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## AUHR 3.01 RECRUITMENT PROCESS

### Purpose

Recruitment processes are developed and used to attract, evaluate and select the most qualified candidates to fill vacancies for all permanent and limited duration positions. The criteria used shall be based on the knowledge, skills, abilities, experience and other characteristics needed for the effective performance of duties assigned to position(s).

Recruitment processes shall be job related developed and administered in accordance with federal, state and Auditor's Office administrative rule guidelines.

### Types of Recruitment Processes

Recruitment processes for positions in the Auditor's classified service may be Open, Internal, Continuous or Promotional.

**Open Recruitment:** Recruitment open to all applicants (including applicants that are not currently City of Portland employees).

**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.

**Promotional Recruitment:** A recruitment open only to regularly appointed City employees who meet the announced requirements. Applications for promotional recruitments may be restricted to all regularly appointed employees, employees within certain designated classes or to employees with designated time in service, as determined by the City Auditor or a designee.

**Continuous Recruitment:** A recruitment without a closing date.

### Recruitment Announcements

The announcements for each recruitment shall contain, but are not limited to, information about the position, salary, and form(s) of competition that comprise the recruitment, qualifications, application procedures, including the process for requesting disability accommodation or veteran's preference; the application filing location(s) and application deadline. 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 [Administrative Rule on Transfers](#).

## Applications

The number of applications accepted for a recruitment process may be limited 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.

## Visas

Under certain circumstances, the City Auditor may sponsor successful candidates who require an H-1B or TN Visa to work in the U.S.

For an H-1B visa the City Auditor may only sponsor a candidate if all of the following criteria are met:

1. The Auditor's Office can demonstrate a critical need for the candidate, the candidate's unique qualifications, and that the Auditor's Office has not been able to fill the position;
2. The candidate must be legally entitled to work in the U.S.;
3. The request from the Auditor's Office must be prepared in consultation with legal counsel to ensure all federal criteria are met;
4. The candidate must be in one of the eligible occupations (as determined by federal regulations);
5. The Auditor's Office request must be initiated between April and September (the only time during the calendar year when an H-1B visa can be obtained); and
6. The candidate must pay all outside attorney's fees for completing the H-1B visa application process.

For a TN Visa, the following criteria must be met:

1. The candidate must be in one of the identified professional categories (as determined by federal regulations);
2. The candidate must be legally entitled to work in the U.S.;
3. The candidate must pay any required Visa fees;
4. The position must be temporary or limited term as TN Visas are valid for only one year and can only be extended for one additional year;
5. The City Auditor in consultation with legal counsel must ensure all federal criteria are met.

Any proposed or potential work arrangement where the individual will be residing abroad, whether the individual is a City employee, independent contractor, employee of a contractor, or subcontractor, will be subject to the advance approval of the supervising manager and the City Auditor.

### **Rejected Application**

The City Auditor or designee may reject the application of any person who:

1. lacks the qualifications for the position; or
2. has made false statements of any material fact on the application; or
3. has been dismissed for cause from the classified service; or
4. has resigned in lieu of discipline or termination, (including resigning during the disciplinary investigative process); or
5. has provided unclear or incomplete information.

Prior to rejecting an application under (3) or (4) above, the Auditor will determine whether there are any special circumstances or accommodations that should be considered.

### **Unsolicited Resumes**

The Auditor's Office does not accept unsolicited resumes and letters of inquiry from persons seeking employment in lieu of a current recruitment process for that classification. When unsolicited applications are received, Management Services staff will dispose of the original resume and provide the link to the Job Interest Notification service.

### **Job Interest Notification Form**

The City of Portland's Job Interest Notification is the vehicle by which a person can inform the City of their interest in specific employment opportunities with the City.

## Disability Accommodation

Recruitment procedures may be modified to reasonably accommodate disabled individuals.

Request for modification in procedures should be submitted to the City Auditor at the time of application.

## Veteran's Preference

See Administrative Rule on Veterans Preference.

## Eligible Lists

Hiring managers will develop a list of all applicants who meet the minimum qualifications for the position being recruited. Management Services will monitor compliance with Veteran's Preference and Americans with Disabilities Act requirements.

## Examination Review

The Auditor's Office does not use results of written Civil Service tests as a minimum qualification for classified positions.

