

Town Manager
(802) 362-1313
Fax: (802) 362-1314
Planning & Zoning Departments
(802) 362-4824
Highway Department
(802) 362-3283
Finance Department
(802) 362-1197
Town Clerk
(802) 362-1315
Factory Point Cemetery
(802) 362-1313

TOWN OF MANCHESTER
6039 MAIN STREET
MANCHESTER CENTER, VERMONT 05255

(802) 362-1313

www.town.manchester.vt.us

Water & Sewer Department
Billing: (802) 362-1197
Plant: (802) 362-3339
Police & Fire Department
Phone: (802) 362-2121
Fax: (802) 362-0202
Assessing Department
(802) 362-1373
Park & Recreation Department
(802) 362-1439
Fax: (802) 362-0200
Animal Control and Health Officer
(802) 362-2121

TO: Department Heads

FROM: John P. O'Keefe, Town Manager

RE: Hiring Policy - UPDATED

DATE: July 13, 2007 (EFFECTIVE IMMEDIATELY)

Please note that it is effective immediately. Do not hesitate to contact me or Ioana Drew at 362-1313 if you have any questions. A training session will be held to walk managers through the new process.

PURPOSE

The purpose of this policy is to ensure that the Town of Manchester hires the best possible candidates for open positions, and fully complies with all state and federal laws, as well as the Town's Personnel Code.

It is the policy of the Town of Manchester that the hiring process shall be free of preferential treatment, nepotism and/or patronage. (Also, please note the Town's Personnel Code prohibits a department head from employing an immediate family member.) The Town shall not employ a relative of the Town Manager or the Human Resources Administrator under any circumstances.

The Town shall not employ relatives of employees in a reporting relationship. Employees' relatives include an employee's parent, child, spouse, sibling, in-law, civil union partner and step relationship, and shall not be hired by the Town under any of the following circumstances where:

- one of the employees have authority to (directly or indirectly) supervise, appoint, remove, or discipline the other;
- one employee is responsible for auditing (directly or indirectly) the work of the other;
- both employees would report to the same immediate supervisor (non full-time employee relatives may work in the same department; but not the same division); or
- other circumstances that might lead to potential conflict among the employees or the best interests of the Town, as determined by the Town Manager

Examples of supervising responsibilities include but are but not limited to: scheduling shifts, signing timesheets, and evaluating performance.

A supervisor involved in the interview process of a candidate must disclose, in writing, to the Town Manager, any personal or business relationship with the candidate. The Town Manager will evaluate whether or not it is appropriate for the supervisor to participate in the interview process. A candidate having a personal or business relationship with a supervisor will be treated no differently than other candidates and the relationship will not affect the decision whether or not the Town offers the candidate the position

Throughout the process, hiring managers (normally department heads) and the Town Manager's Office will use the EMPLOYMENT REQUISITION FORM (hereafter referred to as HR-1) and this policy. HR-1 ensures that the hiring process is followed and that appropriate sign-offs from the Town Manager's Office have been received throughout the process. The original form shall be retained in the Town Manager's Office throughout the process, with copies distributed to hiring managers. Once completed, the final original shall be inserted into the employee's personnel file along with all the necessary backup paperwork required by this policy.

This policy is intended to govern the hiring process. It is not a substitute for the Town's Personnel Code. The Town's Personnel Code governs employee conduct and rights, the employer-employee relationship, and employee benefits. Whenever this policy conflicts with the Personnel Code, the Personnel Code will be enforced.

STEP ONE:
NEW HIRE REQUEST, REQUIREMENTS & APPROVAL

The hiring manager requesting the hire completes “STEP ONE – NEW HIRE REQUEST & APPROVAL” of HR-1 and submits it to the Town Manager’s Office.

The hiring manager submits with STEP ONE of HR-1 to the Town Manager (1) a job description (*see below*) and (2) draft advertisement and posting (*see below*). The Town Manager will be responsible for approving or denying the initial request. In addition, for part-time employees, the Town Manager will be responsible for approving any and all benefits.

