
ARTICLE IV

RECRUITMENT AND EMPLOYMENT

**NORTHAMPTON COUNTY
LOCAL GOVERNMENT**

ARTICLE IV: RECRUITMENT AND EMPLOYMENT

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Section 1. Equal Employment Opportunity Policy

It is the policy of Northampton County Local Government to maintain a systematic, consistent recruitment program, to promote equal employment opportunities and to identify and attract the most qualified applicants for employment with the County. This policy is to be achieved by announcing position vacancies, by evaluating all applicants using the same criteria, and by utilizing the local Division of Employment Security (DES).

The County maintains a policy of providing equal employment opportunities for all persons regardless of race, color, religion, gender, national origin, marital status, citizenship status, veteran status, ancestry, creed, disability, non-disqualifying handicap, age or political affiliation. Equal employment opportunity extends to all aspects of the employment relationship, including hiring, promotions, training, terminations, working conditions, compensation, benefits and other terms and conditions of employment.

Section 2. Recruitment and Employee Selection

All Department Heads shall be responsible for the initial selecting of employees in their respective department and shall confer with the Human Resources Director and the County Manager during the selection process. While the judgment of Department Heads shall be given due consideration during the hiring process, the final hiring decision is that of the County Manager. Thus, Department Heads shall be responsible for selecting qualified personnel for all vacant positions authorized by the operating budget of the Departments in County government, except when the Board of Commissioners, upon the recommendation of the County Manager, freezes a vacant position.

The Human Resources Department is responsible for maintaining an active recruitment program which meets current and projected staffing needs, using procedures that will ensure equal employment opportunities based on job-related requirements.

All Department Heads, with the exception of the Department of Social Services, the Health Department, Emergency Management, Register of Deeds and the Sheriff Department, shall obtain assistance from the Human Resources Director in the recruiting and selection process. The respective Department Head shall coordinate with the Human Resources Director for vacancy postings with all other County departments, the Division of Employment Security (DES) and local news media or other recruitment and selection functions.

Department Heads are responsible for notifying the Human Resources Department of intent to fill a vacancy within the department.

As a standard practice, a vacancy shall be posted by the Human Resources office for a minimum of seven (7) working days at the local DES office, as well as the Northampton

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County Local Government web-page, local newspapers, and bulletin boards located within County departments of which is coordinated by the Human Resources Department.

All County Departments, including those subject to the STATE HUMAN RESOURCES ACT, shall notify the Human Resources Director as vacancies occur and request assistance in the overall recruitment process on an as-needed basis or as appropriate.

Section 3. Position Advertisements

Recruiting announcements with a job description shall include information pertinent to the position involved, including at a minimum, the classification, primary duties, knowledge and skill requirements, minimum education and experience standards, contact person, special certifications and/or licensing requirements, salary range, and application closing date.

Employment advertisements will contain assurances of equal employment opportunity and will comply with federal, state and local statutes regarding discrimination in employment matters based upon sex, race, color, creed, religion, national origin or physical or mental disability.

Section 4. External/Internal Postings

Northampton County Local Government has two (2) posting options for recruiting and the respective Department Head shall determine when and if appropriate to conduct only an internal posting. Typically, qualified applicants are available for the position posted. Department Heads shall also determine when to run both internal and external postings concurrently.

All job posting shall be processed through the Human Resources Department.

1. Internal Posting

This option will allow employees the first opportunity to apply for County vacancies prior to having the posting on an external basis. Internal postings will include all County Departments and shall be posted within all departments. Candidates may submit an application to the Human Resources Department or as designated on the job announcement. All County job vacancies will be posted for a minimum of seven (7) working days.

2. External Posting

This option will allow all candidates interested in County positions to apply for posted positions. Department Heads will have the opportunity to consider anyone who is interested in a County position listed with the DES, advertised in the local

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newspapers, posted on the County website and in all departments. All County job vacancies will be posted for a minimum of seven (7) working days.

