



## ARA-3.03 - Recruitment and Hiring

Administrative Rules Adopted by Bureaus Pursuant to Rule Making Authority (ARB)

**Policy category:** [Human Resources Adopted Rules for the Auditor's Office](#)

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[ARA 3.03 - Recruitment and Hiring \(full text of policy\)](#), 473.54 KB

### CHAPTER I: DEFINITIONS

1. For purposes of this rule, unless otherwise stated or applicable law requires otherwise:
  - a. "Abolished position" means a position that has been eliminated through a budget or a personnel action process.
  - b. "Active duty" has its usual meaning. It does not include attendance at a school under military orders, except schooling incident to an active enlistment or a regular tour of duty, or normal military training as a reserve officer or member of an organized reserve or a National Guard unit.
  - c. "Anniversary date" means the date of an employee's initial appointment to a classification. Exceptions are set forth in [Auditor's Office Administrative Rule 3.08 – Classification and Compensation, Chapter V: Compensation](#).
  - d. "At-will" means an appointment outside of the Auditor's Office Civil Service. See [Auditor's Office Administrative Rule 3.08 – Classification and Compensation, Chapter VI, Classification](#) for a list of the Auditor's Office's at-will positions.
  - e. "Auditor's Office classification request form" means a form used to:
    - Classify a newly created position,
    - Reclassify an existing classified or unclassified position,
    - Create a limited term position, or
    - Abolish an existing position.
  - f. "Authorized position" means a position that has Council approval for a specific full-time equivalent ("FTE"), with funding approval commensurate with the position classification. A limited term position is an Authorized Position only until it reaches the end of its term.
  - g. "Bureau of Human Resources" or "Human Resources" means the City bureau responsible for the management of the City's human resources and the promulgation of rules in support of that

responsibility; provided that the Charter grants the City Auditor independent responsibility for the Auditor's Office's human resources.

- h. "Casual appointment" is an appointment to an unbudgeted position that periodically or regularly occurs, terminates, and recurs.
- i. "Casual Other appointment" means a Casual appointment to a non-represented position (whether classified or exempt from classified service). This includes, for example, a temporary appointment to an unbudgeted position.
- j. "Classified" means an appointment in the Auditor's Office Civil Service. A position that is "at-will" or "exempt from civil service" may also be described as "exempt from classified service."
- k. "Eligible List" means a certified list of eligible applicants to an established budgeted position. *See Chapter IV: Recruitment Processes* for more information about Eligible Lists.
- l. "Full-time" means an employee who is scheduled to work at least nine-tenths of the normal working hours of a biweekly payroll period (72 hours).
- m. "Job share" means an appointment to 50 percent of a full-time budgeted position.
- n. "Limited duration appointment" means an appointment to an identified classification, made through the Auditor's Office Civil Service process, to a permanent budgeted position that is vacant because of the incumbent's leave of absence, when the replacement employee's services will be needed for a period of two years or less.
- o. "Limited term position" means a position that has been approved for a specific and finite period of time to allow coverage for specific needs related to grants, one-time funds, or special projects.
- p. "Part-time" means an employee who is scheduled to work 40 hours or more during a biweekly payroll period but less than full-time.
- q. "Permanent appointment" means an appointment from a certified list of eligible applicants to an established budgeted position. *See Chapter IV: Recruitment Processes* for more information about Eligible Lists.
- r. "Qualified" means that the candidate's name appears on an Eligible List.
- s. "Regular" status in a classification is obtained upon successful completion of the probationary period. *See [Auditor's Office Administrative Rule 3.09 – Employee Development, Chapter I: Probationary Period](#)*.
- t. "Seniority" means the length of service in a permanent appointment to a specific job class in the classified service. Seniority begins on the date of permanent appointment to that class and includes all time on approved paid leaves of absences. An officially approved absence from duty without pay because of

military leave, family medical leave, or injury in the line of duty is included in determining seniority.

- u. "Temporary appointment" means an appointment, not to exceed one year, to a budgeted position. A temporary appointment may be used for meeting emergency, non-recurring, and short-term workload needs of the Auditor's Office.
- v. "Volunteer" means a person who performs hours of service for civic, charitable, or humanitarian reasons, without promise or expectation of compensation.

## CHAPTER II: TYPES OF APPOINTMENTS

### A. Auditor's Office Appointments, Generally

Charter Section 2-506(b) requires the City Auditor to establish and administer human resources rules for the Auditor's Office that are consistent with City human resources rules, except where the City Auditor determines, in writing, that a City rule impairs the Auditor Office's independence or duties. The City Auditor has determined that certain changes to these rules are required to avoid impairing the Office's independence, including recognition of the Auditor's Office classification and compensation system and areas where Auditor approval replaces the required approval of the Bureau of Human Resources.

The Auditor's Office has the authority to fill vacant positions, subject to Auditor's Office Civil Service rules, in accordance with the City Charter, Auditor's Office human resources rules, and any City human resources administrative rules applicable to the Auditor's Office.

1. A budgeted position may not be filled until the position is:
  - a. established in the Auditor's Office classification and compensation system; and
  - b. declared vacant by the Division manager and Operations Management, except that a double-fill appointment may be used to fill a budgeted position in accordance with Section I of this Chapter, below.
2. The Division manager and Operations Management may withdraw a vacancy declaration at any time and leave a position unfilled. While a position remains unfilled, it will not be considered a vacant position.
3. No person will be appointed or promoted to a position in the Auditor's Office's classified service unless the person has been certified as qualified by the hiring manager and Operations Management, except on a temporary basis as provided in Section E.
4. An employee may be assigned a full-time or part-time schedule of work in any appointment category.

## B. Initial Permanent Appointments

1. Employees with a permanent appointment receive vacation and sick leave, holiday pay, service credit, retirement and healthcare benefits, and when applicable, priority consideration for reemployment. See [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).
2. Regular part-time employees who serve at least 40 hours but less than 72 hours each pay period are eligible for pro-rated (based on percentage of full-time work) vacation and sick leave, service credit, and healthcare benefits. Part-time employees are eligible for healthcare benefits on the first day of the month following hire. Regular part-time employees are eligible for holiday pay upon hire.

## C. Limited Duration Appointments

1. Limited duration appointments:
  - a. May not exceed 24 months. However, the City Auditor may extend a limited duration appointment for good cause.
  - b. May be released at any time, without a showing of just cause.
  - c. Are distinguished from temporary appointments by their longer duration and their appointment through the Civil Service process.
  - d. Are distinguished from a permanent appointment by their status and limited duration.
  - e. Differ from limited term appointments, which are intended to cover a specific work assignment for a limited period of time (e.g., a project or a grant) that has an identifiable end point of no later than two years.
2. Employees with limited duration appointments:
  - a. May not replace a regular employee.
  - b. Are compensated in the same manner as regular employees and receive the same vacation and sick leave, holiday pay, service credit, and retirement and healthcare benefits as regular employees. See [Guidance for HR Administrative Rule 3.03 Limited Term Positions and Limited Duration Appointments](#) for limited term position employee group codes.
  - c. Are not eligible for reemployment under [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).
3. Permanent appointment of a limited duration employee requires approval by the City Auditor or designee, using an [Auditor Personnel Action Form](#). If a limited duration employee is subsequently permanently appointed to the classification:
  - a. Seniority begins the date of the permanent appointment.
  - b. Credit may be given for all accumulated limited duration service in the classification in the previous three years for the purpose of determining salary range and anniversary date.



- c. The employee must serve a probationary period, unless waived by the City Auditor. See Auditor's Office Administrative Rule 3.09 – Employee Development, Chapter I: Probationary Period.

## D. Job Share Appointments

Job share employees receive pro-rated (50 percent) vacation and sick leave, holiday pay, service credit, retirement and healthcare benefits, and when applicable, redeployment.

## E. Temporary Appointments

1. Temporary appointments may be used:
  - a. In emergencies, to prevent delay or injury to the public.
  - b. To meet a non-recurring or short-term workload need.
  - c. To meet temporary Auditor's Office needs during a competitive or limited-competitive process to recruit and hire a permanent employee.
2. Temporary appointments are outside the Auditor's Civil Service process (temporary employees serve at will), and may not be used to defeat open and competitive hiring procedures.
3. No temporary appointment may be made to a position in the Auditor's Office's classified service if one or more employees on the layoff list for the classification to which the position is allocated are qualified and have expressed interest in the position.
4. Temporary appointments must be approved as follows:
  - a. When filling a budgeted position in the Auditor's Office's classified service with a temporary appointment that is expected to exceed 30 days, the hiring manager must file a request with the City Auditor or designee prior to appointment.
  - b. Electronic personnel actions for temporary appointments must have the City Auditor or designee's approval attached, and confirmation that a competitive or limited-competitive process was completed. No temporary employee may start work without such documentation, except work-study employees and interns working for the Auditor's Office pursuant to an intergovernmental agreement.
  - c. To be eligible for rehire as a temporary employee, a former City employee must have left City employment in good standing. In other words, the employee must have provided adequate notice that they were leaving City employment, and must not have resigned in lieu of discharge or discipline.
5. The hiring manager or Operations Management must notify the employee, in writing, at the time of the temporary appointment, of the conditions of the appointment, the duration of the appointment, and that the appointment may end at any time at the discretion of the Auditor's Office.
6. Temporary employees accrue leave as follows:

- a. Full-time temporary employees in budgeted or limited term positions receive vacation, sick leave, and healthcare benefits, and are eligible for holiday pay if they were appointed more than two weeks before the holiday.
  - b. New hires into full-time temporary positions, including former City employees rehired into temporary positions, must complete the applicable waiting period before becoming eligible to use vacation and sick leave accruals. See Auditor's Office Administrative Rule 3.06 – Leaves, Chapter IV: Vacation and Chapter V: Sick Leave and Protected Sick Time.
  - c. Part-time temporary employees are not eligible for vacation, sick leave, healthcare benefits, or holiday pay.
  - d. Temporary employees may be eligible for protected sick time. See Auditor's Office Administrative Rule 3.06 – Leaves, Chapter V: Sick Time and Protected Sick Time.
7. Temporary employees do not accrue "status" in the classification to which they have been appointed, have no appeal rights upon demotion, suspension, or termination from the classification, and are not eligible for re-employment.
  8. Temporary employees may be eligible for retirement benefits after six months, in accordance with the PERS guidelines.
  9. A regular Auditor's Office employee may accept a temporary appointment in a City bureau outside the Auditor's Office.
    - a. Unless they have the prior written consent of the City Auditor, upon acceptance of the temporary appointment, the employee will be deemed to have resigned their position in the Auditor's Office, and will not have automatic return rights to the Auditor's Office.
    - b. If they have the prior written consent of the City Auditor, the employee will have return rights to their position in the Auditor's Office at the completion of the temporary assignment.
  10. Division managers are responsible for ensuring that their temporary employees do not work more than the one year allowed under this rule.
    - a. After the one-year limit is exhausted, the employee must be terminated or proceed through a recruitment process for a limited duration or regular appointment.
    - b. With showing of good cause and at the discretion of the City Auditor, a temporary appointment may be extended beyond one year.
    - c. Multiple subsequent temporary appointments to the same position may not be made.
  11. If an employee in a temporary appointment is subsequently regularly appointed to the classification, credit may be given for all accumulated temporary service in that classification in the previous five years to determine salary range and anniversary date.

## F. Limited Term Position Appointments

1. A limited term position appointment may not exceed two years, except for the extension of grants or funding from outside sources, or as extended by the City Auditor upon showing of good cause.
2. Limited term positions may be filled with regular employees, limited duration employees, or temporary employees (if the limited term will not exceed one year).
3. A regular employee temporarily assigned to a limited term position:
  - a. Will continue to accrue vacation and sick leave at their current accrual levels.
  - b. Will accrue seniority in their previous class for the duration of the temporary appointment if the employee is assigned to a limited term position in a different class.
  - c. Will have the right to return to their former position upon conclusion of the limited term position. If the former position has been abolished, the Auditor's Office will follow [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment to place the employee.](#)
4. Division managers are responsible for monitoring limited term positions. If the position has not been extended by the City Auditor, the employee must be removed at the end of the limited term authorization. If a limited term position is filled with a limited duration or temporary employee, or a regular employee who obtained the limited duration appointment through a recruitment process, the employee will be released from City employment at the conclusion of the limited term authorization.

