

Policies

Subject Recruitment and Selection
Section Human Resources
Approved by Andrew Scott, Interim Chief Operating Officer
Approved on January 1, 2020
Replaces Recruitment and Appointment, 2005 and Dec. 2012; Selection of Employees, 2007; and Immigration Reform and Control Act (IRCA) adopted 11/11

Policy Purpose: Metro's recruitment and selection policy is designed to promote a hiring process that is fair and equitable, transparent, consistent with applicable law, and aligned with Metro's values and business needs.

Policy

1. This policy is applicable to all candidates for employment with Metro; hiring managers, department management and directors acting as approvers (or their designees); and all staff involved in the recruitment and selection process.
2. Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.
3. **Recruitment Principles.** The following principles will govern Metro's selection of employees.
 - a. **Non-Discriminatory:** All qualified persons will be considered for employment without regard to race, color, religion, sex, national origin, age, marital status, familial status, gender identity, sexual orientation, disability or any other status protected by law, except where there is a bona fide occupational qualification.
 - b. **ADA Compliant:** Reasonable disability accommodation will be provided during the job application process upon the applicant's request.
 - c. **Coordinated and Transparent:** Recruitments for all types of vacancies, including internships, will be:
 - i. A coordinated process between the Human Resources Department (HR) Recruitment staff and the hiring department;
 - ii. Consistent with Metro values;
 - iii. Filled based on the requirements of the position and organizational and operational needs;
 - iv. Announced to employees electronically via email and on bulletin boards for employees without computer or email access; and
 - v. Based on objective criteria at each stage of the candidate evaluation process and well-documented to ensure transparency.

- d. **Widely Communicated:** General recruitments will be communicated widely and to diverse audiences. Communication tools may include but are not limited to posting in Metro's online recruitment system and website; notification to community-based organizations, including those that serve historically marginalized communities, colleges and universities, and local schools; posting on social media sites; posting on other sites or platforms that reach culturally diverse audiences; and/or posting or advertisements in appropriate media.
- e. **Compliant with Finance and Regulatory Services' Position Management Requirements:** A hiring manager may request to fill a budgeted position only if the position is vacant and is designated for the requested classification in the budget, with the following exceptions:
 - i. To support succession planning and knowledge transfer from an existing employee to a new employee, a recruitment may be conducted for a position that is not vacant if the employee occupying the position has set a separation date in writing and the separation date is entered into their HRIS record. (e.g., in the case of a planned retirement). In such situations, if the department has sufficient funding, the employees may occupy the same position for up to six (6) months without approval; approval of the department director and director of the Finance and Regulatory Services department (Chief Financial Officer) is required for employees to occupy the same position for more than six (6) months.
 - ii. A recruitment may be conducted for a position that is pending Metro Council budget approval, but only after the position classification has been established and the COO has approved the recruitment of the position. In this case, the position will be advertised clearly as pending budget approval and cannot be filled until approved by Metro Council and active in the budget.
 - iii. With approval from the department's finance manager, a position number may be filled by two employees simultaneously in the case of an Interim Backfill or the Temporary Double fill of a position for short-term succession planning.
- f. **Recruitment Process:** When a hiring manager needs to fill any type of position, they must work with their designated recruiter to determine the most appropriate way to fill the vacancy.
- g. In order to ensure that new employees are compensated appropriately and equitably, HR Classification/Compensation staff must be engaged to determine final classification and compensation for any new Metro employee.
- h. **Veterans' Preference:** In accordance with Metro's [Veterans' Preference Policy](#) and applicable law, veterans' preference will be applied at every stage of the recruitment for all candidates who qualify for veterans' preference, who meet the minimum qualifications for the position, and who provide the required documentation. Veterans who are invited to interview will be asked the same questions as all other applicants. Interview questions and other evaluation methods, e.g. a presentation or skills assessment, will be scored for every applicant in the candidate pool and veterans' preference will be applied by HR after each interview, other evaluation method and at each step of the application process.
- i. **Pre-employment Screenings:** Successful passage of a criminal background check is required for all individuals before they begin employment with Metro and may be required for existing employees who are selected to fill another position; see Metro's Background Check Policy for background check requirements. Successful passage of

other pre-employment screenings is required for some positions. Required pre-employment screenings should be disclosed in the position announcement. Final employment offers may not be extended to candidates, nor may candidates begin employment, without successful passage of all required pre-employment screenings.