Section 5. Employment Application

Applications may be submitted to the Human Resources Department, to the designated department (for the Department of Social Services or the Health Department ONLY), or the local DES office by the closing date. Applications with a U.S. Postal Service postmarked on or before the closing date will be accepted when received by mail. Northampton County Local Government accepts faxed copies of applications on or before the given deadline; however, all originals must be brought or mailed to the Human Resources office shortly after.

- A. **The Northampton County Local Government** – Application for Employment shall be the standard form accepted for position listings for all general County positions. All persons expressing interest in employment with the County will be given the opportunity to file an application for any advertised position and a separate application must be completed for each vacancy.
- B. The Application for Employment – **State of North Carolina (Form PD-107)** is the REQUIRED FORM for positions with the County's Health Department, the Department of Social Services, and the Emergency Management Department. Applications should be delivered to the respective departments but may be submitted to the Human Resources Department by the closing date for inter-office distribution.

FALSE OR MISLEADING INFORMATION

Any employee who knowingly and willfully discloses false or misleading information, or conceals dishonorable military service; or conceals prior employment history or other requested information, either of which are significantly related to job responsibilities on an application may be subjected to disciplinary action up to and including dismissal from employment. Dismissal shall be mandatory where the applicant discloses false or misleading information in order to meet position qualifications.

Section 6. Application Tracking

The Human Resources department shall be responsible for maintaining selection tracking records and files for job announcements, including posting and closing dates, referral sources utilized during the recruitment process and the specific information relating to the pool of applicants considered for each position vacancy. Employment applications and pertinent records shall be maintained for a minimum of two (2) years.

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Section 7. Qualification Standards

Applicants shall meet the employment standards established by the Position Classification Plan and such other reasonable and appropriate minimum standards as may be established by the Board of Commissioners and the State Human Resources Commission. Qualification standards shall be reviewed periodically for purposes of determining whether they are commensurate with specified standards and conform to actual job performance requirements.

Section 8. Selection

The Human Resources Director and respective Department Heads or County Manager will utilize, on a consistent basis, a selection process best-suited for the needs of the department that will appropriately measure work experience and job performance to ensure the best qualified candidate is selected.

Such selection methods shall include, at a minimum, a structured interview format that ensures all candidates are asked the same questions and the answers are evaluated in good faith, in an objective, fair manner which provides a fair and equal opportunity to all candidates.

The County will provide individuals with disabilities the reasonable accommodations needed to interview, of which might include providing an accessible location.

An interview panel will be established to conduct the candidate interview, evaluate relative qualifications and merits of each candidate and, in the case of County employees **not** subject to the STATE HUMAN RESOURCES ACT, the Human Resources Director and the respective Department Head will provide a final recommendation to the County Manager.

In departments subject to the STATE HUMAN RESOURCES ACT, the interview panel will consist of management staff in that Department and the recommendation shall be made to the applicable appointing authority. All decisions as to selections of candidates to fill a vacancy will be supported by objective and detailed written documentation reflecting that all of the above policies have been met.

The Human Resources Director, or his/her designee, will notify applicants deemed most qualified of selection and make an offer of employment. The Human Resources Director (or his/her designee) shall attempt to verify the status of credentials and the accuracy of statements contained in the application for each new employee prior to the employment offer.

With exception of the Department of Social Services, the Health Department, Emergency Management, Register of Deeds and the Sheriff Department, the respective department's documentation of offer and letter of acceptance shall be forwarded to the Human Resources Department and shall be placed in the employee's personnel record.

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In filling position vacancies, Northampton County Local Government encourages all qualified employees to apply in efforts to increase the opportunity of advancement and promotion within the County.

Section 9. Appointments

The Human Resources Director and a Department Head may coordinate efforts with regards to communicating any job offers to applicants or employees for position vacancies.

The Department of Social Services, the Health Department, Office of the Sheriff and the Register of Deeds **do not** require County Manager's approval for the hire of an applicant.

