

<b>RECRUITMENT AND SELECTION</b>	<b>PROCEDURE</b>	
	<b>Document Number:</b>	AS-HR-PR-3790
	<b>Version Number:</b>	02

### **1.0 Purpose:**

This procedure describes the steps and guidelines for a merit based selection process, which ensures the provision of an equal opportunity for employment to all qualified persons.

### **2.0 Scope:**

This procedure applies to all VTA recruitments and appointments for new hires, promotions, demotions, and transfers, other than those for At Will positions. This procedure also does not apply where there is collective bargaining agreement language, such as the ATU Change of Class or SEIU Local 521 bid procedure that determines the process for appointment. In the event of any conflict between this procedure and the terms of a collective bargaining agreement, the terms of the collective bargaining agreement shall prevail.

### **3.0 Responsibilities:**

It is the responsibility of the Human Resources Department and all VTA Hiring Authorities to ensure compliance with this procedure.

### **4.0 Procedure:**

#### **4.1 REQUEST TO FILL**

4.1.1 When a Hiring Authority determines the need to fill a vacant position, a signed Authorization to Fill form shall be submitted to the Recruitment and Selection unit of the Human Resources Department (Recruitment). The Hiring Authority shall be responsible for obtaining the signature of the Chief Officer, or designee. Recruitment shall obtain any additional signatures that are required.

4.1.2 Recruitment shall review with the Compensation and Classification Unit to determine if there is any pending re-organization or other classification action, which would impact the recruitment and selection process.

4.1.3 Once the Authorization to Fill is approved, Recruitment shall determine if there is a re-employment/callback list for the job classification. If so, any internal transfers shall occur and then the person on the list with the highest seniority shall be offered the resulting vacancy. However, in accordance with the applicable Collective Bargaining Agreement between VTA and the bargaining units that represent VTA employees or the Personnel Policies and Procedures, selective certification of employees with required skills may preclude the person with the highest seniority from an appointment to a specific position.

#### **4.2 TRANSFER/RETURN TO FORMER CLASS**

VTA employees may submit a written request to Recruitment to be included in the recruitment process for vacancies in their current classification or any related classification on a comparable level with their current classification (Transfer). They may also submit a written request to be considered for vacancies

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in any classification in which they have formerly held regular status (Return to Former Classification) or any related classification on a comparable level with the former classification. Such requests must include a current VTA application and the answers to any supplemental questions that are applicable to the recruitment. (This does not apply to non-Amalgamated Transit Union, Local 265 (ATU) represented employees who wish to return to an ATU represented position.) Recruitment shall notify the Hiring Authority of the requests of these employees. The Hiring Authority may include these employees in the final selection interview process or may select from these employees only.

#### 4.3 REINSTATEMENT

Former VTA employees who voluntarily resigned in good standing may be reinstated without examination to the classification in which they previously held Regular Status. Upon receipt of a written request and a completed VTA employment application and the answers to any supplemental questions that are applicable to the recruitment, Recruitment shall notify the Hiring Authority of the request of the employee. The Hiring Authority may elect not to include these employees, may include these employees in the final interview process, or may select from these employees only. Reinstatement appointments shall be available only up to one (1) year from the date of separation.

#### 4.4 UNDER FILLING A POSITION

A Department may elect to under fill a position by filling it at a lower level in the classification series. An under fill is distinguished from an alternately staffed position (see Procedure entitled Alternately Staffed Positions- Promotion within the Series) in that the incumbent will not progress to the next level in the series. If the department determines subsequently to fill the position at a higher level, the incumbent shall be required to compete for the position. If the incumbent is not selected, the layoff process shall be initiated.

#### 4.5 SELECTION PLANNING

4.5.1 Eligible Lists may be established for either current or future vacancies. Recruitment shall recruit for the classification, not for a particular vacancy within that classification. A recruitment may be conducted to establish an Eligible List for a classification, even if there is not a current vacancy. Recruitments may be conducted, as needed, in order to add Candidates to an existing Eligible List.