The hiring manager should assume that the Town Manager’s Office will take one week to approve STEP ONE requests, job descriptions, advertisements and postings.

Please note that the Personnel Code specifically states that compensation for new employees shall be established by the Town Manager (Section 301). Pay increases beyond cost of living adjustments made annual by the Selectboard must be approved by the Town Manager. Furthermore, positions that earn more than a maximum salary of \$40,000 per year must also be approved by the Selectboard. Because of the timing of meetings, Selectboard approval may take as long as three weeks.

If approved, the HR-1 form is filed in the Town Manager’s Office and a copy of the approved form is provided to the hiring manager. At this point, “STEP TWO – INTERVIEW & RECOMMATION” begins. *See STEP TWO below.*

JOB DESCRIPTIONS

Job descriptions are a critical part of the hiring process. Successful job descriptions create a clear expectation in the applicant’s mind as to what the job entails day-to-day and provides a strong foundation for management of the employee.

Descriptions must be reviewed and approved by the Town Manager as part of STEP ONE and prior to the recruitment process. In order to provide a consistent expectation during the hiring process, descriptions should be used to develop the advertisement. Job descriptions also allow managers to communicate job responsibilities and duties.

Job descriptions must include only factual, non-discriminatory duties of the job. Descriptions must include duties that are related only to the applicant’s ability to perform the functions of the job. Please be careful to not include duties, especially physical duties, which supersede regular day-to-day duties. This could be viewed as a possible discriminatory action. During the employee evaluation process, job descriptions will be utilized to determine if the employee is meeting performance expectations.

Hiring managers should utilize JOB DESCRIPTION (form HR-2) when developing job descriptions.

STEP TWO:
INTERVIEW & RECOMMENATION

ADVERTISING/POSTING

Once the position has been authorized by the Town Manager, the hiring manager is authorized to advertise and post the position. This is the beginning of the recruitment process. All job advertisements/postings shall be approved by the Town Manager as part of STEP ONE.

Job openings shall be posted (1) in the Town Manager's Office, (2) in the office of the department posting the position as well as (3) advertised in the Town's paper of record (currently *The Manchester Journal*). Positions may also be advertised in other publications at the discretion of the hiring manager. Under certain limited circumstances hiring managers may request, in writing, from the Town Manager a waiver from the advertising requirement. For seasonal employees, hiring managers shall ensure that open positions are posted and that the process is open to all candidates. Previously-employed candidates and new candidates shall be treated equitably and be afforded the same opportunities based on qualifications.

Additional testing may be required, but only if it is directly related to the position. These additional requirements should be included in the advertisement and job description. These may include a physical fitness test, health examination, drug test and/or criminal background test. Such additional requirements must be approved by the Town Manager.

Advertisements should specify the name and office of the person from whom applications and job descriptions are to be obtained, the name and office of the person to whom completed application are to be returned, as well as the deadline for filing an application.

The advertisement shall also state that "The Town of Manchester is an Equal Opportunity Employer (EEO)" which means it is the policy of the Town of Manchester to provide equal opportunity to all employees and applicants for employment without regard to race, color, religion, sex, age, ancestry, national origin, sexual orientation, disability or HIV status or veteran status. The Town's EEO policy is as follows:

TOWN OF MANCHESTER
EQUAL OPPORTUNITY EMPLOYMENT POLICY

It is the policy of the Town of Manchester to provide equal opportunity in employment and to administer employment policies without regard to race, color, religion, national origin, sex, sexual orientation, ancestry, place of birth, age, physical or mental condition, HIV status or veteran status. This policy applies to every aspect of employment practices including, but not limited to, the following:

- (1) Recruiting, hiring and promoting in all job classifications without regard to race, color, religion, national origin, sex, sexual orientation, ancestry, place of birth, age, physical or mental condition, HIV status or veteran status, except where such a factor can be demonstrated as a bona fide occupational qualification.*
- (2) Other personnel actions such as compensation, benefits, transfers, layoffs, training and assignments will also be administered without regard to race, color, religion, national origin, sex, sexual orientation, ancestry, place birth, age, physical or mental condition, HIV status or veteran status, except where such a factor can be demonstrated as a bona fide occupational qualification.*