The County Manager shall ensure appointments (except for the Department of Social Services, the Health Department, Office of the Sheriff and the Register of Deeds) and determine if the classification and starting salary are appropriate subject to the following conditions:

1. Criminal Background and Motor Vehicle Check, etc.

Human Resources Director will initiate a review (i.e., background, driving record, references) for general County applicants, prior to any offer of employment, with the driving record becoming a part of his/her personnel file in the Human Resources Department. Driving records for employees subject to the STATE HUMAN RESOURCES ACT will also be filed in the employee's personnel record located within the respective department.

2. Drug Screening

After the conditional offer of employment, all new employees will be required to submit to a drug screen, in accordance with the County's Drug Free Workplace Policy.

The Department of Social Services, the Health Department, Office of the Sheriff, and the Register of Deeds shall have authority over the appointments to their respective departments, with the County Manager approving the hiring rates for new employees. (Positions hired above STEP 3, shall require approval by the Board of Commissioners).

In accordance with North Carolina General Statute 153A-103(1), the Board of Commissioners must approve the appointment by the Office of the Sheriff or Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin or of a person who has been convicted of a crime involving moral turpitude.

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Applicants selected for employment shall be notified in writing by the Human Resources Department or by the respective department as soon as practical, including therein, any conditions of employment which may vary from routine practices. The hired employee will accept the conditions of employment by written acknowledgement.

The Department Head will generate the Payroll Status Change Form with the hire date, grade, step, salary, etc. The original payroll form and related information will be maintained in the employee's personnel record in the Human Resources Department.

All new employees shall **not** receive a paycheck until the second (2nd) pay period following the date of employment, based upon completion of all necessary employment forms. The employee's first payroll check will include payment for all hours work from hire date. There will be no "Check-In-The-Hold".

All new, full-time employees shall become eligible for hospitalization insurance coverage on the first day of the month following thirty (30) days of employment. (*See Article VII – Section 3*)

A. New Employee

Any new employee who has previous state/local government service shall be credited for that service for *annual leave* accrual purposes, at the rate determined by the years of *creditable service*. Northampton County Local Government will accept *sick leave* from an eligible transferring agency. A Transfer is defined as "**no break**" in service between previous employer (State or Local Government agency in North Carolina) and Northampton County Local Government (*see Article VI – Section 6*).

B. Rehired Employee

In addition to **A**, any rehired employee having two (2) years of continuous previous permanent full (or permanent part-time creditable service with the retirement system), who returns to County employment within five (5) years of his/her separation date, will be eligible to receive credit for time previously worked after completion of five (5) years of continuous service. This rehire provision shall be a *one-time* occurrence and pertains to the rate of annual leave accrual and longevity with Northampton County Local Government only.

Section 10. Residency Requirements

DEPARTMENT HEADS shall be required to live within a 50 mile radius of Jackson, North Carolina (county seat). Any job appointment made to a department head candidate outside of the 50 mile radius of the county seat shall relocate within his/her nine-month (9) probationary period. Certain elected positions, such as Sheriff and Register of Deeds, may have additional residency requirements imposed by North Carolina law.

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Section 11. Types of Appointments

Following are types of initial appointments that may be effected in Northampton County Local Government.

A. Probationary Appointment

Individuals receiving original appointments to permanent positions must serve a probationary period. This period is an essential extension of the selection process and provides the time for effective adjustment of the new employee or the elimination of those whose performance does not meet acceptable standards.

The probationary period is a training period during which employees can receive feedback while they learn a new job. The immediate supervisor and/or Department Head may conduct periodic performance evaluations that allow the employee to remain aware of any work performance deficiencies.

Should an employee need to go on Leave Without Pay during his/her probationary period, the probationary period shall be extended for the amount of time the employee is on approved leave without pay status. (*see* Leave Without Pay – Article VI)

Persons being rehired after leaving employment in a County position shall be required to serve a probationary period.

The probationary period for the new employee begins on the date of employment and continues for a period of nine (9) months, with the exception of a sworn officer position with the Office of the Sheriff, which requires a twelve (12) month period.

At any time during a probationary or trainee period, an employee may be separated from service for causes related to unsatisfactory performance of duties or for unacceptable personal conduct detrimental to the Department without the right of appeal or hearing. The employee must be given notice of dismissal, including reasons.

