

Employment Policy

Applies to Board of Commissioners Employees and Civil Service Employees

Effective Date: Adopted 12/10/96; 9/98 and Revised 5/01, 2/07, 03/10

§-I. PURPOSE To provide procedures concerning the recruitment, selection, employment, and promotion for approved county positions.

§-II. SCOPE Civil Service Employees and Board of Commissioners' Employees (full-time and regular part-time positions).

§-III. POLICY It is the policy of the Cobb County Board of Commissioners to recruit and hire applicants of good character and reputation on the basis of merit without discrimination due to gender, race, color, religion, national origin, disability, or other protected class as established by federal or Georgia law (herein after "protected class") and to take affirmative measures to seek qualified applicants from groups currently under-represented at various levels in County government.

The employment policies and practices of Cobb County will seek to ensure that no employee is subjected to different treatment in terms and conditions of employment on the basis of the employee's protected class.

The County also gives County employees an opportunity to enhance their careers when promotional positions become available.

§-IV. PROCEDURES The Human Resources Department is charged with the responsibility for implementation of Cobb County's employment practice policies.

A. Job Announcements

The purpose of preparing and disseminating job announcements is to recruit qualified applicants for vacant positions. (Vacant positions are unfilled positions for which funding exists. A position may be treated as a vacant position during the period of a properly approved leave granted to the incumbent).

Positions will be filled either by using an open competitive or promotional process appointment.

All requisitions to fill vacant positions should be submitted to the Human Resources Department. The Human Resources Department announces vacant positions through written job announcements that give the following information: Department, overtime status, salary information, work cycle, essential job functions, minimum education and experience requirements, and opening/closing dates. Job announcements shall be disseminated electronically throughout the County and posted in the Employment Center. It is the responsibility of the individual departments to either electronically send announcements out to employees or post hard copies in designated areas. Job announcements will be emailed

to outside agencies that can assist the County in fulfilling its commitment to equal employment opportunity. To provide a pool of qualified candidates to the hiring manager, certain positions may be advertised in appropriate publications, newspapers and websites.

Job opportunities will be posted a minimum of 5 or 10 business days. Hiring managers may request or the Human Resources Department may require posting for a longer period of time.

Vacant full-time positions will be announced in one of two ways: (1) County only (Employees must have at least 12 months of service in a position with Cobb County in order to apply. All employees from the department where the opening exists may apply); (2) Public announcement (any employee, as well as the public, may apply).

Vacant part-time positions will only be advertised as Public announcements; (any employee as well as the public may apply).

B. The Application Process

To ensure greater fairness and consistency in the hiring process, applicants should complete the County's on-line employment application. To be considered an "applicant," an individual must complete the form; resumes in lieu of applications will not be accepted. Applications will be considered "active" for the life of the certification list.

Applicants for a position will be disqualified if they:

1. Do not meet the minimum education and experience requirements as given on the job announcement for the position;
2. Have falsified any information that they have provided on the application;
3. Have not submitted the prescribed application form or have submitted an incomplete application;
4. Submitted an application that was not received by Human Resources on or before the closing date of the position;
5. Have a relative working for the department where the vacancy exists and their selection would be in violation of the County's nepotism policy;
6. Are not eligible for employment in the United States;
7. Have not successfully completed any part of the selection process;
8. State that they no longer wish to be considered for a position and voluntarily withdraw from the process;
9. Were previously employed by the County and were given a "no rehire" status with the County at the time of their dismissal or resignation;

10. Fail to reply to a request for an interview; or fail to report for a scheduled interview without giving prior notification to the hiring manager;
11. Fail to meet other valid job-related requirements as determined by the Human Resources Department.

C. Examinations

All applicants for vacant positions shall be given consideration based on their qualifications and the requirements of the job classification. Examinations shall be practical in nature, constructed to reveal the candidate's capacity to handle the requirements of the job class; and to evaluate the candidate's general background and related knowledge, skills, and abilities. Candidates shall be rated consistently and impartially.

Examinations may consist of written tests; performance measurements; representative work samples; ratings of training, education, and/or experience; structured oral examinations; interviews; and physical agility/fitness tests, either singly or in combination, which in the judgment of the Human Resources Director, or his/her designee, relate to those matters which will test fairly the ability and fitness of the candidate to discharge efficiently the duties of the position to be filled. Each department may, with the approval of the Human Resources Department, establish the components of the selection process that will best assist in identifying qualified candidates.

The Human Resources Department is responsible for the administration and scoring of examinations and will determine the dates, times, locations, and proctors of exams. An exam may be postponed or cancelled at the direction of the Human Resources Department.

Errors in the scoring of written exams shall be corrected, provided that such corrections shall not invalidate any certifications and appointments made previously.

The Human Resources Department or the consulting firm that developed the exam, in consultation with staff from the department for which the testing is being conducted, shall determine if a test question is to be discarded and recalculate the test scores accordingly, if a question is discarded.