j. **Beginning Employment:**

- i. **New Employees:** New employees must not perform work for Metro unless HR has approved their start date and the employee has provided the required identification and new employee documents to HR. New employee start dates must be approved by HR and determined in accordance with HR and payroll procedures. In accordance with federal law, all new employees must comply with federal employment verification requirements by appearing in person to HR for their federally-required identity and employment eligibility verification (Form I-9) on their first day of employment, or between the time they accept an employment offer and their first day of employment; employees whose identity and employment eligibility verification is not completed within three (3) days of employment will be terminated.
- ii. **Existing Employees:** Start dates for existing employees who are selected for a new position via recruitment, interim backfill, transfer, voluntary demotion, promotion or rehire must not perform work for Metro in the new position unless HR has approved their start date, which is determined in accordance with HR and payroll procedures.

- k. **Records Retention:** Hiring managers will provide HR with all documentation related to all recruitment-related activities no later than the employee's start date. HR will ensure that all electronic and hard-copy records are appropriately filed and retained according to [HR's Records Retention Schedule](#).

4. Standard Recruitments

- a. **General Recruitment:** A general recruitment is open to any applicant. A general recruitment will remain open for a minimum of fourteen (14) calendar days.
- b. **Internal Recruitment:** An internal recruitment is open only to applicants who are current Metro employees at the time they submit their application. Employees in regular, probationary, variable hour, and limited duration positions and interns on Metro's payroll are eligible to apply to an internal recruitment. Internal recruitments are also open to anyone who was a Metro seasonal employee in the previous 12-month period. An internal recruitment will remain open for a minimum of seven (7) calendar days.
- c. **First Opportunity Recruitment:** For vacancies at Oregon Convention Center (OCC), Portland Expo Center (Expo), and Portland's 5 Centers for the Arts (P'5), a First Opportunity recruitment must be completed prior to opening a general recruitment for the position. First Opportunity candidates who meet program guidelines and minimum qualifications of the position must be considered and evaluated first for employment before a general recruitment is opened. If selected to interview, First Opportunity applicants must be interviewed and a hiring decision must be made for each First Opportunity applicant before opening a general recruitment. If the position is not filled by a First Opportunity applicant, a general recruitment may be opened.

First Opportunity recruitment must be conducted for fourteen (14) calendar days; in cases of urgency, the department director may approve conducting a First Opportunity recruitment for only seven (7) calendar days. Internal and First Opportunity

recruitments may be conducted concurrently. First Opportunity recruitment is not applicable to internal-only recruitments or internships.

Exceptions to First Opportunity recruitment – including but not limited to timing of a general recruitment or whether to conduct simultaneous internal, First Opportunity and general recruitments – must be approved by the General Manager of Visitor Venues (or the General Manager’s designee). In instances when a recruitment is approved for concurrent internal, First Opportunity and general recruitment, any First Opportunity applicants who apply and who meet the minimum qualifications for the position must be interviewed and a hiring decision must be made before general applicants are considered.

5. **Alternatives to Standard Recruitment.** In circumstances outlined below and with the approvals indicated, positions may be filled without a recruitment. In order to ensure that these alternatives do not have disparate impacts or unintended negative consequences, the HR department will track, monitor and report on use of these alternatives.

- a. Selecting from a Previous Recruitment: With approval of an HR recruiter or the HR Recruitment Manager, applicants from a previous recruitment may be considered for hire into an open related position in the same or lower-level classification:
 - i. Eligibility. A hiring manager may consider prior applicants when:
 - 1. The application period for the previous recruitment closed within the previous six (6) months.
 - 2. Applicants from the previous recruitment have given Metro permission to consider them for other positions.

Details for this process are outlined in the [selecting from a previous recruitment procedures](#).