4.5.2 Recruitments shall remain open for a minimum of five (5) working days.

4.5.3 Collective bargaining unit agreements and the needs of VTA management shall determine whether the recruitment will be conducted for internal applicants only or for both internal and external applicants and whether internal and external recruitments will be conducted simultaneously.

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- 4.5.4 Recruitments for classifications covered under the collective bargaining unit agreement between VTA and the Amalgamated Transit Union, Local 265 shall be conducted in accordance with the Change of Class process prior to the commencement of any external recruitment.
- 4.5.5 In accordance with the collective bargaining agreement between VTA and the Service Employees International Union, Local 521 (SEIU), vacancies for classifications covered by the Agreement shall initially be offered for a bid/transfer prior to the commencement of any external recruitment.
- 4.5.6 In accordance with the Collective Bargaining Agreement between VTA and the SEIU, Local 521, recruitments for classifications covered by the Agreement will be posted for "VTA Only" for a minimum of five (5) working days prior to being opened to the public. Recruitment shall review and evaluate the applications to determine if a sufficient list of eligibles can be established from the applicant pool. If so, no further recruitment efforts will be initiated. If Recruitment determines that the applicant pool is insufficient, the recruitment shall be opened to the public.
- 4.5.7 Recruitments for positions represented by the Transportation Authority Engineers and Architects' Association (TAEA), AFSCME, and Non-Represented positions may be open to both VTA employees and to the public simultaneously, at the discretion of VTA.

#### 4.6 APPLICATIONS

- 4.6.1 In order to be considered an applicant, a person shall submit a VTA employment application and other required materials (such as answers to supplemental questions) to the Human Resources Department by the deadline listed on the job bulletin. Failure to submit required application materials by the deadline shall result in the rejection of the application. Proof of degrees and licenses should accompany the application but may be submitted separately, if not available at the time of application. Applicants shall not be placed on the Eligible List unless proof of degrees and licenses has been received.
- 4.6.2 Recruitment staff shall screen applications for minimum qualifications, verification of degrees, responses to supplemental questions, criminal background information, and completeness of application.
- 4.6.3 Applicants shall be notified in writing if additional documentation is required, if their application is rejected, or if they are disqualified for any reason. Applicants may submit additional qualifying information. The additional information must be received by Recruitment within ten (10) calendar days of the date of the notice. The selection process shall not be stayed during this period.
- 4.6.4 Falsification or deceptive omission of information shall cause application rejection and/or removal from eligible lists, shall be grounds for discipline up to and including termination of

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employment for VTA employees, and shall bar applicants/employees from future employment with VTA.

#### 4.7 EXAMINATION

- 4.7.1 Recruitment staff shall consult with the Hiring Authority and other subject matter experts, as needed, to develop a selection plan that is valid and appropriate for each classification.
- 4.7.2 Recruitment staff shall schedule and administer examination sessions based on the needs of VTA and staff availability. If there will be multiple examination sessions for the same classification, Candidates may request in writing to be moved to another testing session. Granting of the request is at the sole discretion of VTA.
- 4.7.3 Candidates may request to take a late test for the following reasons only. The basis for the request shall be substantiated, and must be received by Recruitment staff as follows:
- Requests based on religious holiday or belief shall include a letter from the Candidate's religious leader and must be received at least three (3) business days prior to the examination session date.
  - Requests based on jury duty shall include the Jury Duty document and must be received at least three (3) business days prior to the examination session date.
  - Requests based on a Candidate's illness shall include a doctor's certification and must be received no later than two (2) business days after the scheduled examination session date.
  - Requests based on VTA business necessity shall include a request from the Candidate's Department Head and must be received no later than two (2) business days after the examination session date.
  - Requests based on the death of an immediate family member shall include proof of the death and must be received no later than three (3) business days after the date of the examination session date.
  - Requests based on military commitment shall include a letter from the Candidate's commanding officer, or designee, and must be received no later than three (3) business days after the examination session date.

