



Employment Policy

Effective Date: August 2018

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| Owner | Board of Commissioners |
| Reviewer(s) | Human Resources Director |
| Approver(s) | Human Resources Director |
| Related Policies | Drug-Free Workplace Policy, MVR Policy |
| Related Standards | N/A |
| Storage Location | iCobb |
| HR Last Review Date | October 2020 |
| HR Next Review Date | October 2022 |
| HR Review Cycle | Every two years |

1. PURPOSE

To provide procedures concerning the recruitment, selection, employment, and promotion of applicants and employees.

2. SCOPE

This policy applies to Civil Service Employees and Board of Commissioners' Employees, (full-time and part-time graded positions).

3. GOVERNING LAWS, REGULATIONS & STANDARDS

| Guidance | Section |
|-----------------|-----------------|
| EEOC | Protected Class |

4. DEFINITIONS

Protected Class - applicants, employees and former employees are protected from employment discrimination based on [race](#), [color](#), [religion](#), [sex](#) (including [pregnancy](#), [sexual orientation](#), or [gender identity](#)), [national origin](#), [age](#) (40 or older), [disability](#) and [genetic information](#) (including family medical history).

DD-214 - Certificate of Release or Discharge from Active Duty

5. 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 on the basis of race, color, sex, religion, national origin, citizenship, age, veteran status, disability or other protected class as established by federal or Georgia law (hereinafter "protected class") and to take measures to seek qualified applicants from groups currently underrepresented at various levels in County government.

Further, it is the policy of the Cobb County Board of Commissioners that no employees be subject to discrimination on the basis of their inclusion in a protected class as established by federal or Georgia law (herein after "protected class")

6. PROCEDURES

The Human Resources Department is responsible for implementing practices consistent with this policy.



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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).

Generally, positions will be filled either by using an open competitive or promotional process.

All requisitions to fill vacant positions should be submitted to the Human Resources Department. The Human Resources Department announces vacant positions through ~~written~~ electronic job announcements that contain the following information: Department, overtime status, salary information, hours worked per week, employment type, essential job functions, minimum education and experience requirements, and opening/closing dates. Job announcements shall be disseminated electronically and posted on the Cobb County employment website. Departments should send announcements to employees electronically and/or post hard copies of announcements in designated areas. Job announcements may be emailed to outside entities that can assist the County in fulfilling its commitment to equal employment opportunity. Positions may be advertised in appropriate publications, newspapers, social media platforms, and websites.

Job opportunities will be posted for a minimum of five (5) business days. Hiring managers may request or the Human Resources Department may require posting a job opportunity 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 single position with Cobb County in order to apply). All employees from the department where the opening exists may apply) and (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 fairness and consistency in the hiring process, applicants should complete the County's on-line employment application. Persons unable to complete the online application should contact HR for assistance. Resumes in lieu of applications will not be accepted.

Applicants for a position will be removed from consideration if they:

1. Do not meet the minimum education and experience requirements as provided on the job announcement for the position;
2. Have falsified any information they have provided on the application;
3. Have not submitted the 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. By 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;



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8. State 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; However, a former employee may be considered if their "no rehire" status is altered.
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.

C. Examinations

Applicants for vacant positions shall be considered for employment 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 tests, either singly or in combination, which in the judgment of the Human Resources Director or 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, in conjunction with external consultants, is responsible for the administration and scoring of examinations and will assist the department/consultant in determining the dates, times, locations, and proctors of exams. An exam may be postponed or cancelled depending on the needs of the 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.

D. Veterans' Preference

For entry level tests, 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 provides a DD-214 that shows they have 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.

E. Public Safety Promotions and Reinstatements

Positions opened as promotional announcements will be posted as they arise.



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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 names reinstated to the open-competitive referral 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 accordance with this policy.

F. Certification and Selection of Eligible Candidates for Vacant Positions

Applicants who meet the minimum qualifications for a vacancy shall be referred by the recruiter through the County's applicant tracking system to the hiring manager for the position. 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 qualifications as stated on the job announcement.

After the candidates are referred, the hiring manager will interview candidates considered to be 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 any applicable exam; and any other relevant information.

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 complete job-related, pre-employment background checks which include criminal history and education verification, motor vehicle report history, and credit history. For applicable positions, the pre-employment checks may also include drug screens and physical examinations.

The selection process should ordinarily take 60 days or less. After this time, ~~referrals~~ ~~ordinarily-list~~ will be declared inactive. In extenuating circumstances, upon written request from the hiring manager, a 30-day extension may be granted by the Human Resources Director or designee. In addition, positions that are particularly difficult to fill may be posted as open until filled. A written request for an extension must include the reason for the request and the number of days requested. Requests for an extension longer than 30 days must be approved by the Human Resources Director or designee.

G. Department Director Selection Process

The following process should apply for the selections of department directors:

- Hiring Manager (County Manager and/or agency director) reviews the current class specification and makes any necessary changes.
- Human Resources advertises the position for a minimum of five (5) days or longer as requested by the County Manager.
- When the position closes, Human Resources screens applications based on minimum and preferred qualifications.
- A committee appointed by the County Manager or designee screens and conduct initial interviews.
- The committee refers top candidate(s) to the County Manager for further consideration.
- The County Manager interviews candidates and selects the top two candidates (if applicable) to interview with the Board of Commissioners in an executive session.