- b. Direct Appointment: Employees can be directly appointed into an open position without a recruitment under the following circumstances:
 - i. Department directors and the General Manager of Visitor Venues may be directly appointed at the discretion of the Chief Operating Officer (COO).
 - ii. The COO and Metro Attorney may be directly appointed by the Council President subject to confirmation by the Council by resolution.
 - iii. Positions organized under the Metro Council Office may be directly appointed at the discretion of the Council President; positions organized under the Office of Metro Attorney (OMA) may be directly appointed at the discretion of the Metro Attorney; positions organized under the Office of the COO may be directly appointed at the discretion of the COO; and positions organized under the Office of Metro Auditor may be directly appointed at the discretion of the Metro Auditor.
 - iv. Variable Hour employees may be directly appointed with the approval of an HR recruiter or the HR Recruitment Manager. These employees must meet the minimum qualifications for the classification to which they are appointed and must adhere to annual limits on hours worked per the applicable collective bargaining agreement or policy.
 - v. If a limited duration position is converted to a regular status position through the budget approval process and HR Classification/Compensation staff determines that the duties and classification of the position remain the same (or substantially similar), the incumbent in the limited duration position may be appointed to the regular status position at the discretion of the position’s

supervisor and with the approval of the department finance manager, department director, and HR Director.

- c. Interim Backfill: With the approval of the department director and HR Recruitment Manager, a regular status, benefited position may be filled on a short-term basis, (e.g. when the regular occupant is on extended leave or an out-of-class assignment), with a non-employee or a current variable hour employee not in a budgeted FTE position. The duration of an Interim Backfill shall be for a minimum of six (6) weeks and a maximum of nine (9) months. Any extensions beyond this maximum must be approved by the department director, human resources director, and finance director.

Current variable hour employees who are not in a budgeted FTE position and who meet minimum qualifications for the position may be appointed to an interim backfill. Non-employees who meet minimum qualifications may be selected for an interim backfill through a recruitment. If non-employees are to be recruited for an interim backfill of a First Opportunity-eligible position, a First Opportunity recruitment must be conducted. An employee in an interim backfill role shall be eligible to receive the benefits of the regular status position. The terms of the interim backfill will be documented by HR and signed by the employee.

- d. Internal Transfer or Voluntary Demotion: Regular Full-Time, Regular Part-Time, or Limited Duration employees who were hired through a competitive process (at Metro or at another agency prior to their inter-jurisdictional transfer) may be transferred without a recruitment into a regular status position of equal or lower classification and/or pay range for which they meet the minimum qualifications. An internal transfer or voluntary demotion without recruitment must be approved by the department director and the HR Recruitment Manager. Internal transfer or voluntary demotion of represented employees must be conducted in accordance with the provisions of the relevant collective bargaining agreement. Employees on initial probation are not eligible for internal transfer or demotion without a recruitment.
- e. Promotion: To foster efficiency and support employee growth and advancement, Regular Full-Time, Regular Part-Time and Limited Duration employees who were hired through a competitive process at Metro (or at another agency prior to inter-jurisdictional transfer) may be promoted without a recruitment to a vacant regular status or limited duration position in a higher classification and/or pay grade.

Promotion without recruitment requires the approval of the department director and the HR Recruitment Manager, and will be considered on a case-by-case basis. The hiring manager must complete a Promotion Request Form providing justification (please contact [HR](#) for additional information) for promoting the employee without a recruitment, and verification of the employee's eligibility and qualifying factors, including but not limited to:

- i. Justification

- 1. The business need to fill the position without a recruitment (i.e., specialized internal skills required; difficulty to fill position externally; defined promotion pipeline within department or work group; etc.).

- ii. Eligibility:

- 1. The employee must meet the minimum qualifications for the position.
 - 2. The employee must have passed probation in their current position and have been employed at Metro for a minimum of one year (12 months) immediately prior to the promotion date.

3. The employee must have met all performance goals and received consistently positive performance reviews during their employment with Metro.
- iii. Qualifying Factors:
1. The employee's education and experience as they relate to the position.
 2. The employee's length of service at Metro.
 3. The employee's special skills or abilities that directly relate to the position.

(See Classification and Compensation policy for guidance on changes to the duties of an existing occupied position.)

- f. Rehire: At its discretion and with the approval of a recruiter or the HR Recruitment Manager, Metro may rehire a former employee without a recruitment when the following criteria are met:
- i. The position's classification and pay grade is equal to or lower than the most recent position the employee held at Metro.
 - ii. The employee meets the minimum qualifications for the position.
 - iii. The employee successfully completed probation in a prior Metro position.
 - iv. The employee is rehired within three (3) years of the date of separation.
 - v. The employee left in good standing and has no prohibitions on rehire per HR records.
 - vi. HR has reviewed the employee's personnel file to assess any prior performance issues.