## G. Synchronization of Council Authorization of Positions and Organization and Position Management System

If Council approval is required for a permanent authorized position, timing gaps may occur between when the Auditor's Office needs to create and fill a permanent authorized position and when Council approves the position. A limited term position may be used to accommodate these timing differences, as follows:

1. The Auditor's Office will provide verification of supporting resources for limited term positions on the basis that funding is imminent (e.g., a grant has been approved, an interagency agreement has been signed, a levy has passed, etc.).
2. When Council approves the permanent authorized position, the limited term position established as a placeholder will be converted to a permanent authorized position.

## H. Casual and Casual Other Appointments

Casual and Casual Other appointments:

1. Are limited to 1400 hours per calendar year.
2. Do not accrue vacation, or service credit.
3. May accrue sick time in accordance with [Auditor's Office Administrative Rule 3.06 – Leaves, Chapter V: Sick Leave and Protected Sick Time](#).
4. May qualify for medical coverage under the federal Affordable Care Act. Such coverage will be equivalent to the medical, dental, and vision coverage offered to other seasonal employees.
5. Are not eligible for holiday pay, except that a full-time Casual appointment is eligible for holiday pay if the appointment was made at least two weeks before the holiday and is in pay status the day before and the day after the holiday.
6. Are not eligible for retirement benefits except where an appointee has worked at least 600 hours in a calendar year in a qualified position.
7. Serve at-will; do not accrue status in the classification to which they have been appointed; have no appeal rights upon demotion, suspension, or termination; and are not eligible for reemployment under [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).

## I. Appointments to Under-fill / Over-fill / Lateral-fill / Double-fill Positions

1. The Auditor's Office may appoint or move an employee to an under-fill, over-fill, or lateral-fill position in accordance with [City Human Resources Administrative Rule 3.03 – Types of Appointments](#), except that any necessary approval may be provided by the City Auditor rather than the Director of Human Resources.
2. The Auditor's Office may use a double-fill appointment to fill a budgeted position with two employees at the same time for a short period of time to:
  - Fill in for an employee on extended leave;
  - Permit a training period when replacing a key employee who is leaving a position with written advanced notice; or
  - Provide increased staffing levels in the event of a natural disaster, local or regional emergency, or other extenuating circumstances as approved by the City Auditor.
3. Double-filling a position must be approved in writing by the City Auditor prior to the appointment and must meet the following criteria:
  - a. The double-fill of the position must not exceed one year or the time period specified in an approved training plan.
  - b. The employee must be appointed to the classification to which the budgeted position has been allocated, and must be assigned work appropriate to the classification of the position, unless otherwise approved by the City Auditor.

- c. An employee appointed to double-fill a position will not be given a permanent appointment unless the purpose of the appointment is to replace an employee who has given advanced written notice that they are leaving their position.

## J. Volunteers

An individual will not be considered a volunteer if the person is otherwise employed by the City to perform the same type of services as those the person proposes to volunteer.

## K. Premium Pay Assignments

Premium pay assignments are made at the sole discretion of the City Auditor, are outside the Civil Service process, and do not require a competitive recruitment.

1. Employees assigned to a premium pay assignment may be removed from the position (but not from City employment) without a statement of cause and will have no appeal rights concerning the premium pay assignment or removal from the assignment.
2. Employees removed from a premium pay assignment, unless dismissed from City service for cause, will be returned to the last classification in which they held Auditor's Office Civil Service status and a vacancy exists.

### This Chapter was adapted from:

City Human Resources Administrative Rule 3.03 – Types of Appointments.

Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

City Human Resources Administrative Rule 3.04 - Temporary Appointments.

Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

City Human Resources Administrative Rule 7.10 – Organization and Position

Management. Adopted by the Chief Administrative Officer on July 28, 2003. Last revised October 19, 2010.

## CHAPTER III: ORGANIZATION AND POSITION MANAGEMENT

### A. General

Although the Auditor's Office is responsible for its own classification and compensation decisions, the City's Central Organization and Position Management System maintains a complete inventory of all City positions, their attributes, and their reporting hierarchies, which includes positions in the Auditor's Office. An accurate and consistent organization and position

management system is critical to avoiding budgetary over-expenditure and is essential for providing information in support of human resources, financial planning, and management decision-making. This rule provides a framework for the process through which changes in the official number of authorized positions are made.

## B. Authorized Positions

1. All authorized positions are tracked by Human Resources in the City's Organization and Position Management System.
2. Appointments other than seasonal / casual appointments must be made into authorized positions.
3. The Auditor's Office will provide Human Resources with notice of changes to the number of authorized positions in the Auditor's Office. The number of authorized positions can change via four methods only:
  - a. The annual adopted budget.
  - b. The budget monitoring process.
  - c. An Auditor's Office classification request form ordinance.
  - d. An [Auditor's Office classification request form](#) processed to abolish an authorized position or to create a limited term position.
    - i. The abolition of a position results in elimination of both funding for the position and the position itself.
    - ii. The City Auditor has the authority to appoint employees to limited term positions, establish their compensation, and assign their duties, subject to funding.
      - A. Limited term positions are subject to budget verification.
      - B. Limited term positions that reach the end of their approved term lose their status as authorized positions and must be abolished, except when extended in accordance with ARA 3.03.II.F.

## D. Position Funding

The Auditor's Office is responsible for verifying that its budget is adequate to cover proposed changes in the number of authorized positions or reclassifications that result in substantial increases in costs.

1. All positions are subject to verification of funding prior to entry into the Organization and Position Management System. For the purposes of this requirement, verification of funding occurs when:
  - a. Council approves a position and associated funding via the adopted budget or budget monitoring process; or
  - b. The Auditor's Office provides an [Auditor's Office classification request form](#) and administrative notice to Human Resources.
2. At a minimum, the Auditor's Office will apply the following guidelines to complete the verification of funding in support of changes to

authorized positions:

- a. No ongoing authorized positions may be created using one-time resources. One-time funding sources may be used only as a basis to create limited term authorized positions.
  - b. Vacancy savings or other similar one-time funding sources may not be used as a basis for increasing ongoing positions.
  - c. Funding verification may be subject to further criteria as outlined in the City's financial management policy and related budget manuals.
  - d. The Auditor's Office will take its financial condition and that of the City into account when it reviews the sources of funding identified in support of a change in authorized positions.
3. The Auditor's Office may not add a position to the budget without loading to the appropriate cost center a level of funding commensurate with the proposed position, unless specific authority is granted by Council to add Authorized Unfunded positions in exceptional circumstances.
- a. City employees may not be placed in Authorized Unfunded positions.
  - b. An Authorized Unfunded position becomes an authorized position upon receipt of funding approval by Council, which must be made by ordinance.
4. The Auditor's Office will notify Human Resources of changes in the funding status of specific positions. The changes will be recorded in the Organization and Position Management System.

## E. Policy Implementation Roles

1. Human Resources assigns position numbers to all new authorized positions when either:
  - a. The budget is adopted,
  - b. Council approves the budget monitoring process report or an ordinance, or
  - c. the Auditor's Office approves a limited term position and provides notice to Human Resources.
2. Human Resources may also assign numbers to newly created positions as a result of the implementation of Council-adopted classification studies or through reclassification of an authorized position through an Auditor's Office classification request form with notice from the Auditor's Office.
3. The Auditor's Office will provide an Organizational Unit and Position Maintenance form to Human Resources upon a change to the Auditor's Office's organizational structure and/or to create new casual positions.
4. The Auditor's Office must identify the source of funding for changes in authorized positions in budget monitoring process.
  - a. The Auditor's Office will conduct a process functionally equivalent to the City's P-4 process for its classification reviews and will prepare such documentation to change a position's

attributes or to transfer an authorized position to a different personnel area.

- b. The Auditor's Office will provide administrative notice to Human Resources indicating decisions made by the City Auditor or a designee.

## F. City Auditor's Discretion

The City Auditor is authorized to make exceptions to this rule and will notify the City Budget Office and Human Resources if the Auditor's Office makes a substantial change to the number of authorized positions in the Auditor's Office.

### This Chapter was adapted from:

City Human Resources Administrative Rule 7.10 – Organization and Position Management. Adopted by the Chief Administrative Officer on July 28, 2003. Last revised October 19, 2010.

## CHAPTER IV: RECRUITMENT PROCESSES

### A. Purpose and Authority

Recruitment processes are developed and used to attract, evaluate, and select the most qualified candidates to fill vacancies.

1. Charter Section 2-506(b) requires the City Auditor to establish and administer human resources rules for the Auditor's Office that are consistent with City human resources rules, except where the City Auditor determines, in writing, that a City rule impairs the Auditor's Office's independence or duties. This Chapter is consistent with City rules governing recruitment, veterans' preference, and Eligible Lists, but has been re-organized for clarity. In addition, the City Auditor has determined that streamlining the recruitment appeal process (Section J) is needed to avoid impairing Auditor's Office duties.
2. The Auditor's Office's recruitment processes will be job-related and developed and administered in accordance with federal, state, and City guidelines and Auditor's Office equity goals. All recruitment and selection processes must be equitable and competitive. The criteria used will be based on the knowledge, skills, abilities, experience, and other characteristics needed for the effective performance of duties assigned to position.
3. To comply with federal and state hiring laws and the City's non-discrimination policy, Auditor's Office hiring managers must exercise care to avoid making unfair pre-employment inquiries, whether on forms, during interviews, or when requesting information concerning applicants. See Fair Pre-Employment Inquiry Guidelines.
4. The Auditor's Office will recruit candidates for vacant positions using the procedures set forth in this rule, unless the City Auditor



determines, prior to evaluating applicants, that different procedures will apply to a specific recruitment. Notwithstanding the foregoing, the Auditor's Office will not depart from the competitive recruitment process unless it is expressly permitted elsewhere in the Auditor's Administrative Rules.

## B. Recruitment Processes

1. Recruitment processes for positions in the Auditor's Office's classified service include:

- a. Open Recruitment: A recruitment open to all applicants, including applicants that are not currently City employees.
- b. Internal Recruitment: A recruitment open to applicants who are or have been temporary, limited duration, seasonal, or regular City employees within the timeframe specified on the announcement.
- c. Continuous Recruitment: A recruitment without a closing date.
- d. Promotional Recruitment: A recruitment open only to regularly appointed City employees who meet the announced requirements. Applications for promotional recruitments may be open to all regularly appointed employees or restricted to employees within certain designated classes or employees with designated time in service, as determined by the City Auditor or a designee.

2. The Auditor's Office may choose to fill a vacant position that is outside the classified service through direct appointment or a competitive recruitment. Auditor's Office positions outside the classified service are:

- Chief Deputy City Auditor
- General Counsel
- Director of Audit Services
- City Ombudsman

Other City classifications outside the classified service are available [here](#).

3. Recruitment procedures may be modified to reasonably accommodate applicants and candidates with disabilities.

## C. Transfers

Employees may not participate in a recruitment process for a classification in which they currently hold regular status; however, they can request a transfer to the vacant position. See Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter II: Transfers.

## **D. Unsolicited Resumes; Career Center Website**

The Auditor's Office does not accept unsolicited resumes or letters of inquiry from persons seeking employment in lieu of a current recruitment process. If the Auditor's Office receives an unsolicited application, Operations Management will dispose of the materials and may refer the person link to the City's Career Center website. The City's Career Center website is the vehicle through which a person can inform the City of their interest in employment opportunities, including with the Auditor's Office.

## **E. Nepotism**

No employee or official responsible for personnel decisions may show favoritism in such decisions toward an applicant or employee because the applicant or employee is a family member. If a conflict or potential conflict of interest arises, the employee or official should recuse themselves from participating in the recruitment. See Auditor's Office Administrative Rule 3.11 – Ethical Conduct, Chapter V: Nepotism; Romantic Relationships.

