing a transfer to pass the same test required to qualify for promotion.
- (B) Supervisors/Hiring Authority will notify all employees within their department of any vacant position before going to the recall or transfer list to allow any interested qualified staff member in the same classification the option of a reassignment of duties. After any reassignments occur, the department will notify Human Resources of the vacant position with specific information. Human Resources will assist with the educational process by checking to see that departments have dealt with internal reassignments before requesting a transfer list or that a position be posted. Reassignment will not be required if the only eligible employees are within the program and location opening the recruitment.
- (C) Lateral transfers will only be considered when a position becomes vacant unless there are two or more transfer candidates who can "trade" positions. If an employee is interested in being considered for lateral transfer, ~~he/she~~the employee must submit a written request for lateral transfer, clearly explaining the employee's interests, to Human Resources (or the Department of Public Safety for positions within that Department). The request must be received before a position is posted in order for a transfer request to be considered. Human Resources staff will accept electronic and/or paper Transfer Request forms and maintain an up to date transfer file.
- (D) Employees are responsible for updating and maintaining their electronic and/or paper Transfer Request form notifying Human Resources annually, during the month of January, if they have continued interest in transfer. Human Resources will send a courtesy reminder to employees of this requirement during the first week of January each year to update or maintain their Transfer Request form. The reminder will be sent electronically; however, in sections of the County where employees do not have ready access to computers, supervisors will post reminders in a central location. ~~employees may request to be contacted by phone or letter. Failure to notify Human Resources by January 31st will result in the employee's name being dropped from the transfer list.~~ Employees who will be absent from work for more than one (1) week have a responsibility to notify Human Resources in writing or via e-mail of where they may be reached if they want to be considered for any transfer position. Further, employees must keep Human Resources notified of their current address, personal email address and phone number.
- (E) When a vacancy occurs, Human Resources will contact appropriate employees on the transfer list, as defined above, in Section 5 (A) to determine employees' interest in a specific position. All employees indicating an interest will be referred to the department for consideration. Included with this list will be an outline of appointing authority responsibility.
- (F) When the department receives the list of transfer candidates from Human Resources, the memo will be specific in what the department's responsibilities are towards those candidates.
- (G) When an opening occurs in the appropriate classification, transfer candidates shall be interviewed for the position before the position is posted. The hiring authority must contact all transfer candidates to schedule interviews. If unable to contact candidates immediately, the hiring authority will continue to try to make contact for at least three (3) days.
- (H) Departments are not required to fill a position with a transfer candidate. They may elect to post the position pursuant to Section 1 of this Article.

(H) —

- (I) (H) — Accepting a transfer position will remove the employee's name from the transfer list. The employee will be required to contact Human Resources and complete a new transfer request form to be placed ~~him/herself~~ back on the transfer list.

Section 6 – Department of Public Safety Positions

- (A) All bargaining unit positions within the Department of Public Safety shall be excluded from Sections 1 through 5 of this Article except that Section 1 (A) and Section 2 of this Article shall apply.
- (B) Bargaining unit employees working in the Department of Public Safety shall be fully eligible for promotional preference for all other bargaining unit positions as provided in this Article.

Section 7 – Reclassifications

The following shall govern the reclassification of filled positions in the bargaining unit:

- (A) Incumbents in positions being reclassified upward must meet the minimum qualifications for the new classification.
- (B) If, over time, the complexity or level of responsibility of a position increases, the department may submit a request for reclassification to Human Resources. Affected employee(s) shall be notified of all requests for reclassification. If an employee believes the duties of his/her~~the~~ position have changed sufficiently to justify a reclassification, the employee may request a reclassification from the department.
- (C) If an upward reclassification is predicated on a reorganization, all interested employees within the department presently classified in the next lower classification level and who meet minimum qualifications shall be interviewed for the position. Selection will be based on experience, qualifications, and seniority from amongst those employees interviewed. The **UNION** and all eligible employees will be notified of the opportunity.
- (D) If a position is reclassified downward, the layoff procedures of this Agreement, Article ~~XVI~~16 shall take effect, unless the incumbent employee elects voluntary demotion.
- (E) The **UNION** and the affected bargaining unit employee shall be notified of all final classification decisions within ten (10) days.

Section 8 – Flex Staff Series

After an employee has been employed at the entry level in a flexibly staffed classification for a period of one (1) year, ~~he/she~~the employee may be advanced to the journey level subject to the following:

- (A) The employee is remaining in the same position.
- (B) The employee meets the minimum qualifications for the journey level.
- (C) The employee is performing, at an acceptable level, the duties of the journey level.
- (D) An employee, who has been at the entry level for eighteen (18) months or more, may request to be moved to the journey level. Such request shall be approved or denied by the Department Director within fourteen (14) days. The Department Director's decision shall be based upon Paragraphs A, B and C, above.

- (E) Denial of a request to move to the journey level may be appealed by filing a written appeal with Human Resources within fourteen (14) days of receiving the denial from the Department Director.
- (F) The County Administrator, or his/her designee, shall have ultimate and final authority to approve or disapprove any request for movement from the entry level to the journey level.
- (G) Upon moving from the entry level to the journey level, an employee shall be placed on a step in the journey level pay grade with a minimum of a five percent (5%) salary increase.
- (H) Flexibly staffed classifications are those classifications identified in Appendix C.

Section 9 – Probationary Period

- (A) The probationary period is an integral part of the employee selection process and provides the **COUNTY** and the probationer an equal opportunity to observe each other to determine the desirability of a continued working relationship. As part of the selection process it likewise provides each with an equal opportunity to discontinue that working relationship at any time during the established probationary period.
- (B) The **COUNTY** reserves the right, as part and parcel of the selection process, to reject any probationary employee during the initial probationary period without recourse, if in the **COUNTY's** opinion such rejection is in the best interest of the **COUNTY**. In the event of the rejection of a probationary employee, the **COUNTY** shall notify such employee two (2) weeks prior to the effective date of such rejection, or at the option of the **COUNTY**, shall provide two (2) weeks' pay in lieu of such notice.
- (C) New bargaining unit employees shall serve an initial probationary period of six (6) continuous months worked. Employees failing to receive a ~~competent~~ successful or better evaluation rating on their probationary review may have their probationary period extended for a period not to exceed ninety (90) days with the consent of the **UNION**. During such extension, the employee shall be entitled to all benefits under this Agreement except that they may not grieve termination of employment.
- (D) Employees who are transferred from one position to another but do not change classification or employees who are reclassified shall not serve a new probationary period.
- (E) Employees who are promoted to another classification shall serve a new probationary period. Such employees who fail, as determined by the **COUNTY**, to satisfactorily meet the requirement of the new position or classification, at any time during the probationary period, shall be returned to the previously held position or classification in the former department. Employees rejected in probation shall not be eligible to compete for a position in the same classification under the same work unit for a period of one (1) year.
- (F) Any probationary employee not notified of performance deficiencies noted during the first one-half (1/2) of the probationary period may assume such performance has been acceptable to date. It is understood that such ~~acceptable~~ performance does not presume continued employment for the balance of the probationary period.