

**POLICY: HR02 – Hiring and Employment**

APPROVAL DATE: 01/01/1982

REVISION DATE: 05/16/2023

**Purpose**

To set forth the District's policies for hiring and employment.

**Scope**

Applies to all District employees

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For purpose of this policy, immediate family members include spouses, parents, step-parents, grandparents, in-laws, siblings, step-siblings, children, step-children, domestic partners, and members of an employee's immediate household.

**2.01 Nature of Employment**

All employees of Spokane County Library District are hired for an indefinite period of time and the employee, or the District may terminate the relationship at any time at their discretion. No District representative other than the Board of Trustees or the Executive Director has authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to this policy.

The Executive Director is appointed by the Board of Trustees and serves at its pleasure.

**2.02 Secondary Employment**

An employee may engage in off-duty employment that is not inconsistent, incompatible, or in conflict with the employee's duties with the District and that will not adversely affect the performance of the employee.

A full-time or regular part-time employee who is employed by another employer in addition to the District is required to notify Human Resources of such employment if it may be inconsistent, incompatible, or in conflict with this policy. If this secondary employment violates this policy, the employee will be asked to eliminate the conflict.

Failure to report possible conflicting employment may be grounds for disciplinary action.

**2.03 Authorization to Work in the United States**

The Spokane County Library District shall follow the most recent regulations relating to the Immigration Reform and Control Act of 1986 (IRCA) published by the United States Citizenship and Immigration Service (USCIS).

**2.04 Hire Reporting Requirements**

The Spokane County Library District shall follow the most recent regulations relating to the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 and state RCW 26.23.040, requiring all new hires or rehires to be reported to the State Department of Social and Health Service, Division of Child Support, within 20 days of hiring.

**2.05 Background Check**

The District will comply with RCW 43.43.830-845 by conducting background checks for all employees and volunteers. The District may use the Washington state patrol WATCH system and/or may use a third-party provider. The District will pay any fees associated with completing a background inquiry.

For those employees whose duties involve operating a District vehicle, a full driver's record will be requested from the state in which the employee's driver's license is issued. This will be noted in the job description.

For those employees who have signatory authority and those whose duties involve access to District funds, such as the Executive Director, Finance Director, Finance Manager, a credit check will be conducted. This will be noted in the job description.

Background checks will be conducted post-offer to a new employee. A conditional offer of employment will be made, contingent upon the results of the background inquiry.

Background checks will be conducted on an ongoing basis for current staff, every three years from the date of the initial background check. For those subject to driver's record searches and/or credit checks, these will be requested on the same schedule as routine background checks.

The following convictions, if found, disqualify an individual from employment with the District. The Human Resources Director and Executive Director will review the results of a background check that contain item(s) from this list with the individual prior to a determination not to hire or to terminate the employee.

- Arson – First degree
- Assault – First, second or third degree
- Assault of a child – First, second or third degree
- Assault, simple
- Burglary – First degree
- Child abandonment
- Child abuse or neglect as defined in RCW 26.44.020
- Child buying or selling
- Child molestation – First, second or third degree
- Commercial sexual abuse of a minor
- Communication with a minor for immoral purposes
- Criminal abandonment
- Criminal mistreatment – First or second degree
- Custodial assault
- Custodial interference – First or second degree
- Custodial sexual misconduct – First or second degree
- Drug crimes – conviction of a crime to manufacture, deliver, or possession with intent to manufacture or deliver a controlled substance
- Endangerment with a controlled substance
- Extortion – First or second degree
- Felony indecent exposure
- Financial exploitation (as defined in RCW 74.34.020) crimes - conviction for first-, second-, or third-degree extortion; first, second-, or third-degree theft; first- or second-degree robbery; forgery
- Incest
- Indecent liberties
- Kidnapping – First or second degree
- Malicious harassment
- Manslaughter – First or second degree
- Murder – Aggravated, first or second degree
- Promoting pornography
- Promoting prostitution – First degree

- Prostitution
- Rape – First, second or third degree
- Rape of a child – First, second or third degree
- Robbery – First or second degree
- Selling or distributing erotic material to a minor
- Sexual exploitation of a minor
- Sexual misconduct with a minor – First or second degree
- Unlawful imprisonment
- Vehicular homicide
- Violation of child abuse restraining order

Or any other convictions the Library District determines to be related to any of the above or would cause a violation of RCW 43.43.830.

