

TOWN OF MANCHESTER, CONNECTICUT

PERSONNEL RULES - RECRUITMENT AND HIRING PROCEDURES

Adopted by the Board of Directors

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TOWN OF MANCHESTER, CONNECTICUT
PERSONNEL RULES

I. GENERAL PROVISIONS

- A. Authorization for Rules: Severability: These Rules are provided for by Section 2-13(b) of the Town Charter. If any section or portion thereof is found not to conform with federal or state law or the Town Charter, such finding shall not affect the remainder of the Rules stated herein.
- B. Purpose. These Rules shall implement and put into effect the intent of the Town Charter to establish and maintain a professional system of personnel administration based on merit principles governing recruitment, selection, employment, transfer, promotion, demotion and other incidents of employment. The Personnel rules aim to provide an orderly system for managing the human resources the Town employs in such a way that it meets the needs of the people of Manchester in an equitable and economical manner while also treating employees and applicants fairly on the basis of their competence to perform the work the Town considers to be in its best interest.
- C. Jurisdiction. Subject to any restrictions imposed by Sections 2-13(b) and 3-1 of the Town Charter, these Rules shall apply to all employees. When a conflict exists between any of these Rules and the provisions of a collective bargaining agreement, the latter shall prevail except as provided for in Section 7-474g of the Connecticut General Statutes. Other provisions relating to the employment and tenure of employees to whom these Rules apply, which are not specifically discussed in these Rules, shall be as detailed in the appropriate collective bargaining agreements or for unaffiliated employees in the Employment Overview.

- D. Equal Employment Opportunity. It has been and shall continue to be the policy of the Town of Manchester to provide equal employment opportunities for all peoples regardless of race, religion, color, sex, physical, mental, or emotional disability, marital status, national origin, political affiliation, age, or other non-job related qualifications in all aspects of employment, training, promotion, discipline, termination or other personnel matters. No provision of these Rules is intended to violate equal employment opportunity laws and regulations which govern as the law of the land.
- E. Gender. Whenever the feminine or masculine gender is used in these Rules, it refers to both.
- F. Exceptions. Persons filling non-bargaining unit and administrative positions, with areas of program responsibility, have an obligation to perform a set of duties that extends beyond fixed work schedules. Subject to prior approval of the General Manager, such persons may follow alternates to the work schedules that permit them to carry out their responsibilities properly.
- G. Disclaimer. These Rules are prepared to provide information and guidance for our employees. The Town reserves the right to change, add to, or delete any of the provisions in these Rules at any time. These Rules are not a contract of employment. Employment with the Town for unaffiliated positions is on an at-will basis. As such, the Town may terminate the employment relationship at any time and for any reason.

II. AUTHORITY TO MAKE AND ENFORCE THESE RULES

- A. The General Manager is responsible for the impartial and equitable administration of these Personnel Rules in accordance with Sec. 2-13(b) and 3-1 of the Charter of the Town of Manchester. The Manager may delegate the actual operations involved in administering these Rules to such staff assistants or Department Head as the Manager deems appropriate.
- B. The appointing authority in the classified service rests with the General Manager. The Manager may delegate this authority to Department Heads whenever it is deemed to be in the best interest of the public service.
- C. The General Manager shall promulgate and publish additions to any revisions of these Personnel rules, as necessity arises, subject to Board of Directors' approval. It shall be the responsibility of each employee to acquaint him/herself thoroughly with the material contained in this statement of Personnel Rules and any of its subsequent revisions. Such revisions shall be distributed to all employees.
- D. These Rules will be reviewed by the General Manager or designated representative, at least once each calendar year or at any time if requested by the Board of Directors.

III. DEFINITIONS

In order to provide uniform references to terms used in these Rules, the following standard definitions are used:

Regular Employee -- Any employee who has satisfactorily completed the probationary period, as provided for in these Rules, and who regularly works full time. Unless

otherwise specified, these employees generally are eligible for benefits and contribute to the Pension Plan.

Regular Part-time Employee -- Any employee who has satisfactorily completed the probationary period, as provided for in these Rules, and who regularly works twenty (20) hours per week, or more, but less than thirty-five (35) hours per week, year-round. Unless otherwise specified, these employees are eligible for a pro rata share of health benefits that full-time employees receive, and contribute to the Pension Plan.