## **F. Employment of Minors**

The Auditor's Office does not typically employ minors. If the Auditor's Office wishes to employ a minor, the rules and procedures set forth in City Human Resources Rule 3.05 – Employment of Minors will apply.

## **G. Veterans' Preference**

The Auditor's Office adopts HRAR 3.07 regarding "Veterans Preference" in its entirety with the following modifications.

1. The following definitions are changed:

- "City of Portland" should be read as "City of Portland, including the Auditor's Office," except in reference to "City of Portland City Code";
- "City" should be read as "Auditor's Office;"
- "Bureau of Human Resources" should be read as "Auditor's Office Business Operations Manager;"
- "Human Resources" should be read as "Operations Management;"
- "Human Resources Business partners" should be read as "Business Operations;"
- "HRAR 3.07" should be read as "ARA 3.03"; and
- "HRAR 3.01" should be read as "ARA 3.03;" and
- "HRAR 3.02" should be read as "ARA 3.02."

This Chapter was adapted from:

City Human Resources Administrative Rule 3.06 – Employment of Retirees. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 31, 2024.

## H. Recruitment Announcements

1. The announcement for each recruitment must contain:
  - a. Information about the position, salary, and type of recruitment.
  - b. The minimum qualifications required for the position. Applicants must meet **all** of the minimum qualifications listed in the announcement to qualify for the position.
    - i. Minimum qualifications may include qualifications that are specific to the position's classification, as well as additional qualifications that are necessary for specific duties of the position (such as a license, certification, or bilingual skills). The Auditor's Office does not use written Civil Service exams or examination scores as minimum qualifications for classified positions.
    - ii. If a qualification is desired but not required, the announcement must list the qualification as a "preferred qualification" (not a "minimum qualification").
  - c. Application procedures and the application deadline.
  - d. The process for requesting a disability accommodation. See Auditor's Office Administrative Rule 3.02 – Equal Employment, Chapter IV: Reasonable Employment Accommodations.
  - e. The process for requesting veterans' preference, including a statement that applicants claiming veterans' preference must request the preference and submit documentation establishing their eligibility for the preference.
2. The Auditor's Office may limit the number of applications accepted for a recruitment by specifying the time period during which applications will be accepted and/or any other limiting criteria the City Auditor or designee determine to be appropriate.

## I. Application Review; Eligible Lists

1. The hiring manager will review **all** accepted applications to determine which applicants meet the stated minimum qualifications for the position. The Auditor's Office may reject the application of any person who:
  - a. Lacks the qualifications for the position.
  - b. Makes false statements of any material fact on the application.
  - c. Provides unclear or incomplete information.
  - d. Fails to follow the application instructions.
  - e. Has been dismissed for cause from the classified service or resigned in lieu of discipline or termination (including resigning during a disciplinary investigation). Before rejecting an application under this Subsection, the Auditor's Office will determine whether there are special circumstances that should be considered.
2. Operations Management will:
  - a. Remove from the applicant pool **all** applications that have been rejected or who do not meet the minimum qualifications for the

position. These applications require no further review, including for purposes of veterans' preference.

- b. Develop a list (known as the "Eligible List") of all applicants who meet the minimum qualifications for the position.
  - c. If any applicants on the Eligible List have requested a veterans' preference: Verify the applicant's eligibility for veterans' preference.
3. The hiring manager will evaluate the job-related knowledge, skills, abilities, and experience of the applicants on the Eligible List to determine which applicants will be invited to participate in an interview. All eligible veterans and disabled veterans who meet the minimum qualifications for the position must be invited to participate in an interview.

## J. Recruitment Process Appeals to the City Auditor

Recruitment process appeals are permitted only for positions in the City Auditor's classified service.

1. Any appeal of recruitment process results must be submitted, in writing, to the City Auditor no later than 14 calendar days after the notice of minimum qualifications review results is provided.
2. Not all applicant concerns about a recruitment process qualify as an appeal. To be considered as an appeal, the applicant must show one or more of the following:
  - a. The recruitment process, in whole or part, was administered in a manner that was contrary to Auditor's Office rules governing recruitments.
  - b. The recruitment process, in whole or part, was contrary to law.
  - c. The recruitment process, in whole or part, was administered based on political considerations, rather than merit.

The City Auditor will not consider appeals that do not meet one of the above criteria.

3. The City Auditor or a designee must respond to the appeal, in writing, within 14 calendar days of receipt.
4. The City Auditor may elect to halt or modify a recruitment process because of the concerns raised in an appeal.

## K. Interviews

1. The Auditor's Office typically conducts two rounds of interviews for open positions. In some cases, such as where final candidates demonstrate strong, competing skills, the Auditor's Office may invite final candidates to attend an additional round of interviews to further assess and compare the candidates' strengths relevant to the position.
2. Before conducting a round of interviews, the hiring manager will determine how many candidates will move on to the next round of

interviews.

Example: Before conducting round one interviews, the hiring manager will determine that the top four candidates will be invited to interview in round two.

**NOTE:** After conducting a round of interviews, the hiring manager may choose to invite more candidates than anticipated to the next round of interviews, in response to unexpected circumstances, with Operations Management's approval, after documenting the reasons for the additional interviews.

Example: After conducting round one interviews, there was a virtual tie among the top five candidates. Rather than omitting one of the candidates, the top five candidates are invited to interview in round two.

3. Before conducting a round of interviews, the hiring manager will develop interview questions and determine the number of points available for each question. Some interview questions may be weighed more heavily than others. When possible, the hiring manager will submit the interview questions and scoring criteria to the Operations Management for review before conducting the interviews.
4. During interviews, the interviewers must ask the same questions of each candidate, but may ask follow-up questions to clarify a specific candidate's response. Interviewers must take notes on candidates' responses to document the basis for their scores.
5. After each interview, the interviewers will score the candidate's response to each question. The interviewers will evaluate all candidates using the same criteria.
6. After a round of interviews has been completed, the interviewers may discuss the candidates' qualifications, compare scores, and reconsider scores that are too high or too low (such as if an interviewer was too hard or too easy on the first candidate compared to the last candidate). The interviewers will submit their notes and scores to Operations Management.
7. Operations Management will tally each candidate's score from each interviewer, then calculate an average initial score for each candidate that is based on a 100-point scale.
8. After calculating the average initial score for each candidate, Operations Management will award five additional points to each eligible veteran and 10 additional points to each eligible disabled veteran.

Example: If Candidate A is an eligible veteran and Candidate B is an eligible disabled veteran, the candidates' final scores, after awarding veterans' preference, would be:

	Average Initial Score	Veteran's Preference	Final Score
Candidate A	81	5	86
Candidate B	82.67	10	92.67
Candidate C	72	0	72
Candidate D	89.33	0	89.33

9. If the recruitment involves another round of interviews:

- a. The Auditor's Office will invite candidates with the highest scores, after veterans' preference is applied, to participate in the next round. If the score of a veteran or disabled veteran, after veterans' preference is applied, is equal to the score of another top candidate, both candidates will move on to the next round.
- b. The interviews will be conducted and scored in accordance with the procedures described in this Section. Each round of interviews is scored separately.

10. Before making a preliminary offer of employment, Operations Management will perform a pre-employment crosscheck. The following items, verified through the crosscheck, may eliminate the selected candidate from further consideration:

- A settlement agreement or other severance package that limits or waives the candidate's right to re-employment with the City.
- Prior discharge from City service.
- Resignation in lieu of discharge from City service.

## L. Offers

Operations Management will make a preliminary offer of employment to the candidate who receives the highest final score during the final round of interviews.

1. The Auditor's Office is not required to select an eligible veteran or disabled veteran for the position. However, if a veteran or disabled veteran's final score, after veterans' preference is applied, is equal to or higher than the highest final score, the Auditor's Office will make a preliminary offer of employment to the veteran or disabled veteran.
  - a. If a veteran and a disabled veteran share the highest final score, the Auditor's Office will offer the position to the disabled veteran.
  - b. If a veteran or disabled veteran is not offered the position, upon written request by the veteran or disabled veteran, the Auditor's

Office will provide the veteran or disabled veteran with the reasons for the decision, in writing.

2. Any preliminary offer of employment must be conditioned on the results of the applicable background checks and verifications, including a criminal conviction check. See Chapter V: Background Checks and Employment Verification. When making a preliminary offer, the hiring manager or Operations Management will ask the selected candidate to complete a Criminal Records Check Request Form, which authorizes the Auditor's Office to conduct a criminal conviction check.

## M. Travel Expenses

1. The Auditor's Office may pay for reasonable travel expenses for candidates asked to attend one or more interviews. Travel expenses may include:
  - Economy class round-trip airfare or its equivalent
  - Appropriate ground transportation
  - Necessary lodging and meals, at a rate not to exceed City per diem rates.
2. Approval of payment for travel expenses is at the discretion of the City Auditor.
3. The Auditor's Office will determine allowable expenses in accordance with City Accounting Administrative Procedure FIN 3.16.01 – Allowable Expenses Related to Travel.

## N. Recruitment and Employment Incentives

1. The City Auditor may determine that certain permanent or limited duration positions are "key" or are in need of special recruitment efforts, and therefore merit recruitment and/or employment incentives.
  - a. Such positions should normally be identified as key or in need of special recruitment before recruitment efforts commence.
  - b. Recruitment incentives are intended for employees who are new to City employment and are not available to current City employees, except as may be specified in this rule.
2. The following recruitment and employment expenses are authorized for positions that have been identified as key or in need of special recruitment efforts:
  - a. Vacation Accruals.
    - i. The City Auditor may authorize a one-time credit of up to 40 hours of vacation, available for use from the date of hire.
    - ii. In limited circumstances, the City Auditor may approve a vacation accrual incentive for a temporary City employee applying for permanent employment.
  - b. Relocation Expenses. The Auditor's Office may pay relocation expenses for a new, non-represented employee who incurs

relocation costs following their appointment to the Auditor's Office. Authorization for relocation expenses must be approved by the City Auditor.

- i. Recipients of relocation expenses must repay the City a pro-rata amount of those expenses if they resign or their employment with the City is terminated, for any reason, within two years of the date of hire.
- ii. The Auditor's Office will enter into an agreement with the new employee, signed by the employee and City Auditor, which identifies the relocation expenses that are eligible to be repaid. See Auditor's Office Relocation Assistance Application and Agreement. The agreement will state the terms of payment by the Auditor's Office and include provisions for the pro-rata repayment of relocation expenses by the employee if the employee resigns or their employment terminates within two years of the date of hire.
- iii. Hiring managers must consult with Operations Management for the appropriate documentation for Relocation Assistance.
- iv. In consideration of the payment of relocation assistance, the City Auditor may encourage relocation within the limits of the City of Portland.
- v. Relocation expenses as a recruitment incentive are not available to limited duration appointees.

## O. Visas

Under certain circumstances, the City Auditor may sponsor a successful candidate who requires an H-1B or TN visa to work in the United States, in accordance with the visa requirements set forth in City Human Resources Administrative Rule 3.03 – Recruitment Process.

This Chapter was adapted from:

City Human Resources Administrative Rule 3.01 – Recruitment Processes. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

City Human Resources Administrative Rule 3.02 – Eligible Lists. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised April 25, 2016.

City Human Resources Administrative Rule 3.07 – Veterans' Preference. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

City Human Resources Administrative Rule 3.11 – Criminal Conviction Checks. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.



## **CHAPTER V: BACKGROUND CHECKS AND EMPLOYMENT VERIFICATION**

### **A. Purpose**

This rule sets forth the Auditor's Office's procedures for conducting background and criminal conviction checks during the hiring process and throughout the course of employment. The purpose of this rule is to protect the interests of the Auditor's Office and the well-being of its employees and the public.

### **B. New Hire Reference Checks**

The hiring manager will check the references of the final candidate(s) after completing all interviews and prior to making a hiring commitment. Hiring managers are expected to check job references, and to:

1. Determine in advance what reference information is needed. Questions must be job-related, focus reference check on knowledge, skills, and abilities required for the specific vacancy, and comply with the Fair Pre-Employment Inquiry Guidelines.
2. Advise applicants that references will be checked, verify the applicant's consent with a signed Reference Release form, and take notes on the Reference Record.