D. Public Safety Promotions and Reinstatements

Positions that may be opened as a promotional announcement are as follows: Deputy Sheriff's Sergeant, Deputy Sheriff's Lieutenant, Police Sergeant, Police Lieutenant, Fire Engineer and Fire Lieutenant, Emergency Communications Shift Supervisor, and Emergency Communications Operations Supervisor.

Within 12 months from the date of separation or demotion, employees who have resigned while in good standing or who have been separated or demoted with a satisfactory recommendation may have their name reinstated to the open-competitive certification list upon application for the job class in which they were most recently employed, provided they meet the current minimum qualifications as given on the class specification. In such case, the employees' names will be placed on the list according to paragraph F of this policy.

E. Veterans' Preference

Veterans will receive five (5) veterans' preference points, and disabled veterans will receive ten (10) preference points, to be added to their final passing test scores. A "veteran" is defined as any person who has been honorably discharged from the Army, Navy, Marine Corps, Air Force or Coast Guard and who served in the armed forces of the United States for at least six consecutive months.

F. Certification and Selection of Eligibles for Vacant Positions

Applicants who meet the minimum qualifications shall be placed on a list of eligibles called the "certification list" in alphabetical order. Due to the large number of applications received for some positions, it may be necessary to refer only those candidates to the hiring manager who have the preferred experience as stated on the job announcement. The life of a list shall be set by the Human Resources Department, depending on the job classification.

From the certification list(s), the hiring manager will propose the selection of the eligible(s) he/she considers the best suited for the position(s), taking into account, but not limited to, the following factors: specific experience and education/training that is directly related to the job; past job performance; score on the exam; and any other relevant information.

The hiring manager shall update the certification list, noting the action taken for each eligible on the list and the reasons for non-selection. Following review by the Human Resources Department, the hiring manager shall convey to the selected candidate the offer to fill the vacant position. The hiring manager shall propose selection of a candidate(s) from among the eligibles on the certification list. The hiring manager shall document the reasons for the proposed selection and submit the documentation to the Human Resources Department for review. In some cases, the offer may be subject to the candidate's ability to successfully pass other job-related background or medical examinations.

The life of the certification list shall be 30 days from the date of its establishment. At the end of 30 days, the list will be declared invalid if an offer has not been made to an eligible candidate. In extenuating circumstances, upon written request from the hiring manager, a 30-day extension may be granted by the Human Resources Department. The written request must include the reason for the request and the number of days the extension is requested. Requests for an extension longer than 30 days must be approved by the Human Resources Director.

G. Post-Offer, Transfer, and Promotional Requirements

1. Criminal History Checks

a. All applicants who are participating in a public safety selection process, or to whom a conditional offer of employment has been made with the County, or who have been selected for a promotional or transfer position shall complete a release form authorizing the Cobb County Public Safety Agency and/or the Cobb County Sheriff's Office and their employees to conduct a criminal history check on them and to release such information to the Cobb County Human Resources Department. The information gathered by the criminal history check will not be disseminated publicly, and those individuals charged with performing the checks are, themselves, subject to background checks.

b. Criminal histories creating possible ineligibility for hire

A candidate generally will not be eligible for hire, promotion or transfer if he or she has a record of any of the following crimes or offenses:

- More than two (2) misdemeanors (not including violations of traffic laws) within the three (3) year period prior to the date of application;
- A demonstrated pattern of misdemeanor offenses and convictions within their adult lifetimes; and/or
- A conviction, guilty or no contest plea, or sentencing to probation or parole for violation of any felony criminal offense, perjury or false swearing, or any crime of violence toward a person within ten (10) years of the date of application; and/or
- Any felony conviction, guilty or no contest plea to a crime of violence towards a person/s (e.g., murder, rape, kidnapping and assault with the intention to kill).

Notwithstanding a record of any of the crimes or offenses set forth above, an agency or department head and the County Manager or Elected Official may consider the circumstances of the offense, the frequency of violations, the age of the individual at the time of the offense, the length of time since the individual's last violation, the individual's employment record since the offense, and/or any rehabilitation received by the individual. After such consideration, the agency or department head may hire the candidate if a determination is reached that the hiring would not disregard the purposes of this policy.