Probationary Employee -- Any employee hired with the intent of becoming a regular full-time or regular part-time employee who is serving during the probationary period.

Hourly Part-time Employees -- Any employee who receives pay for part-time work, depending on departmental need, to fill in either full or part time for such occasions including, but not limited to, emergencies, vacations, or sick time, and who may work for an indefinite period of time. Such employee is not eligible for benefits and does not contribute to the Pension Plan.

Temporary Agency Hires -- Workers hired through a temporary agency either for a specified time period, or as needed, but who remain agency employees.

Seasonal Employee -- Any employee hired to perform seasonally-related duties and who is not eligible for benefits including the Town's pension plan.

Job Shares -- Two employees who share responsibilities of one full-time position with salary and benefits pro-rated, not to exceed costs of one full-time position. Such position may only be created with prior approval of the General Manager.

Contract or Duration-of-Project Employee -- Individuals hired for a specific project or time period to complete assignments related to non-recurring work. Such employees are not normally eligible for benefits or pension.

Designated Representative -- A Department Head, Division Head, Human Resources Director or member of the General Manager's staff whom the Manager authorizes to be responsible for the personnel administration of the Town.

Appointing Authority -- The General Manager or any Department Head whom the Manager authorizes to appoint persons to Town positions.

Uniformed Services -- All sworn officers of the Police Department and all Firefighting, Fire Prevention and Emergency Medical personnel.

IV. NON-DISCRIMINATION

A. Affirmative Action Plan Policy Statement

It is the policy and practice of the Town of Manchester, Connecticut to recruit and employ qualified job applicants without regard to race, creed, color, religion, age, sex, national origin, disability or sexual orientation. This policy and the obligation to provide equal employment opportunity shall include, but not be limited to, the following:

1. Recruitment, advertising or solicitation for employment.
2. Selection, placement, upgrading, transfer, promotion or demotion.
3. Rate of pay or other forms of compensation.
4. Selection for training.

5. Layoff or termination.
6. Treatment during employment.
7. All other aspects of personnel administration.

The Town emphasizes this policy to ensure compliance with all applicable laws that pertain to equal employment opportunities.

The Town further recognizes that the effective application of this policy is an integral part of its overall administrative personnel process, and that a positive continuing equal opportunity program for all employees and applicants for employment provides significant value to the Town as a whole. The Town is, therefore, committed to achieving full equal employment opportunity in Town employment.

The Town will additionally assert its leadership within the community to achieve full employment and effective utilization of the capabilities and productivity of all persons without regard for race, creed, color, religion, age, sex, national origin, disability or sexual orientation. The Town recognizes its moral responsibility and legal obligation to abide by the letter and spirit of equal employment opportunity laws and philosophy as found within federal and state statutes and regulations, executive orders, and judicial mandate.

B. Sexual Harassment Policy

It is the policy of the Town of Manchester to prohibit sexual harassment of its employees. All employees deserve the opportunity to work in an environment which is free of unnecessary annoyances and distractions. The best way to deal with sexual harassment is to prevent it; this requires that employees be informed of what constitutes sexual harassment and know that the Town will act to ensure that such

behavior does not occur. Toward this end, the Town provides training to all its supervisors, Department and Division Heads.

Sexual harassment is a form of sex discrimination that is prohibited both by the Federal Civil Rights Act of 1964, as amended, and by the Connecticut Human Rights and Opportunities Law, as amended. It is generally defined as any unwelcome conduct or communication of a sexual nature which adversely affects a person's employment relationship or working environment. This may include a pattern of sexually degrading words or actions, ranging from annoyances and distractions, to deliberate intimidations and frank threats or demands.

Individuals who believe that they are encountering sexual harassment from a supervisor, fellow employee, or client should make the complaint known to the appropriate Town official as soon as possible. Employees may, at their discretion, bring a complaint directly to the Human Resources Department, Department Head, immediate Supervisor, or the General Manager. All complaints will be investigated within a reasonable period of time. No retaliation will be allowed against an employee who reports sexual harassment.

Violations of this policy may result in disciplinary action up to, and including, termination.