### **C. Criminal Conviction Disclosure Requirements: All Applicants and Employees**

1. All Auditor's Office employees are required to notify their supervisor immediately upon conviction of any crime. If omissions are discovered, employees may be subject to discipline up to and including termination.
2. Applicants who do not disclose all required convictions when requested may be denied employment for falsification of the application. If omissions are discovered after employment, employees may be subject to discipline up to and including termination.

### **D. Criminal Conviction Checks**

A criminal conviction check is intended to identify persons who have demonstrated unsafe, threatening, or illegal behaviors and assess their fitness for meeting job requirements.

1. The Auditor's Office will conduct a criminal conviction check on candidates selected for certain positions, including promotions and transfers to certain positions. A criminal conviction check will also be conducted for individuals who have disclosed potentially job-related convictions on their application or during the interview, or who have been reported as potentially having job-related convictions by previous employers during the course of an employment verification or reference check.

2. In accordance with City Code Chapter 23.10, criminal conviction checks may not be initiated until after the Auditor's Office makes a preliminary offer to applicant selected for the position, promotion, or transfer. An applicant's criminal history may be obtained and considered only after a conditional offer of employment is made.
3. Operations Management is responsible for arranging the criminal conviction check and processing associated costs. If an outside agency conducts the check, it must comply with the Fair Credit Reporting Act.
4. The hiring manager is responsible for reviewing the results of the criminal conviction check. The hiring manager may not consider:
  - a. Any arrest history that did not lead to a conviction or juvenile adjudication, unless the case is unresolved.
  - b. Any conviction or arrest that has been judicially voided or expunged.
  - c. Any criminal history that was resolved through the completion of a diversion or deferral of judgment program for offenses not involving physical harm or attempted physical harm to a person.

NOTE: Exceptions may apply for positions that, due to the nature of the work, require a background investigation, as described further in Section F.

5. If the criminal conviction check reveals one or more convictions, the Auditor's Office will not exclude the applicant from consideration solely because of the conviction(s).
  - a. The hiring manager may decide to rescind the conditional offer to hire, promote, or transfer if the decision is made in good faith, is job-related, and is consistent with business necessity. In making this determination, the hiring manager will:
    - Evaluate the nature, gravity, and frequency of the offense(s);
    - Consider the duties of the position the individual holds or is applying for;
    - Consider the individual's age at the time of the conviction, the time that has passed since the conviction, and rehabilitation, if any; and
    - Evaluate the employee's entire work record or the applicant's work qualifications in total, considering the conviction as only one aspect of the individual's history.
  - b. If the hiring manager decides to rescind the conditional offer, the decision must be approved, in writing, by the City Auditor. The decision must be communicated to the applicant, in writing, and must identify the relevant criminal conviction(s) on which the decision is based.
6. An applicant who is on probation or parole may be denied employment based on the factors set forth in Section D(5)(a).
7. If an employee's pre-employment arrest leads to a conviction after hire, the effect of the conviction on the employee's position, if any, will be evaluated by the hiring manager in consultation with the City Auditor.

8. All criminal history information obtained by the Auditor's Office must remain confidential, except where disclosure is required by law.

## E. Expunged Records

1. Expungement is the removal of certain criminal and juvenile arrests, citations, charges or convictions from a person's record. The Auditor's Office may not use the fact of an expungement or the expunged record itself to disqualify a person from an employment opportunity.
2. Once a court issues an order expunging a record, the expunged record must be treated as if it never existed. An applicant with an expunged record does not make a misrepresentation if they deny or otherwise do not disclose the existence of the expunged record.

## F. Background Investigations

The Auditor's Office may investigate the backgrounds of applicants for and/or employees in positions that have access to restricted records and sensitive information, including but not limited to positions with access to confidential public safety records and/or that require a background investigation due to the nature of the assignment. Additional hiring restrictions may apply to such positions. Background investigations will be conducted in accordance with the following procedures:

1. Operations Management will determine the scope of investigation required for each position. The scope of the investigation required depends on the particular position or assignment, and there must be a nexus between the assigned duties and the scope of the investigation.
  - a. A background investigation is intended to be more comprehensive than a criminal conviction check.
  - b. If credit history is intended to be part of the background investigation, Operations Management must consult with legal counsel. State law prohibits discrimination in employment based on information in the credit history of an applicant except under certain circumstances (e.g., if the credit history information is substantially job-related and the reason for the use of such information is disclosed to the applicant in writing).
2. The City Auditor must approve the investigation the first time it is conducted for a particular position or assignment, and thereafter if significant changes are made.
3. The job announcement must note that a background investigation is required before hire or assignment to the position.
4. Depending on the scope of the background investigation, the applicant / employee may be required to sign a release.
5. Operations Management is responsible for arranging the background investigation and processing the cost of the investigation. Operations Management will consider potential conflicts of interest when arranging the investigation.

6. The content of the background investigation is confidential.
7. If a background investigation causes the Auditor's Office to question an applicant or employee's suitability for the position, the applicant may be ineligible for hire or the employee may be subject to reassignment or layoff. In some cases, information obtained during a background investigation concerning a current Auditor's Office employee may result in discipline up to and including termination.

## **G. References for Current or Former Employees; Legal Protections**

1. The Auditor's Office will routinely provide the following information in response to reference inquiries regarding current or former Auditor's Office employees:
  - Verification that an individual is or has been employed by the Auditor's Office
  - Dates of employment
  - The title of the position held and the Auditor's Office division where employed
  - The salary of employee when they left the Auditor's Office
  - Whether employment was part-time or full-time.
2. If a manager or supervisor believes that additional factual information should be provided, they must consult with Operations Management to determine whether the additional information should be released.
3. Under Oregon law, an employer who discloses information about an employee's job performance to a prospective employer is protected from civil liability if the information is given in good faith. However, the presumption of good faith is rebutted where it can be shown that the information disclosed by the employer was knowingly false or deliberately misleading, was disclosed with malicious purpose, or violated any of the employee's civil rights.

## **H. Driving Records**

Every person filling a position in which driving is an essential function must meet the eligibility criteria for driving on City business set forth in City Human Resources Administrative Rule 3.09 – Driving Records. The Auditor's Office will evaluate the driving record of any applicant for or employee in a position in which driving is an essential job function in accordance with that rule.

This Chapter was adapted from:

City Human Resources Administrative Rule 3.09 – Driving Records. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised April 25, 2016.

City Human Resources Administrative Rule 3.11 – Criminal Conviction Checks. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

City Human Resources Administrative Rule 3.12 – Reference Checks and Employment Verification. Adopted by Council on March 6, 2002.

City Human Resources Administrative Rule 3.16 – Background Investigations. Adopted by the Chief Administrative Office on October 15, 2002. Last revised November 4, 2011.

## **CHAPTER VII: COLLEGE WORK STUDY PROGRAM**

### **A. Program Objectives**

The Auditor's Office may hire work study employees through the City's established Work Study Program. The Work Study Program is a federally funded program authorized by the Higher Education Act of 1965. It provides employment to college students who otherwise may not be able to complete their education. Work Study Program appointments are used to enable students to gain practical knowledge and further prepare a student for a particular occupation. The program is not intended to supplant or replace City positions.

### **B. Who Pays for Work Study?**

The Auditor's Office is responsible for paying a percentage of an Auditor's Office work study employee's gross wages (depending on the student's school), plus an estimated five percent for other payroll expenses. Colleges finance the remaining portion of the wages.

### **C. Creating Positions; Wages**

1. The Auditor's Office has discretion to create work study positions, interview and hire work study employees, and set wages, within an hourly compensation range set by the respective colleges, within federal guidelines.
2. To create a work study position, the hiring manager will work with Operations Management to develop a job description and submit it to Human Resources. Human Resources will post the job description at participating colleges and assist with the marketing of student positions.
3. Human Resources will notify the Auditor's Office if colleges do not approve the position. Generally, four-year colleges do not allow positions involving teaching and instruction-related tasks.

### **D. Hiring Work Study Employees**

1. Work study employees are hired as follows:
  - a. Students interested in the work study position will contact the Auditor's Office hiring manager directly for interviews.
  - b. The hiring manager will notify Human Resources of the names of the applicant(s) the Auditor's Office wishes to hire.

- c. Human Resources will execute a contract with the college on behalf of the Auditor's Office and provides administrative support for the Work Study Program, including payroll, personnel action processing, grant tracking, and billings.
- d. The student(s) must submit their letter showing a work study award to Human Resources and complete hiring paperwork. Human Resources will need the following documents to confirm the hire:
  - A letter from the Auditor's Office indicating the desire to hire the student
  - Proof of work study grant (i.e., certificate of eligibility or authorization referral)
  - A copy of the student's valid I.D.
  - Wage rate and effective date of the hire
  - Authorized position title the student will to be hired into
  - Cost center code
- e. The hiring manager must receive confirmation from Human Resources before a work study employee may begin work.
- f. The hiring manager must develop a suitable plan for training the work study employee under close supervision.
- 2. Work study employees serve at will, do not accrue status in the class in which they have been hired, and have no appeal rights upon demotion, suspension, or termination from the class.
- 3. Work study employees do not receive leave, service credit, or retirement or healthcare benefits, and are not eligible for priority reemployment under Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment.
- 4. All work study grants expire at the end of spring term and are terminated on or before June 15. All students awarded summer work study grants must be rehired on June 16 after receiving a certification or authorization from their school.

## E. Hours of Work; Time Sheets

- 1. The hiring manager and work study employee will determine a schedule for the work study employee.
  - a. The hours that work study employees can work vary, but generally, work study employees work 40 hours per week if they attend a four-year college, 20 hours per week if they attend a two-year college, and up to 40 hours per week during breaks. A written request to work during breaks may be required by the college.
  - b. Work study employees may work no more than eight hours per day, no more than 40 hours per week, and no more than five consecutive days. No overtime is permitted.
- 2. Work study employee time sheets are processed through SAP. Human Resources will compute City earnings to date where necessary and

send the Auditor's Office a copy of the time sheet sent to the school.

## F. Raises

The Auditor's Office may give raises to work study employees at its discretion, subject to the hourly compensation range set by the respective college. Raises can be given any time but can only be retroactive to the beginning of the current pay period. If the Auditor's Office issues a raise, Operations Management will contact Human Resources via memo indicating the new wage rate. Human Resources will notify Operations Management if additional paperwork is needed to implement the raise.

## G. Grant Tracking

Human Resources is responsible for tracking work study grant amounts, but supervisors are expected to regularly communicate with students to track their grant balance. The Division must compensate the student directly for any earnings beyond their grant.

## H. Termination

The Auditor's Office must immediately notify Human Resources if a student is released from Work Study Program employment. Human Resources will notify the college.

## I. Injuries

Work study employees on the City's payroll are covered by the City's Workers' Compensation Program. In the event of an injury, the student's supervisor should consult Operations Management as soon as possible. Reporting must comply with Auditor's Office Administrative Rule 3.06 – Leaves, Chapter VII: Supplemental Workers' Compensation Benefits.

This Chapter was adapted from:

City Human Resources Administrative Rule 3.14 – College Work-Study Program. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised October 15, 2002.

## History

These rules were originally adopted by the City Auditor on December 11, 2017, and are adapted from [City of Portland Human Resources Administrative Rules](#), as noted below.

Revised and adopted by the City Auditor as ARA 3.03 on December 23, 2022.

Adapted from [Human Resources Adopted Rules for the Auditor's Office](#), AUHR-3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 3.07, 3.09, 3.11, 3.12, 3.14 and 3.16, on December 23, 2022.

Amended by the City Auditor on May 9, 2023.

Amended by the City Auditor on March 14, 2024, as interim rules for a period no greater than 180 days.

Amended by the City Auditor on August 23, 2024, after a minimum 30-day public comment period.

Revised and adopted by the City Auditor January 31, 2025, as interim rules for a period no greater than 180 days.

**Questions** about this administrative rule may be directed to the [Auditor's Office's Operations Management Division](#).

