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## State of Oregon LEGISLATIVE BRANCH PERSONNEL RULES

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### **Legislative Branch Personnel Rule 6: Recruitment, ~~and~~ Selection and Hire**

**APPLICABILITY:** This rule applies to all legislative agencies and parliamentary offices, except that it does not apply to limited duration ~~status employees~~ and temporary status employees.

**(1) Purpose.** The purpose of the recruitment and selection process is to ensure that all positions are filled by qualified, competent individuals who are well-suited to do the work for which they are employed. Individuals selected by any of the methods specified in these rules must meet the minimum qualifications for the class of work to which an appointment is made.

**(2) Methods for recruiting and filling vacancies.**

**(a)** Upon deciding to fill a vacancy, the appointing authority shall notify Employee Services of the action to be taken.

(a)

**(b)** An appointing authority may fill a position through any of the following methods:

(A) Open competitive recruitment, in which any Legislative Branch employee or member of the public may apply for the position.

(B) Legislative Branch limited internal recruitment, in which only current Legislative Branch employees, including limited duration status employees and temporary status employees, may apply for the position.

(C) Direct appointment, in which the appointing authority may appoint an applicant to a vacant position based on the applicant meeting the minimum qualifications established for the position.

(C)

**(c)** Underfill appointments may occur for the following reasons:

(A) Developmental. After consultation with the Human Resources Director, an appointing authority may underfill a position for developmental reasons, such as gaining the necessary length of experience by time on the job. Recruitment for the underfill opportunity shall be conducted in accordance with this rule. The length of the underfill and requirements to satisfactorily complete the developmental experience shall be documented prior to the appointment. When the employee, as determined by the appointing authority, satisfactorily completes the underfill requirements, the employee shall be reclassified to the level required for the position and may receive an increase in pay in accordance with LBPR 4.

(B) Administrative need. An appointing authority may underfill a position if, due to organizational changes, the budgeted level of a position is higher than organizational needs require. The position may be filled at the lower level classification using any method listed in ~~–~~ this rule.

**(3) Job announcements.**

(a) Recruitment announcements are required for all job vacancies being filled by open[HS1] competitive or limited internal recruiting methods.

(b) The required content of a recruitment announcement may be defined or refined beyond the required content as expressed in a classification specification or position description to more fully reflect the specific requirements of a position.

(c) An announcement issued for a job vacancy must include the following:

- (A) Class title;
- (B) Salary range;
- (C) Location;
- (D) Type of recruitment;
- (E) Nature of the assigned work;
- (F) Qualifications required of the applicant;
- (G) Manner in which application is to be made;
- (H) Notification that a criminal records check may be part of the selection process, only when a criminal records check is part of the selection process; and
- (I) Any special working conditions that apply.

(d) Appointing authorities shall ensure that announcements issued for job vacancies are posted in a manner accessible to all employees. Announcements for vacancies being filled through open competitive recruitment must be posted in a manner accessible to the public.

(e) Announcements issued for job vacancies being filled through open competitive recruitment must be posted and applications accepted for a minimum of 14 calendar days. A limited internal recruitment announcement need only be posted for a minimum of seven days.

**(4) Selection process for open competitive and limited internal recruitments.**

(a) When an announcement is issued for an open competitive or limited internal recruitment as described in subsection (2)(b) of this rule, the appointing authority is responsible for reviewing and selecting applicants in compliance with Legislative Branch Personnel Rules and procedures.

(b) Employee Services is responsible for determining which applicants meet the minimum qualifications for a position in Legislative Administration. Applications for positions in other legislative agencies or parliamentary offices shall be forwarded to those agencies or offices for evaluation. Applications for positions in Information Services may be evaluated by Information Services professionals.

(c) Evaluation of all applicants must be based on the qualifications of the applicant and the applicant's responses to supplemental questions, if any, in the announcement.

(d) All applicants who are not selected shall be notified by Employee Services no later than 10 business days after the selected applicant's acceptance of the position. In the event the decision is made not to fill a position for which recruitment has been announced, Employee Services shall notify the applicants no later than 10 business days after the date on which such a decision was

made.

(d)

(e) Upon written request of a veteran applicant, Employee Services shall provide to the veteran applicant the reason(s) that the applicant was not selected.

**(5) Veterans' Preference.**

(a) Consistent with ORS 408.230, veterans' preference shall be applied when one or more qualified disabled or nondisabled veterans apply for a vacancy for which the recruitment method used by the appointing authority is a competitive process involving application screening or scoring, interviews or any other form of examination.

(b) When an interview of a veteran applicant is a component of the selection process for a position to be filled by an employee, the interviews shall be conducted in accordance with ORS 408.237.

**(6) Documentation of hiring decision.** The appointing authority shall, in accordance with the Legislative Branch document retention schedule, retain all selection and evaluation materials either electronically or in hard copy, including:

- (a) Application screening summaries;
- (b) The screening criteria used;
- (c) All applications received;
- (d) Names of applicants interviewed;
- (e) Interview questions used;
- (f) Interview notes;
- (g) Notes from reference checks;
- (h) The name of the applicant selected; and
- (i) Other information as required by Legislative Branch policy statements.

**(7) Confirmation and acceptance of appointment.**

(a) When a position is filled, the appointing authority shall notify Employee Services of the appointment. Either the appointing authority or Employee Services shall prepare an by completing a personnel action form and forwarding the form and the offer letter to the successful candidate. The offer letter should include, at minimum, the date of hire, salary, and notification of at-will employment. Once the offer letter is signed by the successful candidate, Employee Service will upload it into the human resources information system, once accepted and signed by the applicant, to Employee Services.

(a)

(b) Employee Services shall confirm in writing the offer of employment to the selected applicant. If no signed offer letter is received, a An applicant who reports for work at the scheduled time and location shall be considered to have accepted the terms and conditions offered. An applicant who fails to report for work at the scheduled time and location declines the appointment.

**(8) Required documents.** An appointing authority is responsible to ensure for ensuring each new employee:

- (a) Completes a form I-9 "Employment and Eligibility Verification" within three days of

beginning work as required by federal law.:

(A) If the appointing authority fails to have the employee complete the required documents, the employee is not authorized to be employed.

(B) Employee Services shall retain completed I-9 forms for three years after the date of hire or one year after the date employment ends, whatever is later.

(b) Signs into Workday and enters the employee's emergency contact information within five days of employment.

(a)

**(9) Introductory period At-will status.**

~~(a) An introductory period is the period following the initial appointment to a position in the Legislative Branch, a change in positions within the Legislative Branch or an appointment to a position in the Legislative Branch that follows a break in legislative service of at least 12 months' duration.~~

~~(b) During an introductory period, an employee is trained and oriented to the employee's position in the Legislative Branch. In general, an employee is not eligible for a raise or promotion during an introductory period. An introductory period lasts for six months but may be extended by the appointing authority.~~

~~(e)(9) At-will status.~~ Employment with the Legislative Branch remains at-will during and after completion of ~~an~~~~the~~ introductory period. An employee may be terminated without cause at the discretion of the appointing authority ~~or designee~~ at any time.

~~(d) If an employee changes appointing authorities as a result of a promotion, and the new appointing authority determines during the introductory period that the employee should be removed from the new position, at the discretion of the previous appointing authority the employee may return to the previous appointing authority in a position in the same class as the position in which the employee was previously employed, if available.~~

Approved: ~~1-16-2016~~DRAFT