V. CLASSIFICATION OF WORK

A. The Classification Plan: The General Manager or the designated representative will prepare a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointment to such positions. These statements shall comprise the classification plan of the Town, which shall become effective upon approval by resolution of the Board of Directors and which may be amended, upon recommendation of the General Manager, by

resolution of the Board. New or additional classifications may be created and changes in the duties and responsibilities of existing classifications may be made by resolution of the Board upon the recommendation of the General Manager.

- B. The Classified Service. The classified service shall include appointees to all positions now or hereafter created except the following: Elected officials and persons appointed to fill vacancies in elective offices; members of boards and commissions; officers appointed by the Board of Directors; persons employed in professional capacity to make or conduct a temporary and special inquiry, study or investigation; the Judge and other personnel of the Probate Court; and persons employed for a temporary or seasonal period, or duration of project employees, as defined in Section III (Definitions) or Section 2-13(b) of the Town Charter.

VI. WAGES AND SALARIES

- A. Compensation for Work Performed. It is the policy of the Town to compensate employees on the basis of work performed. The Town will not base compensation on individuals' needs. Pay shall be provided on the basis of the job, not the person. Each position shall have a salary range approved by the Board of Directors.
- B. Starting Pay Rates. Under normal circumstances, the base rate of pay for a classification shall be paid to any person upon original appointment with the Town. Where demonstrated inability to recruit at the minimum justifies appointment at a higher rate, or when unusual circumstances exist, with prior approval from the General Manager, appointment at a higher rate within the range may be granted.
- C. Fringe Benefits. Fringe benefits are considered a part of the total compensation package offered by the Town to the employee. They are as contained in contracts or the Employment Overview. Subject to established waiting periods for new

employees and co-payment requirements, and unless otherwise specified, fringe benefits shall be offered to full-time regular, part-time regular and probationary employees during the period of their employment.

VII. RECRUITMENT

- A. Authorization to Fill a Position. When any appointing authority wishes to fill a position, he/she shall submit a "Request To Fill Position" form along with justification to the General Manager or the General Manager's designated representative. The General Manager or designated representative shall approve or disapprove the "Request To Fill Position" form. If the request is approved, the Manager or designated representative shall determine, in conference with the appointing authority, the method of filling the position including, but not limited to, promotion, transfer, demotion or by open competitive examination.
- B. Evaluating the Position. The Human Resources Department, or designee, shall analyze the job for which the "Request to Fill Position" form has been approved to determine the accuracy of the current job description and the salary range, qualifications for admission to the examination, job duties and/or personal characteristics the examination will evaluate. Suitable experience may be substituted for educational attainment when deemed appropriate by the General Manager or his designee on a case-by-case basis.
- C. Posting Requirements. Regular full and part-time vacancies are normally posted in various locations within the Town. Said posting includes the title, salary and the minimum qualifications and examination requirements for the position.
1. In the case of transfers and promotions, postings will be sent to all departments and such postings shall be placed on bulletin boards in areas of the Town's

buildings where the greatest number of potentially qualified applicants for the positions work. Any other internal communication devices such as town newsletters or periodic progress reports or staff meetings may also be utilized to make such openings known.

2. Internal Postings. When a job is posted internally, only regular full-time and regular part-time employees may apply except as provided for below.
3. Where applicable, posting requirements are based on contractual agreements and may range from 5 to 30 days.

The General Manager may, on a case by case basis, allow employees other than those classified as regular employees an opportunity to apply for Town positions during the internal posting process.

This internal posting procedure does not preclude the Town from simultaneously, or otherwise, allowing applicants from outside the Town forces to apply utilizing the open competitive requirements.

4. In the case of open competition, notices of job openings shall be advertised at least once in a newspaper having general circulation. For professional positions, advertisements may be placed in other major newspapers in the Northeast. The Town may place advertisements with additional sources in other areas based on the nature of the position. The following illustrate sources which may be utilized as appropriate for:

- a. Entry Level Police and Fire Positions, Professional, Clerical, Service and Maintenance Type Workers

1. Advertisements in minority newspapers in the Hartford area.

2. Notification to major minority colleges in the country, including Howard University, North Carolina Agricultural and Technical State University, Tennessee State University, and Tuskegee Institute.
3. Notification to community colleges and four year colleges in Connecticut.
4. Notification to those minority resource referral agencies appearing on a list to be maintained by the General Manager or the Manager's designated representative.
5. Notification to Manchester Human Relations Commission and the Manchester Interracial Council.
6. Notification to major Personnel and Human Resources Offices in the Northeast.
7. Advertisements in professional journals, if available.
8. Notification to the Employment And Training Administration for referrals from relevant training programs.