## Related documents

 [AUHR to ARA Crosswalk Document](#) 167.88 KB



## ARA 3.03 Recruitment and Hiring

### Chapters:

- I. Definitions
- II. Types of Appointments
- III. Organization and Position Management
- IV. Recruitment Processes
- V. Background Checks and Employment Verification
- VI. College Work Study Program

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### **Auditor's Office Administrative Rule Information and History**

Questions about these administrative rules may be directed to the [Auditor's Office's Operations Management Division](#).

These rules were originally adopted by the City Auditor on December 11, 2017, and are adapted from [City of Portland Human Resources Administrative Rules, as noted below](#).

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Revised and adopted by the City Auditor on January 31, 2025, as interim rules for a period no greater than 180 days.

## CHAPTER I: DEFINITIONS

For purposes of this rule, unless otherwise stated or applicable law requires otherwise:

- A. “Abolished position” means a position that has been eliminated through a budget or a personnel action process.
- B. “Active duty” has its usual meaning. It does not include attendance at a school under military orders, except schooling incident to an active enlistment or a regular tour of duty, or normal military training as a reserve officer or member of an organized reserve or a National Guard unit.
- C. “Anniversary date” means the date of an employee’s initial appointment to a classification. Exceptions are set forth in [Auditor’s Office Administrative Rule 3.08 – Classification and Compensation, Chapter V: Compensation](#).
- D. “At-will” means an appointment outside of the Auditor’s Office Civil Service. See [Auditor’s Office Administrative Rule 3.08 – Classification and Compensation, Chapter VI, Classification](#) for a list of the Auditor’s Office’s at-will positions.
- E. “Auditor’s Office classification request form” means a form used to:
  - Classify a newly created position,
  - Reclassify an existing classified or unclassified position,
  - Create a limited term position, or
  - Abolish an existing position.
- F. “Authorized position” means a position that has Council approval for a specific full-time equivalent (“FTE”), with funding approval commensurate with the position classification. A limited term position is an Authorized Position only until it reaches the end of its term.
- G. “Bureau of Human Resources” or “Human Resources” means the City bureau responsible for the management of the City’s human resources and the promulgation of rules in support of that responsibility; provided that the Charter grants the City Auditor independent responsibility for the Auditor’s Office’s human resources.

- H. “Casual appointment” is an appointment to an unbudgeted position that periodically or regularly occurs, terminates, and recurs.
- I. “Casual Other appointment” means a Casual appointment to a non-represented position (whether classified or exempt from classified service). This includes, for example, a temporary appointment to an unbudgeted position.
- J. “Classified” means an appointment in the Auditor’s Office Civil Service. A position that is “at-will” or “exempt from civil service” may also be described as “exempt from classified service.”
- K. “Eligible List” means a certified list of eligible applicants to an established budgeted position. See [Chapter IV: Recruitment Processes](#) for more information about Eligible Lists.
- L. “Full-time” means an employee who is scheduled to work at least nine-tenths of the normal working hours of a biweekly payroll period (72 hours).
- M. “Job share” means an appointment to 50 percent of a full-time budgeted position.
- N. “Limited duration appointment” means an appointment to an identified classification, made through the Auditor’s Office Civil Service process, to a permanent budgeted position that is vacant because of the incumbent’s leave of absence, when the replacement employee’s services will be needed for a period of two years or less.
- O. “Limited term position” means a position that has been approved for a specific and finite period of time to allow coverage for specific needs related to grants, one-time funds, or special projects.
- P. “Part-time” means an employee who is scheduled to work 40 hours or more during a biweekly payroll period but less than full-time.
- Q. “Permanent appointment” means an appointment from a certified list of eligible applicants to an established budgeted position. See [Chapter IV: Recruitment Processes](#) for more information about Eligible Lists.
- R. “Qualified” means that the candidate’s name appears on an Eligible List.

- S. “Regular” status in a classification is obtained upon successful completion of the probationary period. See [Auditor’s Office Administrative Rule 3.09 – Employee Development, Chapter I: Probationary Period.](#)
- T. “Seniority” means the length of service in a permanent appointment to a specific job class in the classified service. Seniority begins on the date of permanent appointment to that class and includes all time on approved paid leaves of absences. An officially approved absence from duty without pay because of military leave, family medical leave, or injury in the line of duty is included in determining seniority.
- U. “Temporary appointment” means an appointment, not to exceed one year, to a budgeted position. A temporary appointment may be used for meeting emergency, non-recurring, and short-term workload needs of the Auditor’s Office.
- V. “Volunteer” means a person who performs hours of service for civic, charitable, or humanitarian reasons, without promise or expectation of compensation.

## CHAPTER II: TYPES OF APPOINTMENTS

### A. Auditor's Office Appointments, Generally

[Charter Section 2-506\(b\)](#) requires the City Auditor to establish and administer human resources rules for the Auditor's Office that are consistent with City human resources rules, except where the City Auditor determines, in writing, that a City rule impairs the Auditor Office's independence or duties. The City Auditor has determined that certain changes to these rules are required to avoid impairing the Office's independence, including recognition of the Auditor's Office classification and compensation system and areas where Auditor approval replaces the required approval of the Bureau of Human Resources.

The Auditor's Office has the authority to fill vacant positions, subject to Auditor's Office Civil Service rules, in accordance with the City Charter, Auditor's Office human resources rules, and any City human resources administrative rules applicable to the Auditor's Office.

1. A budgeted position may not be filled until the position is:
  - a. established in the Auditor's Office [classification and compensation system](#); and
  - b. declared vacant by the Division manager and Operations Management, except that a double-fill appointment may be used to fill a budgeted position in accordance with Section I of this Chapter, below.
2. The Division manager and Operations Management may withdraw a vacancy declaration at any time and leave a position unfilled. While a position remains unfilled, it will not be considered a vacant position.
3. No person will be appointed or promoted to a position in the Auditor's Office's classified service unless the person has been certified as qualified by the hiring manager and Operations Management, except on a temporary basis as provided in Section E.
4. An employee may be assigned a full-time or part-time schedule of work in any appointment category.

### B. Initial Permanent Appointments

1. Employees with a permanent appointment receive vacation and sick leave, holiday pay, service credit, retirement and healthcare benefits, and when applicable, priority consideration for reemployment. See [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).
2. Regular part-time employees who serve at least 40 hours but less than 72 hours each pay period are eligible for pro-rated (based on percentage of full-time work) vacation and sick leave, service credit, and healthcare benefits. Part-time employees are eligible for healthcare benefits on the first day of the month following hire. Regular part-time employees are eligible for holiday pay upon hire.

### **C. Limited Duration Appointments**

1. Limited duration appointments:
  - a. May not exceed 24 months. However, the City Auditor may extend a limited duration appointment for good cause.
  - b. May be released at any time, without a showing of just cause.
  - c. Are distinguished from temporary appointments by their longer duration and their appointment through the Civil Service process.
  - d. Are distinguished from a permanent appointment by their status and limited duration.
  - e. Differ from limited term appointments, which are intended to cover a specific work assignment for a limited period of time (e.g., a project or a grant) that has an identifiable end point of no later than two years.
2. Employees with limited duration appointments:
  - a. May not replace a regular employee.
  - b. Are compensated in the same manner as regular employees and receive the same vacation and sick leave, holiday pay, service credit, and retirement and healthcare benefits as regular employees. See [Guidance for HR](#)

[Administrative Rule 3.03 Limited Term Positions and Limited Duration Appointments](#) for limited term position employee group codes.

- c. Are not eligible for reemployment under [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).
- 3. Permanent appointment of a limited duration employee requires approval by the City Auditor or designee, using an [Auditor Personnel Action Form](#). If a limited duration employee is subsequently permanently appointed to the classification:
  - a. Seniority begins the date of the permanent appointment.
  - b. Credit may be given for all accumulated limited duration service in the classification in the previous three years for the purpose of determining salary range and anniversary date.
  - c. The employee must serve a probationary period, unless waived by the City Auditor. See [Auditor's Office Administrative Rule 3.09 – Employee Development, Chapter I: Probationary Period](#).

**D. Job Share Appointments**

Job share employees receive pro-rated (50 percent) vacation and sick leave, holiday pay, service credit, retirement and healthcare benefits, and when applicable, redeployment.

**E. Temporary Appointments**

- 1. Temporary appointments may be used:
  - a. In emergencies, to prevent delay or injury to the public.
  - b. To meet a non-recurring or short-term workload need.
  - c. To meet temporary Auditor's Office needs during a competitive or limited-competitive process to recruit and hire a permanent employee.

2. Temporary appointments are outside the Auditor's Civil Service process (temporary employees serve at will), and may not be used to defeat open and competitive hiring procedures.
3. No temporary appointment may be made to a position in the Auditor's Office's classified service if one or more employees on the layoff list for the classification to which the position is allocated are qualified and have expressed interest in the position.
4. Temporary appointments must be approved as follows:
  - a. When filling a budgeted position in the Auditor's Office's classified service with a temporary appointment that is expected to exceed 30 days, the hiring manager must file a request with the City Auditor or designee prior to appointment.
  - b. Electronic personnel actions for temporary appointments must have the City Auditor or designee's approval attached, and confirmation that a competitive or limited-competitive process was completed. No temporary employee may start work without such documentation, except work-study employees and interns working for the Auditor's Office pursuant to an intergovernmental agreement.
  - c. To be eligible for rehire as a temporary employee, a former City employee must have left City employment in good standing. In other words, the employee must have provided adequate notice that they were leaving City employment, and must not have resigned in lieu of discharge or discipline.
5. The hiring manager or Operations Management must notify the employee, in writing, at the time of the temporary appointment, of the conditions of the appointment, the duration of the appointment, and that the appointment may end at any time at the discretion of the Auditor's Office.
6. Temporary employees accrue leave as follows:
  - a. Full-time temporary employees in budgeted or limited term positions receive vacation, sick leave, and healthcare benefits, and are eligible for holiday pay if they were appointed more than two weeks before the holiday.



- b. New hires into full-time temporary positions, including former City employees rehired into temporary positions, must complete the applicable waiting period before becoming eligible to use vacation and sick leave accruals. See [Auditor's Office Administrative Rule 3.06 – Leaves, Chapter IV: Vacation and Chapter V: Sick Leave and Protected Sick Time.](#)
  - c. Part-time temporary employees are not eligible for vacation, sick leave, healthcare benefits, or holiday pay.
  - d. Temporary employees may be eligible for protected sick time. See Auditor's Office Administrative Rule 3.06 – Leaves, Chapter V: Sick Time and Protected Sick Time.
- 7. Temporary employees do not accrue "status" in the classification to which they have been appointed, have no appeal rights upon demotion, suspension, or termination from the classification, and are not eligible for re-employment.
- 8. Temporary employees may be eligible for retirement benefits after six months, in accordance with the PERS guidelines.
- 9. A regular Auditor's Office employee may accept a temporary appointment in a City bureau outside the Auditor's Office.
  - a. Unless they have the prior written consent of the City Auditor, upon acceptance of the temporary appointment, the employee will be deemed to have resigned their position in the Auditor's Office, and will not have automatic return rights to the Auditor's Office.
  - b. If they have the prior written consent of the City Auditor, the employee will have return rights to their position in the Auditor's Office at the completion of the temporary assignment.
- 10. Division managers are responsible for ensuring that their temporary employees do not work more than the one year allowed under this rule.

- a. After the one-year limit is exhausted, the employee must be terminated or proceed through a recruitment process for a limited duration or regular appointment.
  - b. With showing of good cause and at the discretion of the City Auditor, a temporary appointment may be extended beyond one year.
  - c. Multiple subsequent temporary appointments to the same position may not be made.
11. If an employee in a temporary appointment is subsequently regularly appointed to the classification, credit may be given for all accumulated temporary service in that classification in the previous five years to determine salary range and anniversary date.