### **2.06 Access to Personnel Files**

For each employee, a file containing documents related to their employment with the District shall be maintained.

Access to personnel files is restricted to the employee, the employee's supervisor, the Human Resources Director or designee, and the Executive Director or designee. No one other than authorized individuals shall have access to an employee's personnel file without the written permission of the employee, unless required by law.

~~With prior notice, a~~ An employee may request to examine their personnel file at the Administrative offices during regular office hours with a Human Resources staff member present. Human Resources will coordinate with the employee for this review to happen within ten (10) days of the request unless good cause is shown that more time is needed.

Former employees may make requests as above no more than one time per calendar year.

An employee may request photocopies of their personnel file contents from the Human Resources Director or designee. Photocopying will be done by authorized Human Resources staff. Photocopy requests will be provided to the employee within ~~two~~ ten (210) business days, under most circumstances. There may be a reasonable charge for photocopies.

Personnel files shall be retained, at a minimum, according to the General Records Retention Schedule issued by the Office of the Secretary of State of Washington.

All records containing Protected Health Information (PHI) information, including information about the employee's medical history or conditions and need for medical leave, and the results of an employee's background, driver's and/or credit check will be kept in a separate and confidential file.

Only the employee, Executive Director or Human Resources Director may access medical and background investigation records, unless otherwise required by law.

### **2.07 Employment Verifications/Reference Checks**

All requests for employee information must be referred to the Human Resources Department or Executive Director. No unauthorized District employee may release information about current or former employees.

The District will respond to requests to verify dates of employment, job title and duties, and salary.

A log of reference checks and employment verification inquiries will be retained by the Human Resources Department and will include:

- Date of request.
- Name of person requesting information, organization, and telephone number.
- Initials of individual providing the information.

### **2.08 Government and Other Official Inquiries and Public Records Act Requests**

The District will comply with subpoenas, court orders, Public Records Act requests, and all other valid legal requests for employee information required by law. All such legal documents, when received, shall be forwarded immediately to the Human Resources Director and/or Executive Director for review and handling.

### **2.09 Introductory Period**

The Introductory Period is the ninety (90) day evaluation period following initial hiring by the District. Under special circumstances, the Introductory Period may be extended upon approval by the Human Resources Director. An employee may be separated from service at any time during the Introductory Period without notice and for any reason.

If Leave without Pay (LWOP) is taken during this initial employment period, the Introductory Period shall be extended by the length of the LWOP.

If District operations are closed for an extended period of time, either partially or in full, and the employee has been placed on Administrative leave, the Introductory period will be extended for an amount of time equal to the closure.

### **2.10 Trial Service Period**

The Trial Service Period is the ninety (90) day evaluation period following a promotion, demotion, or transfer to a new position. The Trial Service Period may be extended upon approval by the Human Resources Director. The Trial Service Period may be waived at the recommendation of the Human Resources Director and the approval of the Executive Director. If an employee does not successfully complete the Trial Service Period, they may be returned to their former position, if available, or be separated from service with District.

If Leave without Pay (LWOP) is taken during this employment period, the Trial Service period shall be extended by the length of the LWOP.

If District operations are closed for an extended period of time, either partially or in full, and the employee has been placed on Administrative leave, the Trial Service period will be extended for an amount of time equal to the closure.

### **2.11 Acting Appointment**

An acting appointment is the short-term assignment of a current employee to an open position. An acting appointment must be authorized by the Executive Director.

Normal District hiring procedures need not be followed in assigning an employee to an "acting" position.

An employee in an acting appointment shall continue to have regular performance meetings with their supervisor.