Requests based on reasons other than the above (including having made a substantial financial commitment to a vacation) shall not be approved.

Candidates' requests to take a late test will be reviewed by the Human Resources Manager for compliance with the criteria listed above. The selection process shall not be stayed for Candidates who are taking a late test.

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- 4.7.4 Candidates who take a late test will be required to sign a statement that they have not received any information about the test from other Candidates. Falsification of this statement shall be grounds for application rejection, removal from eligibility lists, or dismissal from employment, as applicable.
- 4.7.5 Candidates who require accommodation in the testing process shall provide Recruitment with written verification from a doctor, rehabilitation counselor, or other authorized person confirming that the Candidate has a disability that requires accommodation and indicating the accommodation requested. Each accommodation request shall be reviewed to determine whether the request can be granted, or an alternate accommodation can be provided. Requests may be made at any time prior to the examination. However, if they are made too late in the process, there may not be sufficient time to arrange for an accommodation prior to the test session. Late requests shall not be considered a valid reason for a late test.
- 4.7.6 Provided the recruitment is still open, internal Candidates who do not pass an examination may reapply forty five (45) calendar days after the initial examination. If the Candidate does not pass the second time, the Candidate may reapply ninety (90) calendar days after the second examination. If the Candidate does not pass the third examination, the Candidate may not reapply until a new recruitment is opened. External Candidates shall be limited to two opportunities to take the test.

#### 4.8 ELIGIBLE LISTS

- 4.8.1 Candidates must pass all phases of the selection process for a position in order to be placed on an Eligible List and considered for selection and appointment to a regular VTA position.
- 4.8.2 Candidates shall be notified in writing of the results of the examination and, if applicable, their relative ranking on the Eligible List. Candidates shall be placed on the Eligible List in descending score order. If all tests are pass/fail, all Candidates shall be ranked equally on the Eligible List.
- 4.8.3 Eligible Lists shall typically remain in effect for six (6) months. Eligible Lists may be extended by Human Resources for up to two (2) years. Eligible Lists may be abolished by Human Resources at any time during the six (6) month period. Candidates on an abolished Eligible List shall be advised in writing of the abolishment.
- 4.8.4 Examination documents shall be maintained by the Human Resources Department in a secure and confidential manner.
- 4.8.5 Alternate Lists- If a vacancy exists for a classification for which there is not an adequate eligible list, the Human Resources Manager may certify names from the eligible list for a related classification for which minimum qualifications and examinations are similar to, or higher than, those required for the classification in which the vacancy exists.

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#### 4.9 APPEALS

- 4.9.1 Questions regarding the fairness or appropriateness of examination processes must be received in writing by the Human Resources Manager within five (5) working days of the date of the examination.
- 4.9.2 Appeals regarding any other aspect of the selection process must be received in writing by the Human Resources Manager within five (5) working days of notification to the Candidate (e.g. notice that the Candidate did not pass an examination or did not submit his/her application in time).
- 4.9.3 Should a Candidate wish to appeal the decision of the Human Resources Manager, a written appeal must be filed with the Chief Administrative Officer within five (5) working days following the response to the Candidate. The decision of the Chief Administrative Officer shall be final and binding.
- 4.9.4 The selection process shall not be stayed while the appeal is pending.