#### **F. Limited Term Position Appointments**

1. A limited term position appointment may not exceed two years, except for the extension of grants or funding from outside sources, or as extended by the City Auditor upon showing of good cause.
2. Limited term positions may be filled with regular employees, limited duration employees, or temporary employees (if the limited term will not exceed one year).
3. A regular employee temporarily assigned to a limited term position:
  - a. Will continue to accrue vacation and sick leave at their current accrual levels.
  - b. Will accrue seniority in their previous class for the duration of the temporary appointment if the employee is assigned to a limited term position in a different class.
  - c. Will have the right to return to their former position upon conclusion of the limited term position. If the former position has been abolished, the Auditor's Office will follow [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment to place the employee.](#)

4. Division managers are responsible for monitoring limited term positions. If the position has not been extended by the City Auditor, the employee must be removed at the end of the limited term authorization. If a limited term position is filled with a limited duration or temporary employee, or a regular employee who obtained the limited duration appointment through a recruitment process, the employee will be released from City employment at the conclusion of the limited term authorization.

### **G. Synchronization of Council Authorization of Positions and Organization and Position Management System**

If Council approval is required for a permanent authorized position, timing gaps may occur between when the Auditor's Office needs to create and fill a permanent authorized position and when Council approves the position. A limited term position may be used to accommodate these timing differences, as follows:

1. The Auditor's Office will provide verification of supporting resources for limited term positions on the basis that funding is imminent (e.g., a grant has been approved, an interagency agreement has been signed, a levy has passed, etc.).
2. When Council approves the permanent authorized position, the limited term position established as a placeholder will be converted to a permanent authorized position.

### **H. Casual and Casual Other Appointments**

Casual and Casual Other appointments:

1. Are limited to 1400 hours per calendar year.
2. Do not accrue vacation, or service credit.
3. May accrue sick time in accordance with [Auditor's Office Administrative Rule 3.06 – Leaves, Chapter V: Sick Leave and Protected Sick Time](#).
4. May qualify for medical coverage under the federal Affordable Care Act. Such coverage will be equivalent to the medical, dental, and vision coverage offered to other seasonal employees.

5. Are not eligible for holiday pay, except that a full-time Casual appointment is eligible for holiday pay if the appointment was made at least two weeks before the holiday and is in pay status the day before and the day after the holiday.
6. Are not eligible for retirement benefits except where an appointee has worked at least 600 hours in a calendar year in a qualified position.
7. Serve at-will; do not accrue status in the classification to which they have been appointed; have no appeal rights upon demotion, suspension, or termination; and are not eligible for reemployment under [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment](#).

#### **I. Appointments to Under-fill / Over-fill / Lateral-fill / Double-fill Positions**

1. The Auditor's Office may appoint or move an employee to an under-fill, over-fill, or lateral-fill position in accordance with [City Human Resources Administrative Rule 3.03 – Types of Appointments](#), except that any necessary approval may be provided by the City Auditor rather than the Director of Human Resources.
2. The Auditor's Office may use a double-fill appointment to fill a budgeted position with two employees at the same time for a short period of time to:
  - Fill in for an employee on extended leave;
  - Permit a training period when replacing a key employee who is leaving a position with written advanced notice; or
  - Provide increased staffing levels in the event of a natural disaster, local or regional emergency, or other extenuating circumstances as approved by the City Auditor.
3. Double-filling a position must be approved in writing by the City Auditor prior to the appointment and must meet the following criteria:
  - a. The double-fill of the position must not exceed one year or the time period specified in an approved training plan.
  - b. The employee must be appointed to the classification to which the budgeted position has been allocated, and must be assigned work appropriate to the classification of the position, unless otherwise approved by the City Auditor.

- c. An employee appointed to double-fill a position will not be given a permanent appointment unless the purpose of the appointment is to replace an employee who has given advanced written notice that they are leaving their position.

#### **J. Volunteers**

An individual will not be considered a volunteer if the person is otherwise employed by the City to perform the same type of services as those the person proposes to volunteer.

#### **K. Premium Pay Assignments**

Premium pay assignments are made at the sole discretion of the City Auditor, are outside the Civil Service process, and do not require a competitive recruitment.

1. Employees assigned to a premium pay assignment may be removed from the position (but not from City employment) without a statement of cause and will have no appeal rights concerning the premium pay assignment or removal from the assignment.
2. Employees removed from a premium pay assignment, unless dismissed from City service for cause, will be returned to the last classification in which they held Auditor's Office Civil Service status and a vacancy exists.

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This Chapter was adapted from:

[City Human Resources Administrative Rule 3.03 – Types of Appointments](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

[City Human Resources Administrative Rule 3.04 - Temporary Appointments](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

[City Human Resources Administrative Rule 7.10 – Organization and Position Management](#). Adopted by the Chief Administrative Officer on July 28, 2003. Last revised October 19, 2010.

## **CHAPTER III: ORGANIZATION AND POSITION MANAGEMENT**

### **A. General**

Although the Auditor's Office is responsible for its own classification and compensation decisions, the City's Central Organization and Position Management System maintains a complete inventory of all City positions, their attributes, and their reporting hierarchies, which includes positions in the Auditor's Office. An accurate and consistent organization and position management system is critical to avoiding budgetary over-expenditure and is essential for providing information in support of human resources, financial planning, and management decision-making. This rule provides a framework for the process through which changes in the official number of authorized positions are made.

### **B. Authorized Positions**

1. All authorized positions are tracked by Human Resources in the City's Organization and Position Management System.
2. Appointments other than seasonal / casual appointments must be made into authorized positions.
3. The Auditor's Office will provide Human Resources with notice of changes to the number of authorized positions in the Auditor's Office. The number of authorized positions can change via four methods only:
  - a. The annual adopted budget.
  - b. The budget monitoring process.
  - c. An Auditor's Office classification request form ordinance.
  - d. An [Auditor's Office classification request form](#) processed to abolish an authorized position or to create a limited term position.
    - i. The abolition of a position results in elimination of both funding for the position and the position itself.

- ii. The City Auditor has the authority to appoint employees to limited term positions, establish their compensation, and assign their duties, subject to funding.
  - A. Limited term positions are subject to budget verification.
  - B. Limited term positions that reach the end of their approved term lose their status as authorized positions and must be abolished, except when extended in accordance with ARA 3.03.II.F.

#### **D. Position Funding**

The Auditor's Office is responsible for verifying that its budget is adequate to cover proposed changes in the number of authorized positions or reclassifications that result in substantial increases in costs.

1. All positions are subject to verification of funding prior to entry into the Organization and Position Management System. For the purposes of this requirement, verification of funding occurs when:
  - a. Council approves a position and associated funding via the adopted budget or budget monitoring process; or
  - b. The Auditor's Office provides an [Auditor's Office classification request form](#) and administrative notice to Human Resources.
2. At a minimum, the Auditor's Office will apply the following guidelines to complete the verification of funding in support of changes to authorized positions:
  - a. No ongoing authorized positions may be created using one-time resources. One-time funding sources may be used only as a basis to create limited term authorized positions.
  - b. Vacancy savings or other similar one-time funding sources may not be used as a basis for increasing ongoing positions.
  - c. Funding verification may be subject to further criteria as outlined in the City's financial management policy and related budget manuals.

- d. The Auditor's Office will take its financial condition and that of the City into account when it reviews the sources of funding identified in support of a change in authorized positions.
3. The Auditor's Office may not add a position to the budget without loading to the appropriate cost center a level of funding commensurate with the proposed position, unless specific authority is granted by Council to add Authorized Unfunded positions in exceptional circumstances.
  - a. City employees may not be placed in Authorized Unfunded positions.
  - b. An Authorized Unfunded position becomes an authorized position upon receipt of funding approval by Council, which must be made by ordinance.
4. The Auditor's Office will notify Human Resources of changes in the funding status of specific positions. The changes will be recorded in the Organization and Position Management System.

#### **E. Policy Implementation Roles**

1. Human Resources assigns position numbers to all new authorized positions when either:
  - a. The budget is adopted,
  - b. Council approves the budget monitoring process report or an ordinance, or
  - c. the Auditor's Office approves a limited term position and provides notice to Human Resources.
2. Human Resources may also assign numbers to newly created positions as a result of the implementation of Council-adopted classification studies or through reclassification of an authorized position through an [Auditor's Office classification request form](#) with notice from the Auditor's Office.
3. The Auditor's Office will provide an Organizational Unit and Position Maintenance form to Human Resources upon a change to the Auditor's Office's organizational structure and/or to create new casual positions.



4. The Auditor's Office must identify the source of funding for changes in authorized positions in budget monitoring process.
  - a. The Auditor's Office will conduct a process functionally equivalent to the City's P-4 process for its classification reviews and will prepare such documentation to change a position's attributes or to transfer an authorized position to a different personnel area.
  - b. The Auditor's Office will provide administrative notice to Human Resources indicating decisions made by the City Auditor or a designee.

**F. City Auditor's Discretion**

The City Auditor is authorized to make exceptions to this rule and will notify the City Budget Office and Human Resources if the Auditor's Office makes a substantial change to the number of authorized positions in the Auditor's Office.

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This Chapter was adapted from:

[City Human Resources Administrative Rule 7.10 – Organization and Position Management](#). Adopted by the Chief Administrative Officer on July 28, 2003. Last revised October 19, 2010.

## CHAPTER IV: RECRUITMENT PROCESSES

### A. Purpose and Authority

Recruitment processes are developed and used to attract, evaluate, and select the most qualified candidates to fill vacancies.

1. [Charter Section 2-506\(b\)](#) requires the City Auditor to establish and administer human resources rules for the Auditor's Office that are consistent with City human resources rules, except where the City Auditor determines, in writing, that a City rule impairs the Auditor Office's independence or duties. This Chapter is consistent with City rules governing recruitment, veterans' preference, and Eligible Lists, but has been re-organized for clarity. In addition, the City Auditor has determined that streamlining the recruitment appeal process (Section J) is needed to avoid impairing Auditor's Office duties.
2. The Auditor's Office's recruitment processes will be job-related and developed and administered in accordance with federal, state, and City guidelines and Auditor's Office equity goals. All recruitment and selection processes must be equitable and competitive. The criteria used will be based on the knowledge, skills, abilities, experience, and other characteristics needed for the effective performance of duties assigned to position.
3. To comply with federal and state hiring laws and the City's non-discrimination policy, Auditor's Office hiring managers must exercise care to avoid making unfair pre-employment inquiries, whether on forms, during interviews, or when requesting information concerning applicants. See [Fair Pre-Employment Inquiry Guidelines](#).
4. The Auditor's Office will recruit candidates for vacant positions using the procedures set forth in this rule, unless the City Auditor determines, prior to evaluating applicants, that different procedures will apply to a specific recruitment. Notwithstanding the foregoing, the Auditor's Office will not depart from the competitive recruitment process unless it is expressly permitted elsewhere in the Auditor's Administrative Rules.

### B. Recruitment Processes

1. Recruitment processes for positions in the Auditor's Office's classified service include:

- a. Open Recruitment: A recruitment open to all applicants, including applicants that are not currently City employees.
  - b. Internal Recruitment: A recruitment open to applicants who are or have been temporary, limited duration, seasonal, or regular City employees within the timeframe specified on the announcement.
  - c. Continuous Recruitment: A recruitment without a closing date.
  - d. Promotional Recruitment: A recruitment open only to regularly appointed City employees who meet the announced requirements. Applications for promotional recruitments may be open to all regularly appointed employees or restricted to employees within certain designated classes or employees with designated time in service, as determined by the City Auditor or a designee.
2. The Auditor's Office may choose to fill a vacant position that is outside the classified service through direct appointment or a competitive recruitment. Auditor's Office positions outside the classified service are:
- Chief Deputy City Auditor
  - General Counsel
  - Director of Audit Services
  - City Ombudsman
- Other City classifications outside the classified service are available [here](#).
3. Recruitment procedures may be modified to reasonably accommodate applicants and candidates with disabilities.

### **C. Transfers**

Employees may not participate in a recruitment process for a classification in which they currently hold regular status; however, they can request a transfer to the vacant position. See [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter II: Transfers](#).

### **D. Unsolicited Resumes; Career Center Website**

The Auditor's Office does not accept unsolicited resumes or letters of inquiry from persons seeking employment in lieu of a current recruitment process. If the Auditor's Office receives an unsolicited application, Operations Management will dispose of the materials and may refer the person link to the [City's Career Center website](#). The [City's Career Center website](#) is the vehicle through which a person can inform the City of their interest in employment opportunities, including with the Auditor's Office.