An acting appointment does not affect the employee's anniversary date or ability to use accrued leave.

At the end of the Acting Appointment, the employee may be appointed to the higher-level position, at the discretion of the Executive Director, or will be returned to their former position.

### **2.12 Temporary Employment**

Temporary employment is a short-term appointment of an individual to fill a position which is temporarily vacant, or to meet a staffing need for a designated time period not to exceed one year, due to special projects, abnormal workloads, or emergencies.

A temporary appointment to meet a non-budgeted staffing need must be approved in advance by the Executive Director and may only be extended beyond the designated time period by the Executive Director.

Normal District hiring procedures need not be followed in hiring temporary employees or appointing current employees to a temporary position, with the exception of mandatory criminal background checks.

At the end of a temporary appointment, the position may be converted to a regular position and at the discretion of the Executive Director, the employee holding the position may be placed in the position in a Trial Service Period.

If the position is not converted to a regular position, a new employee hired solely for the temporary position will be separated from District service.

A current employee who accepted a temporary appointment will be returned to their former position, if available. If the former position is not available, the District will work to place the employee in a similarly situated position or a vacant position in a different salary band. If no position is found, the employee will be separated from District service.

### **2.13 Transfers**

An employee may request a transfer to an available vacant position with the same salary band as currently held.

The District may initiate the transfer of an employee to a different position within the same salary band, at the same or different location.

In either situation, the employee transferring may be required to serve a Trial Service period.

### **2.14 Demotions**

**Voluntary Demotion** - An employee may request to be assigned to an available position at a lower salary band. An employee who voluntarily demotes will retain regular employment status and may be required to serve a Trial Service Period.

**Involuntary Demotion** – The District may assign an employee to a position with a lower salary band due to discipline, District reorganization, reduction in force or other factors. An employee who is involuntarily demoted shall retain regular employment status and may be required to serve a Trial Service period.

### **2.15 Employment of Immediate Family Members**

It is the District's policy not to hire, transfer or promote candidates or employees who are immediate family members of a current employee under the following situations:

- When one party would have authority to supervise, promote, terminate, or discipline the other.

- When one party would handle confidential material regarding the other that could lead to improper or inappropriate access to the material by the other.
- When one party would be responsible for auditing the work of the other, or
- When other circumstances exist that might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the District.

### **2.16 Notice of Resignation**

- FLSA Eligible District employees who voluntarily resign are asked to provide at least two calendar weeks' notice in advance of their resignation.
- FLSA Exempt District employees who voluntarily resign are asked to provide at least thirty (30) calendar days advance notice.

The notice of resignation should be presented to the employee's immediate supervisor and forwarded to the Human Resources Department.

This notice should be in writing and briefly state the reason for leaving and the anticipated last day of work. Upon receipt of the resignation notice, the District reserves the right to place the employee on paid leave for the remainder of the resignation notice period.

### **2.17 Reduction in Workforce**

The Executive Director is responsible for determining the need for any reduction in workforce, determining the process, procedures, and any and all terms and conditions related to the reduction in workforce, ensuring compliance with federal and state laws, and taking into consideration the impacts on both terminated and remaining employees.

In any reduction in force, the operational needs of the District will be given primary consideration when determining what positions to keep or eliminate and what personnel to retain or lay off. Seniority will be considered if two (2) or more individuals are similarly situated, in terms of their position, skills, abilities and all other relevant factors.

### **2.18 Performance Evaluation**

Performance evaluations will be conducted for all staff by their supervisor(s) on an annual basis.

The Board of Trustees shall evaluate the Executive Director's job performance annually and concur in the setting of yearly goals for the Executive Director. This evaluation shall occur in executive session as per RCW 42.30.110.

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The Executive Director will establish administrative procedures necessary to implement this policy. In accordance with the administrative procedures, any appeal of an administrative action under this policy will first be made in writing to the Executive Director. Any subsequent appeal of Executive Director action and/or decision will be made in writing to the Board of Trustees.

The District will make a good faith effort to implement this policy in a fair and consistent manner.