A sample advertisement is as follows:

ADMINISTRATIVE ASSISTANT - Town of Manchester, VT seeks experienced Administrative Assistant for Town Manager and Selectboard. Position responsible for providing administrative support to Town Manager and Selectboard, human resources and benefits, assist with publication of Town Report, administrator for cemetery association and other duties assigned by Town Manager. Candidates must have strong fiscal and organizational skills, able to draft correspondence and possess computer and general office skills. Excellent benefits, competitive salary and paid vacation and holidays. Job description and application may be obtained by calling the Town Manager's Office at 802-362-1313. Applications may also be obtained at <http://www.town.manchester.vt.us> by clicking on the FORMS tab. Send cover letter and resume to John O'Keefe, Town Manager, 6039 Main St., Manchester Ctr., VT 05255 or manmgr@sover.net before March 29. The Town of Manchester is an Equal Opportunity Employer (EEO).

APPLICATIONS

In order to treat all applicants equally and fairly, all applicants must complete an official Town of Manchester application (see form HR-3). It is also strongly recommended that hiring managers also require a resume and cover letter. Depending on the job, hiring managers may also require additional materials such as writing samples and copies of licenses.

All applications must be date stamped and kept on file by the hiring department for at least six months. If the hiring process is being litigated or the Town has received a complaint, the applications must be kept on file until the complaint or litigation is settled or adjudicated, but not less than 6 months.

Applicants should be encouraged to send resumes and cover letters via email. Advertisements should also state that the Town's employment application form is on-line at www.town.manchester.vt.us by clicking on the FORMS tab.

INTERVIEWS

After the deadline for applications has passed, the hiring manager should decide which candidates will be interviewed for the position and schedule interviews. HR-4 (INTERVIEW GUIDE) has been provided in order to assist hiring managers in interviewing.

The interviewer(s) should discuss the position with each candidate being interviewed, in order to give the candidate a sense of the job. This is the Town's best opportunity to explain its expectations, the responsibilities associated with the position and salary range and benefits.

Interviewer(s) shall ensure that all candidates are asked the same general questions. Interviewers shall not ask candidates medical or health questions or personal questions, such as marital status or dependents. Questions must always be job related. Never ask questions, either directly or indirectly, about age, sex, race, color, national origin, religion, sexual preference, marital status, pregnancy, disabilities or HIV status. You may only ask applicants if there is anything that precludes the applicant from performing the essential functions of the job for which he or she is applying, with or without a reasonable accommodation. The interviewer should focus on questions that are pertinent to educational background and specific skills, work experience, prior terminations or resignations. After basic skills and qualifications have been determined, interview questions should facilitate discussion as well as elicit from

candidates past behaviors and situations that demonstrate the desired attributions for the job. Questions should be open ended and avoid yes or no responses. A list of sample legal and illegal questions is attached.

The hiring manager may want to schedule a second round of interviews with finalists or have a second interview with another manager in order to gain a second perspective.

At the end of STEP TWO, the hiring manager will recommend a candidate to the Town Manager, along with a salary recommendation. Please include a copy of any paperwork with HR-1, such as the Interviewing Guide, resume and cover letter. The hiring manager should be prepared to justify the salary recommendation, if necessary. If the candidate and salary are approved, the hiring manager begins STEP THREE.

STEP THREE:
JOB OFFER & REFERENCES

REFERENCES

Before a verbal or written job offer may be made the hiring manager shall verify credentials (education and licenses) and references using HR-6. This is the last step before an offer is extended and should only be performed on the final candidate. Before doing so, however, the hiring manager must obtain written permission from the candidate to check references and verify education. *See attached CANDIDATE'S CONSENT TO RELEASE OF INFORMATION form (HR-5).*

At least three references must be checked and only professional and academic references are acceptable. Do not accept or check personal references such as friends, relatives or neighbors. Upon satisfactory references, the hiring manager may seek the Town Manager's approval to extend a verbal job offer to the recommended candidate. Approvals will be sought using HR-1.