#### 4.10 CERTIFICATION OF ELIGIBLES

- 4.10.1 The Hiring Authority may request a Certification List of only VTA employees (which may be further limited to those Candidates who are on a transfer or return to former classification list) or may request a combined ranked list of both VTA and outside Candidates.
- 4.10.2 The Hiring Authority may establish job-related criteria to determine which of the Candidates on the eligible list shall be certified (for example, a Human Resources Analyst must have experience in Benefits to be considered for a particular vacancy). Human Resources shall provide a form to the Hiring Authority, which shall be used to document this decision. Recruitment shall then (in consultation with the Hiring Authority, if needed) verify the job related criteria and use them to prepare a Certification List.
- 4.10.3 The seven Candidates with the highest scores (who meet the job-related criteria if such have been established) will be certified. If there is a tie at the seventh place, all tying Candidates shall be included. If the Hiring Authority interviews all Candidates who respond, and are unable to locate a satisfactory Candidate, the Hiring Authority may request that the next seven highest scoring Candidates be certified. Candidates who have applied for transfer, return to former classification, or reinstatement shall be added to the certification list in addition to the Candidates with the seven highest scores. The specific Candidates to be submitted shall be determined by the types of Candidates (reinstatement, transfer, internal, etc.) and their rank on the Eligible List. Candidates shall be listed in alpha order by last name. If there are less than seven eligible Candidates, the Hiring Authority may decline to interview until there are at least seven eligible Candidates on the list.

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#### 4.11 INTERVIEWS

- 4.11.1 Interview panels shall consist of at least three members. At least two of the three members shall be in a position that functions as a supervisor or above for the position for which the interviews are being conducted or shall be considered a subject matter expert for the classification. Up to two of the panel members may be external. All internal panel members shall have successfully completed the Employee Selection Process training provided by Employee Relations. The composition of the panel shall be approved in advance by Employee Relations.
- 4.11.2 The Hiring Authority shall document the job-relatedness of the selection process and the reasons for selection or non-selection through the completion of evaluation worksheets and a Certification Form.
- 4.11.3 Friends and relatives of employees shall not be given special consideration but shall be judged with other Candidates on the basis of job-related qualifications.
- 4.11.4 Interviewers who believe that they cannot fairly evaluate a Candidate, or who have a personal relationship with a Candidate that would be construed as a conflict of interest, shall not participate in the interview nor the evaluation and discussion of the Candidate's qualifications for the position.
- 4.11.5 Relatives and domestic partners of employees shall not be employed in positions where there would be a direct or indirect reporting relationship, or where the employment situation would pose a conflict of interest as further described in the Personnel Policy AS-HR-PL-3690 titled "Nepotism – (Employment of Relatives/ Domestic Partners)".
- 4.11.6 The Hiring Authority shall contact the Candidates on the Certification List by telephone to schedule an interview. The Hiring Authority shall be under no obligation to interview Candidates who fail to respond to the telephone call within five (5) calendar days, nor Candidates who are unavailable for the scheduled interviews. The Hiring Authority shall document all failures to respond and waivers of an interview on the Certification Form.
- 4.11.7 An external Candidate may waive an interview. However, the Candidate's name may be removed from the Eligible List after waiving or failing to respond to three (3) invitations to interview. The names of internal Candidates shall not be removed due to waiving an interview. Any Candidate may submit a written request to Recruitment to remove his/her name from an Eligible List.

#### 4.12 JOB OFFERS/ APPOINTMENTS

- 4.12.1 The Hiring Authority shall evaluate the knowledge, skills, and abilities of the Candidates and select the Candidate they determine to be best qualified for the position. Any of the Candidates from the Certification List may be selected. Each Candidate's qualifications shall be

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documented on a rating sheet, and their relative qualifications shall be summarized on the Certification List.