#### **E. Nepotism**

No employee or official responsible for personnel decisions may show favoritism in such decisions toward an applicant or employee because the applicant or employee is a family member. If a conflict or potential conflict of interest arises, the employee or official should recuse themselves from participating in the recruitment. [See Auditor's Office Administrative Rule 3.11 – Ethical Conduct, Chapter V: Nepotism; Romantic Relationships](#).

#### **F. Employment of Minors**

The Auditor's Office does not typically employ minors. If the Auditor's Office wishes to employ a minor, the rules and procedures set forth in [City Human Resources Rule 3.05 – Employment of Minors](#) will apply.

#### **G. Veterans' Preference**

The Auditor's Office adopts HRAR 3.07 regarding "Veterans Preference" in its entirety with the following modifications.

1. The following definitions are changed:
  - "City of Portland" should be read as "City of Portland, including the Auditor's Office," except in reference to "City of Portland City Code";
  - "City" should be read as "Auditor's Office;"
  - "Bureau of Human Resources" should be read as "Auditor's Office Business Operations Manager;"
  - "Human Resources" should be read as "Operations Management;"
  - "Human Resources Business partners" should be read as "Business Operations;"
  - "HRAR 3.07" should be read as "ARA 3.03"; and
  - "HRAR 3.01" should be read as "ARA 3.03;" and
  - "HRAR 3.02" should be read as "ARA 3.02."

This Chapter was adapted from:

City Human Resources Administrative Rule 3.06 – Employment of Retirees. Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 31, 2024.

## **H. Recruitment Announcements**

1. The announcement for each recruitment must contain:
  - a. Information about the position, salary, and type of recruitment.
  - b. The minimum qualifications required for the position. Applicants must meet all of the minimum qualifications listed in the announcement to qualify for the position.
    - i. Minimum qualifications may include qualifications that are specific to the position's classification, as well as additional qualifications that are necessary for specific duties of the position (such as a license, certification, or bilingual skills). The Auditor's Office does not use written Civil Service exams or examination scores as minimum qualifications for classified positions.
    - ii. If a qualification is desired but not required, the announcement must list the qualification as a "preferred qualification" (not a "minimum qualification").
  - c. Application procedures and the application deadline.
  - d. The process for requesting a disability accommodation. See Auditor's Office Administrative Rule 3.02 – Equal Employment, Chapter IV: Reasonable Employment Accommodations.
  - e. The process for requesting veterans' preference, including a statement that applicants claiming veterans' preference must request the preference and submit documentation establishing their eligibility for the preference.
2. The Auditor's Office may limit the number of applications accepted for a recruitment by specifying the time period during which applications will be accepted and/or any other limiting criteria the City Auditor or designee determine to be appropriate.

## **I. Application Review; Eligible Lists**

1. The hiring manager will review all accepted applications to determine which applicants meet the stated minimum qualifications for the position. The Auditor's Office may reject the application of any person who:
  - a. Lacks the qualifications for the position.
  - b. Makes false statements of any material fact on the application.
  - c. Provides unclear or incomplete information.
  - d. Fails to follow the application instructions.
  - e. Has been dismissed for cause from the classified service or resigned in lieu of discipline or termination (including resigning during a disciplinary investigation). Before rejecting an application under this Subsection, the Auditor's Office will determine whether there are special circumstances that should be considered.
2. Operations Management will:
  - a. Remove from the applicant pool all applications that have been rejected or who do not meet the minimum qualifications for the position. These applications require no further review, including for purposes of veterans' preference.
  - b. Develop a list (known as the "Eligible List") of all applicants who meet the minimum qualifications for the position.
  - c. If any applicants on the Eligible List have requested a veterans' preference: Verify the applicant's eligibility for veterans' preference.
3. The hiring manager will evaluate the job-related knowledge, skills, abilities, and experience of the applicants on the Eligible List to determine which applicants will be invited to participate in an interview. All eligible veterans and disabled veterans who meet the minimum qualifications for the position must be invited to participate in an interview.

## **J. Recruitment Process Appeals to the City Auditor**

Recruitment process appeals are permitted only for positions in the City Auditor's classified service.

1. Any appeal of recruitment process results must be submitted, in writing, to the City Auditor no later than 14 calendar days after the notice of minimum qualifications review results is provided.
2. Not all applicant concerns about a recruitment process qualify as an appeal. To be considered as an appeal, the applicant must show one or more of the following:
  - a. The recruitment process, in whole or part, was administered in a manner that was contrary to Auditor's Office rules governing recruitments.
  - b. The recruitment process, in whole or part, was contrary to law.
  - c. The recruitment process, in whole or part, was administered based on political considerations, rather than merit.

The City Auditor will not consider appeals that do not meet one of the above criteria.

3. The City Auditor or a designee must respond to the appeal, in writing, within 14 calendar days of receipt.
4. The City Auditor may elect to halt or modify a recruitment process because of the concerns raised in an appeal.

## **K. Interviews**

1. The Auditor's Office typically conducts two rounds of interviews for open positions. In some cases, such as where final candidates demonstrate strong, competing skills, the Auditor's Office may invite final candidates to attend an additional round of interviews to further assess and compare the candidates' strengths relevant to the position.
2. Before conducting a round of interviews, the hiring manager will determine how many candidates will move on to the next round of interviews.

**Example:** Before conducting round one interviews, the hiring manager will determine that the top four candidates will be invited to interview in round two.

**NOTE:** After conducting a round of interviews, the hiring manager may choose to invite more candidates than anticipated to the next round of interviews, in response to unexpected circumstances, with Operations Management's approval, after documenting the reasons for the additional interviews.

**Example:** After conducting round one interviews, there was a virtual tie among the top five candidates. Rather than omitting one of the candidates, the top five candidates are invited to interview in round two.

3. Before conducting a round of interviews, the hiring manager will develop interview questions and determine the number of points available for each question. Some interview questions may be weighed more heavily than others. When possible, the hiring manager will submit the interview questions and scoring criteria to the Operations Management for review before conducting the interviews.
4. During interviews, the interviewers must ask the same questions of each candidate, but may ask follow-up questions to clarify a specific candidate's response. Interviewers must take notes on candidates' responses to document the basis for their scores.
5. After each interview, the interviewers will score the candidate's response to each question. The interviewers will evaluate all candidates using the same criteria.
6. After a round of interviews has been completed, the interviewers may discuss the candidates' qualifications, compare scores, and reconsider scores that are too high or too low (such as if an interviewer was too hard or too easy on the first candidate compared to the last candidate). The interviewers will submit their notes and scores to Operations Management.
7. Operations Management will tally each candidate's score from each interviewer, then calculate an average initial score for each candidate that is based on a 100-point scale.



8. After calculating the average initial score for each candidate, Operations Management will award five additional points to each eligible veteran and 10 additional points to each eligible disabled veteran.

Example: If Candidate A is an eligible veteran and Candidate B is an eligible disabled veteran, the candidates' final scores, after awarding veterans' preference, would be:

	Average Initial Score	Veterans' Preference	Final score
Candidate A	81	5	86
Candidate B	82.67	10	92.67
Candidate C	72	0	72
Candidate D	89.33	0	89.33

9. If the recruitment involves another round of interviews:
- The Auditor's Office will invite candidates with the highest scores, after veterans' preference is applied, to participate in the next round. If the score of a veteran or disabled veteran, after veterans' preference is applied, is equal to the score of another top candidate, both candidates will move on to the next round.
  - The interviews will be conducted and scored in accordance with the procedures described in this Section. Each round of interviews is scored separately.
10. Before making a preliminary offer of employment, Operations Management will perform a pre-employment crosscheck. The following items, verified through the crosscheck, may eliminate the selected candidate from further consideration:
- A settlement agreement or other severance package that limits or waives the candidate's right to re-employment with the City.
  - Prior discharge from City service.

- Resignation in lieu of discharge from City service.

## **L. Offers**

Operations Management will make a preliminary offer of employment to the candidate who receives the highest final score during the final round of interviews.

1. The Auditor's Office is not required to select an eligible veteran or disabled veteran for the position. However, if a veteran or disabled veteran's final score, after veterans' preference is applied, is equal to or higher than the highest final score, the Auditor's Office will make a preliminary offer of employment to the veteran or disabled veteran.
  - a. If a veteran and a disabled veteran share the highest final score, the Auditor's Office will offer the position to the disabled veteran.
  - b. If a veteran or disabled veteran is not offered the position, upon written request by the veteran or disabled veteran, the Auditor's Office will provide the veteran or disabled veteran with the reasons for the decision, in writing.
2. Any preliminary offer of employment must be conditioned on the results of the applicable background checks and verifications, including a criminal conviction check. See [Chapter V: Background Checks and Employment Verification](#). When making a preliminary offer, the hiring manager or Operations Management will ask the selected candidate to complete a [Criminal Records Check Request Form](#), which authorizes the Auditor's Office to conduct a criminal conviction check.

## **M. Travel Expenses**

1. The Auditor's Office may pay for reasonable travel expenses for candidates asked to attend one or more interviews. Travel expenses may include:
  - Economy class round-trip airfare or its equivalent
  - Appropriate ground transportation
  - Necessary lodging and meals, at a rate not to exceed City per diem rates.
2. Approval of payment for travel expenses is at the discretion of the City Auditor.

3. The Auditor's Office will determine allowable expenses in accordance with [City Accounting Administrative Procedure FIN 3.16.01 – Allowable Expenses Related to Travel](#).

## **N. Recruitment and Employment Incentives**

1. The City Auditor may determine that certain permanent or limited duration positions are "key" or are in need of special recruitment efforts, and therefore merit recruitment and/or employment incentives.
  - a. Such positions should normally be identified as key or in need of special recruitment before recruitment efforts commence.
  - b. Recruitment incentives are intended for employees who are new to City employment and are not available to current City employees, except as may be specified in this rule.
2. The following recruitment and employment expenses are authorized for positions that have been identified as key or in need of special recruitment efforts:
  - a. Vacation Accruals.
    - i. The City Auditor may authorize a one-time credit of up to 40 hours of vacation, available for use from the date of hire.
    - ii. In limited circumstances, the City Auditor may approve a vacation accrual incentive for a temporary City employee applying for permanent employment.
  - b. Relocation Expenses. The Auditor's Office may pay relocation expenses for a new, non-represented employee who incurs relocation costs following their appointment to the Auditor's Office. Authorization for relocation expenses must be approved by the City Auditor.
    - i. Recipients of relocation expenses must repay the City a pro-rata amount of those expenses if they resign or their employment with the City is terminated, for any reason, within two years of the date of hire.

- ii. The Auditor's Office will enter into an agreement with the new employee, signed by the employee and City Auditor, which identifies the relocation expenses that are eligible to be repaid. See [Auditor's Office Relocation Assistance Application and Agreement](#). The agreement will state the terms of payment by the Auditor's Office and include provisions for the pro-rata repayment of relocation expenses by the employee if the employee resigns or their employment terminates within two years of the date of hire.
- iii. Hiring managers must consult with Operations Management for the appropriate documentation for Relocation Assistance.
- iv. In consideration of the payment of relocation assistance, the City Auditor may encourage relocation within the limits of the City of Portland.
- v. Relocation expenses as a recruitment incentive are not available to limited duration appointees.

#### **O. Visas**

Under certain circumstances, the City Auditor may sponsor a successful candidate who requires an H-1B or TN visa to work in the United States, in accordance with the visa requirements set forth in [City Human Resources Administrative Rule 3.01 – Recruitment Process](#).

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This Chapter was adapted from:

[City Human Resources Administrative Rule 3.01 – Recruitment Processes](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

[City Human Resources Administrative Rule 3.02 – Eligible Lists](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised April 25, 2016.

[City Human Resources Administrative Rule 3.07 – Veterans' Preference](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

[City Human Resources Administrative Rule 3.11 – Criminal Conviction Checks](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

## CHAPTER V: BACKGROUND CHECKS AND EMPLOYMENT VERIFICATION

### A. Purpose

This rule sets forth the Auditor's Office's procedures for conducting background and criminal conviction checks during the hiring process and throughout the course of employment. The purpose of this rule is to protect the interests of the Auditor's Office and the well-being of its employees and the public.