Employment in a temporary full-time appointment may be credited towards the probationary period at the discretion of the appointing authority.

Employment in an emergency appointment shall **not** be credited towards the probationary period.

Once an employee completes his/her probationary period, that employee will **not** be required to complete another probationary period if ever promoted to a different position within the same department.

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Should an employee be promoted or accept a vacant position within a different department than he/she served his/her initial probationary period, the employee is required to serve another probationary period within the new department. (*see* Promotions, Reassignments – Article I)

B. Trainee Appointment

A trainee appointment may be made to a position in any class for which the specification includes special provisions for a trainee progression leading to a regular appointment.

An individual may **not** be appointed as a trainee if he/she possesses the acceptable training, required certification/qualifications and/or experience for the job class. A fully qualified employee cannot hold a position as a “trainee”.

The specification for each class in which a trainee appointment is authorized will define the minimum qualifications for the trainee appointment and the minimum qualifications for a regular probationary appointment.

It is expected that the individual will progress through supervised experience to a minimum level of satisfactory performance in the position during the probationary or trainee period, whichever is applicable.

This limit does **not** include time spent on educational leave or additional time required to participate in a work-study program designed to meet educational requirements for the class.

An employee may **not** remain in a trainee appointment beyond the time he/she meets the educational and experience requirements for the class. After the employee has successfully completed all educational and experience requirements, he/she shall be given a probationary or permanent status in the position or shall be separated.

If an employee with permanent or career status in another class accepts a trainee appointment, the permanent or career status will be waived for the duration of the trainee appointment.

The employee can regain permanent or career status either through successful completion of the trainee appointment or by reinstatement to the class in which he/she previously held.

C. Permanent Appointment

A permanent appointment is an appointment to a permanently established position when the incumbent is expected to be retained on a permanent basis. Permanent

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appointments follow the satisfactory completion of a probationary and/or trainee appointment, or may be made upon reinstatement of a qualified employee.

County employees who work a full workweek (37.5 hours) are classified as permanent, full-time employees and are entitled to all employee benefits offered by the County.

D. Permanent Part-time Appointment

A permanent part-time appointment is an appointment to an established position for an indefinite period with a work hour schedule totaling less than the number of hours in the regular work week in the work unit in which the position is located.

Permanent part-time employees are entitled to annual leave and sick leave benefits earned on a pro-rata basis (or other benefits, such as participation in the local government retirement plan, based on the hours per week).

E. Temporary Appointment

A temporary appointment may be made to a permanent or temporary position. The appointment shall be limited to a maximum duration of twelve months. The appointee must meet the minimum training and experience standard of the class to which initially appointed.

A. Part-Time Temporary Worker: A part-time temporary worker is hired and scheduled to work on as-needed basis. Part-Time Temporary Workers are NOT eligible for benefits. The maximum hours allotted in a part-time temporary position is 19 hrs. per week and up to 1000 hrs. annually).

B. Full-Time Temporary Worker: A full-time temporary worker is hired to work full-time hours (30 or more hours per week) for a temporary assignment. Full-time temporary workers are eligible for leave benefits, medical benefits and Retirement benefits as long the required number of hours required by the Retirement System is met.

F. Emergency Appointment

An emergency appointment may be made when an emergency situation exists requiring the services of an employee before it is possible to identify a qualified applicant through the regular selection process. When it is determined that an emergency appointment is necessary, all other requirements for appointments will be waived.

An emergency appointment may be made for a period of up to sixty (60) workdays, consecutive or non-consecutive, or a total of 480 hours in "pay status". Any one (1) individual may **not** receive successive emergency appointments. At least three (3)

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calendar months must elapse before the employee may serve another emergency appointment.

G. Work-Against Appointment

When qualified applicants are unavailable and there is no trainee provision for the classification of the vacancy, the appointing authority may appoint an employee below the level of the regular classification in a work-against situation. A work-against appointment is for the purpose of allowing the employee to gain the qualifications needed for the full class through on-the-job experience.