EMPLOYMENT OFFER

Verbal Offer: After the hire has been approved by the Town Manager and references have been checked, the hiring manager may contact the final candidate via telephone to extend an offer. At this point the hiring manager should remind the candidate that the offer is contingent on a successful background check, drug testing, and other testing or requirements, if applicable. The hiring manager should review the salary offer, applicable benefits and job description with the candidate. If the candidate accepts the verbal offer the manager should precede to the written offer stage.

Written Offer: Once a verbal job offer is accepted, the Town Manager will send a written job offer to the candidate. A written job offer, drafted by the hiring manager, must include the following:

- (1) Starting salary
- (2) Job title
- (3) Starting date
- (4) Supervisor's name
- (5) Job description as an attached document
- (6) Probationary period (90 days for permanent staff)
- (7) Any conditions such as pre-employment testing or examination requirements, including criminal background check and fingerprinting

For exempt positions, salary should be stated in weekly terms (\$575 per week); for non-exempt positions, salary should be stated in hourly terms (\$10.25 per hour). The letter should state whether the position is eligible for overtime pay or compensation time.

The candidate must sign and return the employment offer letter in order to finalize the offer. The original signed letter will be retained in the employee's personnel file. Copies will be distributed to the employee and the hiring manager. At this point, a plan for all necessary pre-employment tests (see below) as well as a tentative start date should be established and recorded on HR-1.

Pre-employment paperwork should be sent to the employee along with a copy of the Town's Personnel Code. The employee should return the paperwork before the first day of work or be prepared to complete it as their first duty. The employee should report to work with their Social Security card and original documents that establish eligibility to work in the United States, as required by the I-9 form. *See below.*

Once the employment offer has been formally accepted by the candidate the hiring manager should send rejection letters to the candidates that were not selected. Sample offer letters and reject letter are attached as Attachments 1-A through D and 2.

CRIMINAL BACKGROUND CHECKS

All positions (full-time, part-time, seasonal or volunteer) that provide, either directly or indirectly, services to, interact with or have access to “vulnerable classes of people” including children, the elderly and certain persons with disabilities must undergo a FBI criminal background check. Employees who undergo background checks will also be fingerprinted by the Manchester Police Department. The background checks will be conducted after a conditional offer has been extended to a candidate. Before doing so, however, the hiring manager must obtain written permission from the candidate to perform a criminal background check and fingerprints using the FBI NATIONAL RECORD CHECK RELEASE FORM (attached).

Background checks will be conducted in accordance with the Vulnerable Populations Program (Title 20) administered through the Vermont Criminal Information Center and in consultation with the Manchester Police Chief. The Town Manager will consult with the Chief of Police regarding background checks. Hiring managers will be informed by the Town Manager whether the candidate successfully cleared the background check. If a candidate is rejected by the Town Manager and Police Chief, hiring managers will not be given details, per Vermont State Law. State law provides significant penalties for discussing or distributing criminal background checks with unauthorized individuals.

The following crimes will be considered automatic disqualifiers:

- Crimes against children, the elderly or the disabled
- Registered sex offenders
- Violent felonies
- Crimes that indicate a lack of moral character

The Town Manager may disqualify candidates for the following categories of crimes:

- Crimes or motor vehicle infractions that involve alcohol or illegal drugs
- Non-violent felonies
- Crimes that indicate a pattern of negative behavior
- Crimes involving theft or embezzlement

PRE-EMPLOYMENT DRUG TESTING

Federal law and the Town’s Personnel Code (Subsection G of Section 602) require candidates that operate commercial motor vehicles are required to undergo drug testing prior to employment. This process is handled by an outside contractor. Testing must be done after a conditional offer has been made. For more information regarding this policy please consult the Town’s Personnel Code.

STEP FOUR:
PRE-HIRE PAPERWORK, VERIFICATION & ORIENTATION

As noted above, newly hired employees must complete necessary paperwork and receive orientation on the first day of employment before reporting to work on their first day.