Candidates generally will not be eligible for hire, promotion or transfer for positions in which an essential job function requires the individual to operate a motor vehicle or heavy equipment or machinery who have:

- An adult driving history that reflects a pattern of traffic violations demonstrating disrespect for traffic laws;
- **A current driver's license or registration that is revoked, canceled or suspended;**
- A first conviction, guilty or no contest plea, or sentencing to probation or parole for violation of a non-felony offense to the following: Driving Under the Influence, hit and run or leaving the scene of an accident, racing on highways or streets, fraudulent or fictitious use of or application for a license within one (1) year of the date of application;
- A second conviction, guilty or no contest plea results from any one or any combination of the following: Driving Under the Influence, hit and run or leaving the scene of an accident, racing on highways or streets, using a motor vehicle in fleeing or attempting to elude an officer, fraudulent or fictitious use of or application for a license within ten (10) years of the date of application;
- Use of a motor vehicle in the commission of any felony involving the manufacture, distribution, cultivation, sale, transfer of, trafficking in, or dispensing of a controlled substance or marijuana, or possession with intent to manufacture, distribute, cultivate, sell, traffic in or dispense a

controlled substance or marijuana within ten (10) years of the date of application.

Notwithstanding a record of any of the crimes or offenses set forth above, an agency or department head and the County Manager or Elected Official may consider the circumstances of the offense, the frequency of violations, the age of the individual at the time of the offense, the length of time since the individual's last violation, the individual's employment record since the offense, and/or any rehabilitation received by the individual. After such consideration, the agency or department head may hire the candidate if a determination is reached that the hiring would not disregard the purposes of this policy.

c. All criminal history checks may be conducted through the National Crime Information Center (NCIC) and the Georgia Crime Information Center (GCIC) systems by the Cobb County Department of Public Safety and/or the Cobb County Sheriff's Office. The individual running the history will submit a report to the recruiter assigned by the Human Resources Department. The recruiter shall then communicate with the hiring manager regarding the eligibility of the individual. All information obtained shall be kept confidential except as dissemination is determined by the HR Director to be in the best interest of the County.

d. Any individual who is deemed ineligible for employment by the County under the terms of this policy shall be informed of the basis of ineligibility.

e. Any employee of the County who:

- Is convicted of, pleads guilty or no contest to, or is placed on probation or parole for any of the criminal offenses, perjury or false swearing, or any crime of violence; and/or
- Occupies a position where an essential job function requires the employee to operate a motor vehicle or heavy equipment or machinery who is convicted of, pleads guilty to or no contest to, or is placed on probation or parole for a felony or non-felony of Driving Under the Influence or who is convicted or otherwise classified as a Habitual Violator in this or any state; and/or
- Occupies a position where an essential job function requires that the employee maintains a CDL who is convicted of any traffic violations (except parking);

shall have the duty to report such fact in writing to his or her department head immediately and may be subject to appropriate disciplinary action, up to and including termination.

The provisions of this section notwithstanding, the County retains the right to take disciplinary action for on-duty or off-duty actions even when such misconduct separately constitutes a criminal offense for which the employee has not been convicted or to which the employee has not pled guilty or no contest.

2. Credit Checks

All persons to whom a conditional offer of employment is made for positions requiring the handling of cash, checks, and/or other receipts must demonstrate a good credit standing with a history that reflects a pattern of credit stability. Such persons shall complete a release authorizing the County to obtain a credit report.

3. Physical Examinations

All applicants for the following types of positions are required to pass a physical examination conducted by the County Physician: Public Safety (Deputy Sheriff, Firefighter, Police Officer, Emergency Communications Operator, Animal Control Officer); jobs requiring moderate and heavy physical demands.

H. Temporary Appointments

For temporary appointments, a certification list shall be prepared in the same manner as for other vacancies.

I. Seasonal and Per Diem Employees

Seasonal and per diem employees may be recruited and selected by the hiring department.

J. Emergency Appointments

Whenever an emergency exists that requires the immediate services of one or more persons and it is impracticable to secure persons through regular procedures, the department may appoint a person without regard to other provisions of this policy. In no case, however, is the same person to be employed on such a basis for more than forty five days during any twelve month period.

All emergency appointments must be approved by the Human Resources Director prior to any job offer. The department will immediately report to the Human Resources Department any emergency need, giving the name of the appointee, rate of pay, date of appointment, probable length of employment, nature of emergency, and nature of duties to be performed. Separation of service of an emergency appointee will likewise be reported.

K. Command Staff Appointments

The heads of public safety departments may, at their own discretion, make command staff appointments to the following job classes: Appointments in the Sheriff's Office, Police Department, and Fire Department to certain management and administrative positions held by officers with the titles of Assistant Chief Deputy Sheriff, Chief Deputy Sheriff, Deputy Sheriff Major, Director of Detention Facilities Division, Assistant Detention Facility Commander, Police Captain, Police Major, Assistant Police Chief, Assistant Chief Criminal Investigator, Fire Captain, Fire Battalion Chief, Fire Division Chief, and Deputy Fire Chief. Employees appointed to these positions are "unclassified" pursuant to Section 2-4-2.1(a)(2)(e) of the Cobb County Civil Service System Act and serve at the pleasure of the department head; the appointments may be revoked at any time. Employees filling command staff appointments shall retain permanent status in the existing rank they held prior to such appointment.