The appointee must meet the minimum training and experience standard of the class to which initially appointed. A work-against appointment may **not** be made when applicants are available who meet the training and experience requirements for the full class, and for the position in question. Employees are entitled to all benefits offered by the County.

H. Contractual Agreement

A contract is a working arrangement by written agreement between the Contractor and Northampton County Local Government and/or respective County Department for the utilization of special skills or services as required by the Department.

All contracts shall be reviewed, evaluated by the County Attorney and approved by the Northampton County Local Government Board of Commissioners. Northampton County Local Government shall comply with the provisions of the Internal Revenue Service's code in the determination of employee-employer relationships.

Section 12. Performance Evaluations

Performance Evaluations should typically be initiated at the three (3), six (6) and eight (8) month intervals. At the end of the designated probationary period, an employee who has **not** achieved the desired level of performance shall be separated. Service in a probationary period is "at will", and an employee may be dismissed for any reason. A probationary employee may be dismissed without the right of appeal; however, he/she will receive a written notification outlining the specific reasons for dismissal. Employees who complete a probationary period in a *satisfactory* manner will be considered permanent employees.

Employees subject to the STATE HUMAN RESOURCES ACT, employees of the Department of Social Services and Health Department, and the Emergency Management Coordinator, who complete a *probationary period* in a satisfactory manner, will be considered permanent employees until such time as they have served in the department for twelve (12) consecutive months and therefore, gain "career status".

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On an *annual basis*, all full-time Northampton County Local Government employees will be evaluated as to their performance during the last year. It is the practice of Northampton County Local Government to award all full-time employees a one-step merit increase that has consistently performed assigned duties in an above average to outstanding manner. (See Article VII – Section 12).

Section 13. State Personnel Career Status

Employees of the Health Department, the Department of Social Services and the Emergency Management Coordinator, who are subject to the STATE HUMAN RESOURCES ACT provisions, must work for twelve (12) consecutive months before they gain a property interest that is protected by due process.

Employees who completed a **probationary period** on or before August 18, 2007, have gained a property interest in their position and have obtained appeal rights for any adverse action to include disciplinary demotions, suspensions without pay, reduction-in-force and dismissals.

All employees who completed a probationary period with their respective department on or after August 19, 2007, must work for twelve (12) consecutive months, measured from their original date of employment, before they gain a property interest that is protected by due process.

Employees who have completed the consecutive, twelve (12) months of service have the right to formally appeal any formal, adverse action. (*See* Article IX).

Section 14. Promotion

Employees who are interested in advancing within the County must apply to the vacant position of interest. Candidates for promotion shall be chosen on the basis of their qualifications and their work records. When an employee is chosen for promotion, the Department Head shall forward the promotion request to the County Manager with recommendations for classification and salary, as well as specific reasons for selecting the employee over other applicants.

The Health Department, Department of Social Services, Emergency Management Coordinator, Register of Deeds, and the Office of the Sheriff are required to report salary issues only. After considering the Department Head's recommendation, the County Manager shall approve or reject the proposed appointment, except with the Health Department, Department of Social Services, Register of Deeds, and the Office of the Sheriff, and, if the appointment is made, shall determine the classification and starting salary for the employee.

If the employee is promoted within the same department, he/she is not required to complete a probationary period for the new position; however, employees who are promoted outside of

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their departments are required to serve another probationary period within the new department. (*See* Probationary Appointment – Section 11).

Section 15. Demotion/Reassignment

- A. Demotion.** A disciplinary-based demotion is a change in job responsibility to a position of lesser responsibility and a lower salary grade. Any employee whose performance in his/her present position is unsatisfactory or whose personal conduct is unacceptable may be demoted, provided the employee demonstrates the ability to become a satisfactory employee in another position.

- B. Reassignment.** An employee who applies to and wishes to accept a position with less complex duties and reduced responsibilities may request a demotion for reasons other than unsatisfactory performance or unacceptable personal conduct.

Whether demoted or reassigned, if the employee remains within the same department, he/she is not required to complete a probationary period for the new position; however, employees that are demoted or reassigned outside of their departments are required to serve another probationary period within the new department. (*See* Probationary Appointment – Section 11).