## Recruitment Process Appeals to the City Auditor

Only appeals of recruitment processes for positions in the City Auditor's classified service shall be allowed. Any appeal of recruitment process results for positions in the classified service must be submitted in writing to the City Auditor no later than fourteen (14) calendar days after the notice of minimum qualifications review results is mailed. Within fourteen (14) calendar days of the date the Auditor receives the appeal, the appellant shall be sent a letter acknowledging receipt of the appeal. The Auditor or a designee shall offer to meet with the candidate to discuss the appeal. The Auditor or a designee shall respond in writing to the appeal within fourteen (14) calendar days after the meeting, or if a meeting is not held, within fourteen (14) calendar days following an offer to meet.

Not all concerns or issues that a candidate may have with a recruitment process may qualify as an *appeal*. To be considered as an appeal the candidate MUST show one of the following:

1. The recruitment process, in whole or part, was administered in a manner that was contrary to the Auditor's Office rules governing recruitments; or
2. The recruitment process, in whole or part, was contrary to the law; or
3. The recruitment process, in whole or part, was administered based on decisions that were politically based rather than on merit.

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

The Auditor may elect to halt or modify a recruitment process if the Auditor determines that the appeal raises a probability of questionable validity or integrity of the recruitment process.

### **Recruitment for Positions Outside the Classified Service**

The Auditor's Office may choose to fill a vacant position that is outside the classified service through direct appointment or a competitive recruitment. Positions in the Auditor's Office that are outside the classified service, or "at-will," are:

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

At the recommendation of the City Auditor and with the approval of City Council by ordinance, employees may be excluded from the classified service if they are in a classification where a critical element of their position requires exercising independent judgment in the formulation of policies that have citywide impact or importance. Hiring managers will develop a list of all applicants who meet the minimum qualifications for the position being recruited. Management Services will monitor compliance with Veteran's Preference and Americans with Disabilities Act requirements.

### **Recruitment and Employment Incentives**

The City Auditor may determine which permanent or limited duration positions are "key" or in need of special recruitment efforts and therefore merit recruitment and/or employment incentives. Such positions are not limited to division managers and may include candidates whose job qualifications are uniquely suited to a particular position or in a profession for which there are only

a limited number of qualified candidates. Such positions should normally be identified as key before recruitment efforts commence. The following recruitment and employment expenses are authorized under these conditions:

### **Travel Expenses**

The Auditor's Office may pay out of its budget for reasonable travel expenses for those 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

Approval of payment for such expenses is at the discretion of the City Auditor.

### **Relocation Expenses**

The Auditor's Office may pay relocation expenses out of its budget for new, non-represented employees who incur relocation costs following their appointment to an Auditor's Office position. Authorization for relocation expenses must be approved by the City Auditor. Recipients of relocation expenses must repay the City a pro-rata amount of those expenses if employment with the City of Portland is terminated, for any reason, within one (1) year of date of hire.

The Auditor's Office shall enter into a signed agreement with the new employee identifying household expenses to be paid by the Auditor's Office and employee-responsible expenses. The agreement must be signed by the City Auditor and by the recipient of the relocation expenses. The agreement shall stipulate terms of payment by the Auditor's Office and shall include provisions for the pro-rata repayment of relocation expenses by the employees should their employment terminate within one year. Hiring managers must consult with Management Services for the appropriate documentation for Relocation Reimbursement.

In consideration of the payment of relocation expenses by the Auditor's Office, relocation within the limits of the City of Portland may be encouraged by the City Auditor.

Relocation expenses as a recruitment incentive are not available to Limited Duration appointees.

### **Vacation Accruals**

When authorized by the City Auditor, newly appointed employees may be credited for prior professional service by placement at the appropriate step of the vacation accrual table contained in the **Administrative Rule on Vacation**. Once placed on the schedule, future service with the City shall count normally

toward additional vacation accrual rates. The Auditor may also authorize the one-time crediting of up to 40 hours of vacation available for use from date of hire.

Recruitment incentives are limited to employees newly appointed to City employment and are not available to current City employees except as specifically outlined here. However, in limited circumstances, the Auditor may approve the vacation accrual incentive for temporary City employees applying for permanent employment.

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### **Human Resources Rule Information and History**

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

Adopted by the City Auditor December 11, 2017.

Adapted from City of Portland Human Resources Administrative Rule 3.01 Recruitment Processes.

Adopted by Council March 6, 2002, Ordinance No. 176302.

Last revised April 25, 2016.