### B. New Hire Reference Checks

The hiring manager will check the references of the final candidate(s) after completing all interviews and prior to making a hiring commitment. Hiring managers are expected to check job references, and to:

1. Determine in advance what reference information is needed. Questions must be job-related, focus reference check on knowledge, skills, and abilities required for the specific vacancy, and comply with the [Fair Pre-Employment Inquiry Guidelines](#).
2. Advise applicants that references will be checked, verify the applicant's consent with a signed [Reference Release form](#), and take notes on the [Reference Record](#).

### C. Criminal Conviction Disclosure Requirements: All Applicants and Employees

1. ***All Auditor's Office employees are required to notify their supervisor immediately upon conviction of any crime.*** If omissions are discovered, employees may be subject to discipline up to and including termination.
2. Applicants who do not disclose all required convictions when requested may be denied employment for falsification of the application. If omissions are discovered after employment, employees may be subject to discipline up to and including termination.

### D. Criminal Conviction Checks

A criminal conviction check is intended to identify persons who have demonstrated unsafe, threatening, or illegal behaviors and assess their fitness for meeting job requirements.

1. The Auditor's Office will conduct a criminal conviction check on candidates selected for certain positions, including promotions and transfers to certain positions. A criminal conviction check will also be conducted for individuals who have disclosed potentially job-related convictions on their application or during the interview, or who have been reported as potentially having job-related convictions by previous employers during the course of an employment verification or reference check.
2. In accordance with [City Code Chapter 23.10](#), criminal conviction checks may not be initiated until after the Auditor's Office makes a preliminary offer to applicant selected for the position, promotion, or transfer. ***An applicant's criminal history may be obtained and considered only after a conditional offer of employment is made.***
3. Operations Management is responsible for arranging the criminal conviction check and processing associated costs. If an outside agency conducts the check, it must comply with the Fair Credit Reporting Act.
4. The hiring manager is responsible for reviewing the results of the criminal conviction check. The hiring manager may not consider:
  - a. Any arrest history that did not lead to a conviction or juvenile adjudication, unless the case is unresolved.
  - b. Any conviction or arrest that has been judicially voided or expunged.
  - c. Any criminal history that was resolved through the completion of a diversion or deferral of judgment program for offenses not involving physical harm or attempted physical harm to a person.

**NOTE:** Exceptions may apply for positions that, due to the nature of the work, require a background investigation, as described further in Section F.

5. If the criminal conviction check reveals one or more convictions, the Auditor's Office will not exclude the applicant from consideration solely because of the conviction(s).

- a. The hiring manager may decide to rescind the conditional offer to hire, promote, or transfer if the decision is made in good faith, is job-related, and is consistent with business necessity. In making this determination, the hiring manager will:
    - Evaluate the nature, gravity, and frequency of the offense(s);
    - Consider the duties of the position the individual holds or is applying for;
    - Consider the individual's age at the time of the conviction, the time that has passed since the conviction, and rehabilitation, if any; and
    - Evaluate the employee's entire work record or the applicant's work qualifications in total, considering the conviction as only one aspect of the individual's history.
  - b. If the hiring manager decides to rescind the conditional offer, the decision must be approved, in writing, by the City Auditor. The decision must be communicated to the applicant, in writing, and must identify the relevant criminal conviction(s) on which the decision is based.
6. An applicant who is on probation or parole may be denied employment based on the factors set forth in Section D(5)(a).
  7. If an employee's pre-employment arrest leads to a conviction after hire, the effect of the conviction on the employee's position, if any, will be evaluated by the hiring manager in consultation with the City Auditor.
  8. All criminal history information obtained by the Auditor's Office must remain confidential, except where disclosure is required by law.

## **E. Expunged Records**

1. Expungement is the removal of certain criminal and juvenile arrests, citations, charges or convictions from a person's record. The Auditor's Office may not use the fact of an expungement or the expunged record itself to disqualify a person from an employment opportunity.
2. Once a court issues an order expunging a record, the expunged record must be treated as if it never existed. An applicant with an expunged record does not

make a misrepresentation if they deny or otherwise do not disclose the existence of the expunged record.

#### **F. Background Investigations**

The Auditor's Office may investigate the backgrounds of applicants for and/or employees in positions that have access to restricted records and sensitive information, including but not limited to positions with access to confidential public safety records and/or that require a background investigation due to the nature of the assignment. Additional hiring restrictions may apply to such positions. Background investigations will be conducted in accordance with the following procedures:

1. Operations Management will determine the scope of investigation required for each position. The scope of the investigation required depends on the particular position or assignment, and there must be a nexus between the assigned duties and the scope of the investigation.
  - a. A background investigation is intended to be more comprehensive than a criminal conviction check.
  - b. If credit history is intended to be part of the background investigation, Operations Management must consult with legal counsel. State law prohibits discrimination in employment based on information in the credit history of an applicant except under certain circumstances (e.g., if the credit history information is substantially job-related and the reason for the use of such information is disclosed to the applicant in writing).
2. The City Auditor must approve the investigation the first time it is conducted for a particular position or assignment, and thereafter if significant changes are made.
3. The job announcement must note that a background investigation is required before hire or assignment to the position.
4. Depending on the scope of the background investigation, the applicant / employee may be required to sign a release.
5. Operations Management is responsible for arranging the background investigation and processing the cost of the investigation. Operations



Management will consider potential conflicts of interest when arranging the investigation.

6. The content of the background investigation is confidential.
7. If a background investigation causes the Auditor's Office to question an applicant or employee's suitability for the position, the applicant may be ineligible for hire or the employee may be subject to reassignment or layoff. In some cases, information obtained during a background investigation concerning a current Auditor's Office employee may result in discipline up to and including termination.

#### **G. References for Current or Former Employees; Legal Protections**

1. The Auditor's Office will routinely provide the following information in response to reference inquiries regarding current or former Auditor's Office employees:
  - Verification that an individual is or has been employed by the Auditor's Office
  - Dates of employment
  - The title of the position held and the Auditor's Office division where employed
  - The salary of employee when they left the Auditor's Office
  - Whether employment was part-time or full-time.
2. If a manager or supervisor believes that additional factual information should be provided, they must consult with Operations Management to determine whether the additional information should be released.
3. Under Oregon law, an employer who discloses information about an employee's job performance to a prospective employer is protected from civil liability if the information is given in good faith. However, the presumption of good faith is rebutted where it can be shown that the information disclosed by the employer was knowingly false or deliberately misleading, was disclosed with malicious purpose, or violated any of the employee's civil rights.

#### **H. Driving Records**

Every person filling a position in which driving is an essential function must meet the eligibility criteria for driving on City business set forth in [City Human Resources Administrative Rule 3.09 – Driving Records](#). The Auditor's Office will evaluate the driving record of any applicant for or employee in a position in which driving is an essential job function in accordance with that rule.

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This Chapter was adapted from:

[City Human Resources Administrative Rule 3.09 – Driving Records](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised April 25, 2016.

[City Human Resources Administrative Rule 3.11 – Criminal Conviction Checks](#). Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised January 1, 2020.

[City Human Resources Administrative Rule 3.12 – Reference Checks and Employment Verification](#). Adopted by Council on March 6, 2002.

[City Human Resources Administrative Rule 3.16 – Background Investigations](#). Adopted by the Chief Administrative Office on October 15, 2002. Last revised November 4, 2011.

## **CHAPTER VI: COLLEGE WORK STUDY PROGRAM**

### **A. Program Objectives**

The Auditor's Office may hire work study employees through the City's established Work Study Program. The Work Study Program is a federally funded program authorized by the Higher Education Act of 1965. It provides employment to college students who otherwise may not be able to complete their education. Work Study Program appointments are used to enable students to gain practical knowledge and further prepare a student for a particular occupation. The program is not intended to supplant or replace City positions.

### **B. Who Pays for Work Study?**

The Auditor's Office is responsible for paying a percentage of an Auditor's Office work study employee's gross wages (depending on the student's school), plus an estimated five percent for other payroll expenses. Colleges finance the remaining portion of the wages.

### **C. Creating Positions; Wages**

1. The Auditor's Office has discretion to create work study positions, interview and hire work study employees, and set wages, within an hourly compensation range set by the respective colleges, within federal guidelines.
2. To create a work study position, the hiring manager will work with Operations Management to develop a job description and submit it to Human Resources. Human Resources will post the job description at participating colleges and assist with the marketing of student positions.
3. Human Resources will notify the Auditor's Office if colleges do not approve the position. Generally, four-year colleges do not allow positions involving teaching and instruction-related tasks.

### **D. Hiring Work Study Employees**

1. Work study employees are hired as follows:
  - a. Students interested in the work study position will contact the Auditor's Office hiring manager directly for interviews.

- b. The hiring manager will notify Human Resources of the names of the applicant(s) the Auditor's Office wishes to hire.
  - c. Human Resources will execute a contract with the college on behalf of the Auditor's Office and provides administrative support for the Work Study Program, including payroll, personnel action processing, grant tracking, and billings.
  - d. The student(s) must submit their letter showing a work study award to Human Resources and complete hiring paperwork. Human Resources will need the following documents to confirm the hire:
    - A letter from the Auditor's Office indicating the desire to hire the student
    - Proof of work study grant (i.e., certificate of eligibility or authorization referral)
    - A copy of the student's valid I.D.
    - Wage rate and effective date of the hire
    - Authorized position title the student will to be hired into
    - Cost center code
  - e. The hiring manager must receive confirmation from Human Resources before a work study employee may begin work.
  - f. The hiring manager must develop a suitable plan for training the work study employee under close supervision.
2. Work study employees serve at will, do not accrue status in the class in which they have been hired, and have no appeal rights upon demotion, suspension, or termination from the class.
3. Work study employees do not receive leave, service credit, or retirement or healthcare benefits, and are not eligible for priority reemployment under [Auditor's Office Administrative Rule 3.07 – Employee Movement, Chapter V: Layoff, Recall, and Redeployment.](#)

4. All work study grants expire at the end of spring term and are terminated on or before June 15. All students awarded summer work study grants must be rehired on June 16 after receiving a certification or authorization from their school.

#### **E. Hours of Work; Time Sheets**

1. The hiring manager and work study employee will determine a schedule for the work study employee.
  - a. The hours that work study employees can work vary, but generally, work study employees work 40 hours per week if they attend a four-year college, 20 hours per week if they attend a two-year college, and up to 40 hours per week during breaks. A written request to work during breaks may be required by the college.
  - b. Work study employees may work no more than eight hours per day, no more than 40 hours per week, and no more than five consecutive days. No overtime is permitted.
2. Work study employee time sheets are processed through SAP. Human Resources will compute City earnings to date where necessary and send the Auditor's Office a copy of the time sheet sent to the school.

#### **F. Raises**

The Auditor's Office may give raises to work study employees at its discretion, subject to the hourly compensation range set by the respective college. Raises can be given any time but can only be retroactive to the beginning of the current pay period. If the Auditor's Office issues a raise, Operations Management will contact Human Resources via memo indicating the new wage rate. Human Resources will notify Operations Management if additional paperwork is needed to implement the raise.

#### **G. Grant Tracking**

Human Resources is responsible for tracking work study grant amounts, but supervisors are expected to regularly communicate with students to track their grant balance. The Division must compensate the student directly for any earnings beyond their grant.

## **H. Termination**

The Auditor's Office must immediately notify Human Resources if a student is released from Work Study Program employment. Human Resources will notify the college.

## **I. Injuries**

Work study employees on the City's payroll are covered by the City's Workers' Compensation Program. In the event of an injury, the student's supervisor should consult Operations Management as soon as possible. Reporting must comply with [Auditor's Office Administrative Rule 3.06 – Leaves, Chapter VII: Supplemental Workers' Compensation Benefits](#).

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This Chapter was adapted from:

[City Human Resources Administrative Rule 3.14 – College Work-Study Program](#).  
Adopted by Council on March 6, 2002 (Ordinance No. 176302). Last revised  
October 15, 2002.