In addition, the General Manager, or the designated representative, shall conduct an ongoing analysis of the effectiveness of recruitment measures and shall undertake such positive and active recruitment measures as are deemed advisable.

D. Advertisement. The advertisement for each examination shall include either a starting salary or a bi-weekly salary range, whichever is appropriate for that position, a statement of the position, the minimum entrance requirements, the closing date for filing applications, and a statement that the Town encourages minorities, women

and qualified individuals with disabilities to apply, and a statement that notices will be mailed to candidates at least five (5) days prior to the administration of the examination as to whether or not they qualify to take the exam. Ordinarily the closing date for the position will be fourteen (14) days after the first day on which the position is advertised in a newspaper of general circulation. The Human Resources Director reserves the right to limit numbers of applications and to extend or shorten closing dates.

- E. Applying for the Job. Applications must be fully completed in order for a candidate to be considered for a position. This also applies to internal applications for promotions or transfers. Falsification of any information on an application may be grounds for rejection of application or termination of employment if falsification is discerned after employment commences.

Applications for job openings may be requested in person or by mail or by phone and will be accepted in person or by mail. Applications will not be accepted by facsimile machines (FAX). The Town cannot assume responsibility for the confidentiality of information provided on an employment application. Applicants living within a close geographical radius of Manchester are encouraged to apply in person. The Town shall provide reasonable accommodation in completing applications and in the testing process upon request. All candidates who submit applications shall receive a form indicating the name of the position, salary, or salary range, closing date, summary of the position, minimum qualifications, general areas that the examination will cover, the type of examination used and weighting of factors used in the examination. All candidates will be provided with a copy of the job description for the relevant position. Applications must be received by the Human Resources Department by 4:30 p.m. on the closing date or postmarked on the closing date for the position. After the closing date for accepting applications has passed, applications are reviewed by the Human Resources Department to determine which applicants meet the minimum qualifications. In order to compete in

the examination process, applicants must meet the minimum entrance requirements described in the examination announcement and must pass each subsequent phase of the examination in order to continue in the process. Notices to all candidates will be mailed at least five (5) days prior to the administration of the examination indicating whether or not they qualify to take the exam. Copies of the Town's Personnel Rules will be available upon request. Applicants who have failed an examination within the previous six (6) months may not re-test for the same position.

VIII. SELECTION

- A. Examinations. All appointments to positions in the classified service of the Town shall be made according to merit to be ascertained by competitive examinations. These examinations shall be developed or selected by the Human Resources Department and may include written, oral, agility, performance, evaluations of applications, or other recognized types of measurement, or post-offer physical or psychological tests. Education, experience, aptitude, knowledge, character and physical fitness appropriate for essential job functions may be considered with weights assigned to each factor as may be deemed proper by the General Manager or designee.

For professional positions, oral examinations are normally utilized. Depending on the level of clerical position, written, practical, and/or oral examinations, or a combination thereof, may be utilized. For service and maintenance-type workers, practical examinations and/or written examinations are normally utilized. Make-up examinations cannot be provided for oral or practical examinations. On a case-by-case basis, however, depending on extenuating circumstances, the Human Resources Director may offer a make-up written examination.

[For police entry-level positions, an agility, written examination and oral or assessment process are utilized as initial components. Polygraph, psychological,

psychiatric and post conditional job offer physical examinations are included for those candidates who continue in the process, based on their examination scores.]*See revision in Appendix A, Page 21.

For fire entry-level positions, a pass/fail agility and a written examination are utilized as initial components. A post conditional job offer physical is included for those candidates who continue in the process, based on their examination scores.

When the Manager or designee deems it appropriate, oral examinations may be taped. The Town may, at times, hire consultants or use other sources to conduct examinations. Notices shall be mailed at least five (5) days prior to the exam to all candidates who qualify to take the examination indicating the time, place and date of the examination. All new hires will have pre-employment drug and alcohol testing at the Town's expense and provide the Town with a Police records check from the Town in which they currently reside at their own expense.