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- The County Manager makes a formal candidate recommendation to the Chairman.
- The candidate completes background screening forms, Human Resources reviews background and references. Once complete, the County Manager and/or designee extends a formal offer of employment contingent upon approval by a formal vote of the Board of Commissioners.
- Once the formal offer is accepted, the Chairman will bring forward the recommendation to the Board of Commissioners.

H. Post-Offer, Transfer, and Promotional Requirements

1. Criminal History Checks

a) For Public Safety and Sheriff's Office Positions

All applicants who are participating in a public safety selection process, or to whom a conditional offer of employment has been made, 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/or Human Resources Department to conduct a criminal history check and to release such information to the Cobb County Human Resources Department. Information gathered by the criminal history check will not be disseminated publicly. (Refer to Public Safety or Sheriff's Office Internal Affairs policies governing the background check process for additional details.)

b) For Non-Public Safety Positions

1. Candidates generally will not be eligible for hire, promotion or transfer if they have any record 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 which demonstrate a pattern of disregard for the law.
- A demonstrated pattern of misdemeanor offenses and convictions within their adult lifetimes.
- 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.
- 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 may continue to consider an individual's candidacy, but, in doing so, must consider: the nature of the vacancy, 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.

2. 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:



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- 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 may continue to consider an individual's candidacy, but, in doing so, must consider: the nature of the vacancy, 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.

3. 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 and/or with the Public Safety or Sheriff's Office must demonstrate 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.

Individuals will be given the opportunity to provide information about their pre-employment history when requested. All information obtained shall be maintained as confidential, unless otherwise authorized by the HR Director.

4. Physical Examinations

All applicants for sworn Public Safety positions and positions requiring moderate and heavy physical demands are required to pass a physical examination conducted by the County Physician after the conditional offer of employment has been made.

5. Drug Test

Cobb County is a Drug-Free Workplace. Positions in Categories 2 and 3 of the Drug-Free Workplace policy are subject to pre-employment drug screens.

6. Motor Vehicle Report (MVR)

A motor vehicle history check will be conducted for any position that requires a valid driver's license.

7. Sedition and Subversive Activities Questionnaire



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OCGA 16-11-13 requires that employers assess whether a person has participated in subversive activities prior to employment. In accordance with Georgia law, all candidates for employment are required to complete a sedition questionnaire.

I. Current Employees

Any employees of the County who have a record of any of the following shall have the duty to report such fact in writing to their department heads immediately and may be subject to appropriate disciplinary action, up to and including termination:

- Are convicted of, plead guilty or no contest to, or are placed on probation or parole for any of the criminal offenses, perjury or false swearing, or any crime of violence.
- Employees who occupy positions where essential job functions require employees to operate a motor vehicles or heavy equipment or machinery AND who are convicted of, plead guilty or no contest to, or are placed on probation or parole for a felony or non-felony of Driving Under the Influence or who ~~is~~ are convicted or otherwise classified as Habitual Violators in this or any state; and/or
- Occupy positions where an essential job function requires employees to maintain CDLs AND who are convicted of any traffic violations (except parking).

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.

J. Communication

All background checks may be conducted via the County's background check systems. Once the background check results are received, either Internal Affairs or the Human Resources representative will communicate with the hiring manager regarding the results. Human Resources will contact individuals to offer the opportunity to provide information about pre-employment history when requested. All information obtained shall be maintained as confidential, unless otherwise authorized by the HR Director.

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.

K. Temporary Appointments

For temporary appointments, as defined and authorized in the personnel payroll policy, a referral list shall be prepared in the same manner as for other vacant positions.

L. Seasonal and Per Diem Employees

Seasonal and per diem employees may be recruited and selected by the hiring department or pursuant to a referral list prepared by Human Resources.

M. Career Planning Positions

Notwithstanding any other provisions of this policy, managerial positions may be selected and filled in accordance with the Career Planning Policy.

N. Command Staff Appointments

The Police Chief, Fire Chief and the Cobb County Sheriff may, at their own discretion, and in accordance with their practices, make command staff appointments. 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.



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7. EXCEPTIONS

Exceptions to this policy must be justified and approved in advance. The County may deviate from the policy when:

1. Written justification is provided to the Human Resources Director by the Agency/Department Director.
2. A cost/benefit analysis has been performed by Human Resource and the requesting Department showing:
 - a) the available compliance options, and
 - b) the risk of noncompliance.
3. An acceptable balance between the costs and the risks has been determined to be acceptable to Human Resources Director
4. The acceptance of risk has been formally recommended by the Human Resources and approved by the County Manager as needed.

8. NON-COMPLIANCE

Violations of this policy may include one or more of the following:

1. Disciplinary action according to applicable County policies;
2. Temporary or permanent revocation of access to some or all computing and networking resources and facilities.
3. Termination of employment; and/or
4. Legal action according to applicable laws and contractual agreements.

REVISION HISTORY

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| | 12-1996 | | Adoption |
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