Employees rehired under this provision will be required to complete a new probationary period.

Former employees do not have an automatic right to be rehired once they have separated from Metro employment. Rehires will be processed at the sole discretion of Metro and must be approved by the hiring manager and designated recruiter or the HR Recruitment Manager.

- g. Inter-jurisdictional Transfer: In certain instances, a regular status position may be filled by transferring an employee from a federal, state or local public jurisdiction. The transferring employee will be required to successfully pass a background check and serve a probationary period of six months and is entitled to all benefits associated with the position. The hiring manager must complete an Inter-jurisdictional Transfer Request Form verifying that there is a valid business need to fill the position through inter-jurisdictional transfer. An inter-jurisdictional transfer must be approved by the HR Director and COO. Bona fide factors include but are not limited to:
- i. The prospective employee has special experience, training, skills or abilities required for the position and/or necessary for the success of the department or agency.
 - ii. It has been or likely would be difficult to fill the position through standard recruitment processes.

In addition, HR will verify that the following criteria are met:

- i. The other jurisdiction must certify to HR that the prospective employee is

currently employed by it, was hired through a competitive hiring process, and successfully completed a probation period if one was required.

- ii. HR Recruitment confirms that the prospective employee meets the minimum qualifications for the Metro position and classification into which they are being transferred.

6. Overview of Position Types. Metro offers the following types of positions.

Position Type	Definition	Selection Method*	Benefits Eligibility
Regular Full-Time	An employee who is selected to fill a budgeted position, is required to pass a probationary period, and whose scheduled hours of work are at least 32 hours per week/1664 hours per year (.8 FTE). (Metro defines full-time employment as 40 hours per week; in some cases, employees may receive full benefits at 32 hours of work per week.)	Competitive Recruitment	Eligible
Regular Part-Time	An employee who is selected to fill a budgeted position, is required to pass a probationary period, and whose scheduled hours of work are less than 32 hours per week (.8 FTE).	Competitive Recruitment	Eligible
Limited Duration	A budgeted full-time or part-time position, is required to pass a probationary period, and is created for a predetermined, fixed period of time; see the relevant Collective Bargaining Agreement for time limits on represented limited duration positions.	Competitive Recruitment	Eligible
Represented Variable Hour	Employees who are: a) hired and scheduled for work as needed to staff and support events throughout Metro; b) required to complete a probationary period; c) hired to fulfill unbudgeted additional staffing needs as they arise; or d) hired to fulfill seasonal needs; e) and who are represented by a labor union. RVH employees' work schedules are determined by business needs; schedules may vary widely with no guaranteed minimum number of work hours.	Competitive Recruitment or Direct Appointment (with HR approval)	Defined in collective bargaining agreement
Non-Represented Variable Hour	Same as Represented Variable Hour but not represented by a labor union. Work schedules for employees in Non-Represented Variable Hour positions will be determined by business needs; schedules may vary widely with no guaranteed minimum number of work hours.	Competitive Recruitment or Direct Appointment (with HR approval)	Eligible for Affordable Care Act
Interim Backfill	A non-employee or an existing variable hour employee not in a budgeted FTE position selected to fill a vacant budgeted and benefitted position on a short-term, time-limited basis of up to nine months, e.g. filling a vacancy that results from a regular employee's leave of absence or work-out-of-class assignment.	May be filled by appointment of an internal candidate or by competitive recruitment of an external candidate	Eligible
Internship	A paid position created as an opportunity to explore career options in public service, fulfill educational requirements, learn more about Metro and help Metro achieve its mission by working on projects and activities that support agency goals. Paid interns are considered to be Variable Hour employees and may work in excess of 1,040 hours per year. Internships may also be unpaid or contracted via a third party; interns not on Metro's payroll are not considered to be employees.	Competitive Recruitment or Direct Appointment (with HR approval)	Not eligible

**While competitive recruitment is preferred for vacant positions to ensure transparency in the hiring process and to provide the opportunity for a variety of individuals to be considered for Metro employment, certain vacant positions may be filled by competitive recruitment or an appointment as described in the Direct Appointment section.*