- B. Qualifying for Examination. Applicants, to be eligible to compete in an examination, must meet the minimum entrance requirements described in the examination announcement. An applicant must pass each phase of the examination to maintain eligibility to continue the examination.

- C. Passing Score. For all positions the passing score will be 70% unless otherwise noted.

- D. The Eligibility List. Applicants shall be notified of the results of an examination as soon as possible following the close of the examination period. Candidates achieving a passing mark shall have their names placed on an Eligibility List which is signed by the Manager. Names on an Eligibility List shall remain in effect for a period of eighteen months from the date the list is signed. If individuals are on an Eligibility List and a vacancy occurs during that time, those people on the Eligibility

List, who are eligible to be certified for appointment, shall be notified of the vacancy and shall be expected to attend the interview with the appointing authority, indicating continued interest. Employees requesting a transfer from the same classification as the vacancy will be placed on the Eligibility List for certification to the appointing authority.

Under certain circumstances, and prior to the expiration of an Eligibility List, the General Manager may extend the effective period of the List up to one (1) additional year and shall so notify the department involved.

During the existence of an Eligibility List the General Manager may require a new examination and the Human Resources Director may direct such test to go forward.

The scores may then be merged. If at any time during the first eighteen months of the existence of an Eligibility List a new vacancy is announced for which the same or similar test is given, the Human Resources Director may permit an eligible, determined from a previous examination, to request his/her prior score be used for eligibility status in the new list or may require complete re-examination. Scores may only be extended once.

- E. Review of Examination Results. An applicant's examination results shall be open to inspection by the applicant and subject to review for the fourteen (14) days following the date of the notification of results, provided that the applicant requests an appointment in advance to inspect the papers and presents notification of the result of examination at the time of the appointment. An exception to this arises if the Town contracts out for testing and the contracting agency does not allow a review of examination results. The applicant inspecting his examination papers shall limit such inspection to a length of time which the General Manager, or the designated representative, shall prescribe as reasonable and shall not copy or record any of the written material or answers to questions from the examination.

IX. APPOINTMENT TO THE JOB

(Initial Hire or Promotions)

A. The Certification List. The appointing authority has discretion to appoint any applicant from a Certification List prepared and issued in writing by the Human Resources Department. The list of candidates from the Eligibility List certified to the departments shall be as follows:

1. The names of not more than five (5) candidates from the Eligibility List who achieved the highest scores on the entire examination process for the class or a list deemed appropriate by the General Manager or designee.
2. One (1) additional passing candidate determined from the next highest score of candidates on the Eligibility List for the class or a list deemed appropriate by the General Manager or designee for each additional vacancy.
3. The names of not more than five (5) of the next highest scoring candidates who scored within five (5) points of the highest score.

All tied scores will be submitted to the Appointing Authority. The Appointing Authority is responsible for interviewing all those on the Certification List.

If an examination is given for the position and fewer than five (5) candidates pass, an appointment may be made from those who have passed or, at the discretion of the General Manager or designee, the position may be readvertised. Under normal circumstances, appointments shall be made within forty-five (45) days after a Certification list has been issued or justification must be provided in writing to the General Manager.

[For Police and Fire entry-level positions, the certification list shall consist of the highest twenty (20) to forty (40) in sequential order of passing candidates determined from the Eligibility List for the class, with the number to be determined with prior approval of the Manager.]*See *Revision in Appendix A, page 21*.

- B. Departmental Interview. Once the Certification List is received, the Hiring Authority begins the process of interviewing each candidate. Interviews are conducted by Department or Division Heads. First-line Supervisors or a representative from the Human Resources Department may participate upon request of the Department or Division Head. Prior to employment, reference checks, police background verification, post conditional job offer, physical exams, immigration clearance, where applicable, and a completed Personal Activity Form must be sent to the Human Resources Department. No one may start working until the Personal Activity Form, with this accompanying documentation, has been signed by the General Manager. (The Human Resources Manual in each department contains additional details on these procedures.)
- C. The appointing authority may request additional certified applicants when a candidate waives an appointment.