Employees must report to the Town Manager's Office, which will coordinate all employment paperwork and establish benefits such as health care, dental and short-term disability, if applicable. Orientation should be arranged by the hiring manager in advance of the employee's first day of work. Orientation will include a tour of the municipal facilities, a brief overview of the organization of Town government and introductions. NEW EMPLOYEE ORIENTATION FORM (HR-9) will be used to ensure that all aspects of the orientation process have been completed.

The hiring manager must provide the employee department-specific orientation. This must include safety policy and reviewing department policies.

Employees will be required to sign two forms (HR-7 and HR-8) that, which indicate that the employee has (1) received a copy of the Personnel Code and has read and understands the Code and (2) the employee acknowledges that the Town may monitor the employee's email, computer and telephone usage. If the Personnel Code was not provided during STEP THREE, it must be provided during orientation. The supervisor and the Town Manager's Office will utilize the NEW EMPLOYEE ORIENTATION FORM (HR-9) to ensure that all key aspects are covered during the orientation process.

It is the policy of the Town that all pre-employment paperwork must be completed before the employee begins the first day of work including:

- (1) Immigration Status form (I-9)**
- (2) IRS W-4 form, including a copy of the employee's Social Security card**
- (3) Employee Consent to Monitoring form (form HR-7), and**
- (4) Employee Personnel Code Acknowledgement form (form HR-8)**

**ATTACHMENT 1-A
OFFER LETTER
EXEMPT EMPLOYEE**

June 1, 2007

Mr. Jim Smith
1234 Main Street
Manchester Center, VT 05255

Dear Mr. Smith:

It is a pleasure to officially extend to you an offer of employment with the Town of Manchester. To confirm the details of our discussion, you will start work on June 10 as Zoning Administrator. Your supervisor is John Wilson. A job description is attached, as well as a copy of the Town's Personnel Code.

Your salary will be paid at the rate of \$655 per week. You are eligible for compensation time, per the Personnel Code and applicable laws. In addition, you are eligible for standard employee benefits, per the Personnel Code. Please note that there is a standard 90-day probationary period. As I noted earlier in our telephone conversation, this offer is contingent upon:

- (1) Providing proof of eligibility to work in the United States (I-9 form is attached)*
- (2) Signing acknowledgement forms stating that you will adhere to all the Town's personnel policies*

Again, welcome aboard! I look forward to seeing you on June 10. Until then, please acknowledge receipt of this letter by signing the enclosed copy and returning it to me as soon as possible. You will receive a copy of it during your orientation. Meanwhile, if you have any questions about your benefits or this offer please contact Ms. Ioana Drew, Administrative Assistant, at (802) 362-1313.

Sincerely,

John P. O'Keefe
Town Manager

I accept this offer of employment:

Employee Signature

Date

Cc: Supervisor; personnel file; Ioana Drew, Administrative Assistant; Ruth Woodard, Finance Officer

**ATTACHMENT 1-B
OFFER LETTER
NON-EXEMPT EMPLOYEE**

June 1, 2007

Mr. Jim Smith
1234 Main Street
Manchester Center, VT 05255

Dear Mr. Smith:

It is a pleasure to officially extend to you an offer of employment with the Town of Manchester. To confirm the details of our discussion, you will start work on June 10 as Highway Technician. Your supervisor is John Wilson. A job description is attached, as well as a copy of the Town's Personnel Code.

Your wages will be paid at the rate of \$12.10 per hour. You are eligible for overtime pay, per the Personnel Code and applicable laws. In addition, you are eligible for standard employee benefits, per the Personnel Code. Please note that there is a standard 90-day probationary period. As I noted earlier in our telephone conversation, this offer is contingent upon:

- (1) Providing proof of eligibility to work in the United States (I-9 form is attached)*
- (2) Passing the federally-mandated drug and alcohol test*
- (3) Signing acknowledgement forms stating that you will adhere to all the Town's personnel policies*

Again, welcome aboard! I look forward to seeing you on June 10. Until then, please acknowledge receipt of this letter by signing the enclosed copy and returning it to me as soon as possible. You will receive a copy of it during your orientation. Meanwhile, if you have any questions about your benefits or this offer please contact Ms. Ioana Drew, Administrative Assistant, at (802) 362-1313.