A waiver is defined as a refusal of an offered position or as failure to:

1. Appear for a scheduled interview.
2. Indicate acceptance or rejection of employment within five (5) days, or a time period specified by the appointing authority.
3. Begin work on the date established, unless a longer period of time is deemed reasonable by the Appointing Authority.

D. Removal From An Eligibility List. An eligible person may be rejected, or may have his/her name removed from an Eligibility List if the General Manager or designee and the Appointing Authority determine for any reason that the person is not suitable for employment in the public service or in the position for which he or she is competing. Candidates for employment must complete a post-conditional job offer physical examination. In some circumstances, failure to pass such examination may be a basis for removal from the Certification and Eligibility List. Candidates in positions requiring college degrees, licenses or certification will be required to produce evidence of such degree, license or certification. Failure to do so will be a basis for removal from the Eligibility List.

When applicants refuse employment, their names are removed from the Eligibility List and the Hiring Authority may then request additional names.

E. Appointment to Hourly and Temporary Positions. Hourly and Temporary positions shall be filled, as far as is practicable, from an Eligibility List of names of candidates meeting the minimum qualifications for the class. To the extent possible hourly and temporary workers shall be required to take qualifying examinations.

F. Appointment to Seasonal Positions. Seasonal positions in departments that have a recurring need for qualified employees as demonstrated by the appointing authority, with the approval of the General Manager, may be hired directly from State or private employment agencies or in the case of the Recreation Department be recruited directly by the department if no such employees are currently available from Eligibility Lists, and if the Finance Department has certified that sufficient funds exist in the departmental appropriations for this purpose.

G. Transfer. When the General Manager or designee, deems it to the benefit of the Town service, and in accordance with appropriate collective bargaining agreements

where applicable, the Manager shall authorize the transfer of an employee within the same classification from one department to another or within departments and divisions. This may be initiated at the request of the employee, the head of the department to which the employee is being transferred, the head of the department from which the employee is being transferred, or the General Manager or designee. In order to qualify for a transfer an employee must currently hold a position in the same classification.

- H. Demotion. The General Manager may, with the approval of the appointing authority and the employee involved, permit a demotion to take place in order to avoid layoffs or when in the Manager's opinion it is in the Town's best interests. No affiliated person may request a transfer or demotion into an unaffiliated position.

APPENDIX A

Amendment to the Personnel Rules*

Section VIII.A, Paragraph 3 amended as follows:

For Police entry-level positions, an agility, written examination, and oral or assessment process are utilized as initial components of the hiring process. Background investigations, pre- and post-conditional job offer polygraph and psychological evaluations, Department interviews, and post-conditional job offer physical examinations may be required of those candidates who are certified to the Police Department for consideration.

Candidates who currently are certified as Police Officers by the Connecticut Police Officers Standards Training Academy (POST) shall not be required to take the written examination, oral or assessment components of the testing process. Such candidates will be required to pass the agility portion of the examination process; and upon passing said agility test shall be placed at the top of the eligibility list for Police Officers. Background investigations, pre- and post-conditional job offer polygraph and psychological evaluations and Department interviews may be required for candidates certified to the Police Department for consideration. In addition, post-conditional job offer physical examinations shall be required for those candidates the Police Department recommends and the General Manager's Office authorizes to continue in the process.

The Town reserves the right to limit the number of applications from certified Police Officers.

Section IX.A.-Paragraph 4 amended as follows:

Except as otherwise provided for herein, the certification list for Police and Fire entry-level positions shall consist of the highest twenty (20) to forty (40) candidates in sequential order based on test scores as determined from the eligibility list for the class, with the number to be determined by the Human Resources Department with prior approval of the General Manager, or his designee.

The Town reserves the right to limit the number of candidates certified to the Police Department for Police entry-level positions to those candidates on the eligibility list who are currently certified as a Police Officer by the Connecticut Police Officers Standard Training Academy (POST).

*Approved, Board of Directors: Action #383-99, November 23, 1999

APPENDIX B

Amendment to the Personnel Rules*

Section VII.B, amended as follows:

Suitable experience may be substituted for educational attainment when deemed appropriate by the General Manager or his designee on a case-by-case basis.

*Approved, Board of Directors: Action #477-04, November 16, 2004