Sincerely,

John P. O'Keefe
Town Manager

I accept this offer of employment:

Employee Signature

Date

Cc: Supervisor; personnel file; Ioana Drew, Administrative Assistant; Ruth Woodard, Finance Officer

**ATTACHMENT 1-C
OFFER LETTER
PART-TIME NON-EXEMPT EMPLOYEE**

June 1, 2007

Mr. Jim Smith
1234 Main Street
Manchester Center, VT 05255

Dear Mr. Smith:

It is a pleasure to officially extend to you an offer of employment with the Town of Manchester. To confirm the details of our discussion, you will start work on June 10 as Administrative Assistant. Your supervisor is John Wilson. A job description is attached, as well as a copy of the Town's Personnel Code.

This is a part-time position. Your wages will be paid at the rate of \$11.25 per hour. You are eligible for overtime pay, per the Personnel Code and applicable laws. As I noted earlier in our telephone conversation, this offer is contingent upon:

- (1) Providing proof of eligibility to work in the United States (I-9 form is attached)*
- (2) Signing acknowledgement forms stating that you will adhere to all the Town's personnel policies*

Again, welcome aboard! I look forward to seeing you on June 10. Until then, please acknowledge receipt of this letter by signing the enclosed copy and returning it to me as soon as possible. You will receive a copy of it during your orientation. Meanwhile, if you have any questions about your benefits or this offer please contact Ms. Ioana Drew, Administrative Assistant, at (802) 362-1313.

Sincerely,

John P. O'Keefe
Town Manager

I accept this offer of employment:

Employee Signature

Date

Cc: Supervisor; personnel file; Ioana Drew, Administrative Assistant; Ruth Woodard, Finance Officer

**ATTACHMENT 1-D
OFFER LETTER
SEASONAL EMPLOYEE**

June 1, 2007

Mr. Jim Smith
1234 Main Street
Manchester Center, VT 05255

Dear Mr. Smith:

It is a pleasure to officially extend to you an offer of employment with the Town of Manchester. To confirm the details of our discussion, you will start work on June 10 as a seasonal Lifeguard. Your supervisor is John Wilson. A job description is attached, as well as a copy of the Town's Personnel Code.

Your wages will be paid at the rate of \$8.20 per hour. You are eligible for overtime pay, per the Personnel Code and applicable laws. I anticipate that your last day of work will be September 2, 2007. As I noted earlier in our telephone conversation, this offer is contingent upon:

- (1) Agreeing to and clearing a criminal background check*
- (2) Providing proof of eligibility to work in the United States (I-9 form is attached)*
- (3) Signing acknowledgement forms stating that you will adhere to all the Town's personnel policies*

Again, welcome aboard! I look forward to seeing you on June 10. Until then, please acknowledge receipt of this letter by signing the enclosed copy and returning it to me as soon as possible. You will receive a copy of it during your orientation. Meanwhile, if you have any questions about your benefits or this offer please contact Ms. Ioana Drew, Administrative Assistant, at (802) 362-1313.

Sincerely,

John P. O'Keefe
Town Manager

I accept this offer of employment:

Employee Signature

Date

Cc: Supervisor; personnel file; Ioana Drew, Administrative Assistant; Ruth Woodard, Finance Officer

ATTACHMENT 2
REJECTION LETTER

Mr. Jim Smith
1234 Main Street
Manchester Center, VT 05255

Dear Mr. Smith:

Thank you for your recent interest in the position of Highway Foreman. I was impressed with your background and qualifications.

I am sure you realize that choosing only one person from a pool of highly-qualified candidates is difficult. While your credentials are strong, we have decided to offer the position to another candidate. However, I plan to keep your resume on file for six months in case another position becomes available.

Again, thank you for your interest in the Town of Manchester. I sincerely wish you the best of luck in your job search.

Sincerely,

Susan Jones
Department Head