- 4.12.2 The Hiring Authority shall perform a reference check on all Candidates, whether internal or external. Reference checks provide the opportunity to confirm the Candidate's knowledge, skills and abilities and job-related qualifications of the Candidate. For internal Candidates, the Hiring Authority shall review the personnel file and also check with Employee Relations to determine if the employee has any disciplinary issues that are not reflected in the personnel file.
- 4.12.3 The Hiring Authority shall complete the Certification Form, the Selection Interview Report, the Eligible List Evaluation Report, and the Appointment Form and shall forward them and the Reference Check forms to Recruitment for review and approval. The rating sheets shall be maintained by the Hiring Authority.
- 4.12.4 The Hiring Authority shall not make a job offer until authorized to do so by the Human Resources Department Manager or designee.
- 4.12.5 Any request to appoint above the base salary for the classification shall include a written justification, signed by the Chief Officer and shall be submitted with the Appointment Form for approval by the Human Resources Manager. Requests to appoint above step 3 of a step range or above the midpoint of a broad range shall also require the approval of the Chief Administrative Officer.
- 4.12.6 When all required approvals are obtained, Recruitment shall notify the Hiring Authority of the starting salary and of the appropriate start date.
- 4.12.7 The Hiring Authority shall then make an oral offer to the selected Candidate contingent upon the successful completion of a physical examination and drug screening and the results of a criminal background check. Candidates who are currently employed (or were employed by VTA within the past 90 days) may be exempted from these requirements, provided however, that if they are moving from a non-safety sensitive position to a safety sensitive position, they shall be required to complete a drug screening and shall be required to provide the required two-year Department of Transportation (DOT) substance abuse history, as applicable (see the Drug and Alcohol Policy for further details).
- 4.12.8 Recruitment shall provide applicants with information regarding salary, fringe benefits, and the qualifying period for benefits and shall confirm the start date.
- 4.12.9 Upon notification by the Hiring Authority of acceptance of employment by the Candidate, Recruitment shall send the Candidate a letter confirming the terms of the offer of employment and a new hire package, including an "At Will" acknowledgement, if applicable, and a New Employee Retirement Certification form.



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4.12.10 The Hiring Authority shall contact all unsuccessful Candidates who were interviewed to advise them that they were not selected for the position. The Hiring Authority shall not convey reasons for non-selection either orally or in writing to unsuccessful external Candidates. The Hiring Authority shall offer internal Candidates an opportunity to discuss the reasons for non-selection and actions that they could take to improve their qualifications.

## **5.0 Definitions:**

- 5.1 **APPLICANT:** A person who has submitted a complete VTA Employment Application and required application documents for an available position to Recruitment.
- 5.2 **APPOINTMENT:** The offer and acceptance by a Candidate of a position.
- 5.3 **AT WILL:** Positions that serve at the pleasure of the General Manager or the General Counsel. Incumbents may be terminated by the General Manager or the General Counsel whenever he/she deems it appropriate. "At Will" employees are not subject to a probationary period nor entitled to a pre- or post-discipline hearing or appeal rights. Positions at the Executive Management level and those that report directly to the General Manager or General Counsel are "At Will."
- 5.4 **AUTHORIZATION TO FILL:** This form is submitted to Recruitment by the Hiring Authority to initiate the recruitment process.
- 5.5 **BID:** A union procedure, in the SEIU Local 521 labor agreement, implemented by Recruitment, which allows for the transfer of an employee from one position to another position in the same classification that is assigned to a different work unit.
- 5.6 **CANDIDATE:** An applicant, whose application materials have been accepted for participation in the examination process.
- 5.7 **CERTIFICATION LIST:** The alphabetical list of the Candidates that is given to the Hiring Authority to begin the final interview process.
- 5.8 **CHANGE OF CLASS (COC):** The process by which ATU-represented employees are promoted, demoted, or transferred to a position.
- 5.9 **CLASSIFICATION/CLASS:** A group of positions having duties and levels of responsibility sufficiently similar that the same general qualifications, salary, and methods of selection may be applied.
- 5.10 **ELIGIBLE LIST:** The ranked list of Candidates who successfully passed all phases of the selection process for a classification.
- 5.11 **EXAMINATION:** One or more tests, used to assess a Candidate's knowledges, skills, and abilities required for the classification.

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- 5.12 **EXECUTIVE MANAGEMENT:** The designation is given to certain upper management positions, based on the span of control and authority exercised. Executive Managers are At Will.
- 5.13 **FINAL SELECTION PROCESS:** The process by which the Hiring Authority determines which Candidate shall be selected to fill a vacancy. This may include application evaluation, interview, performance test, and reference checks.
- 5.14 **HIRING AUTHORITY:** The person empowered to make hiring decisions.
- 5.15 **IMMEDIATE FAMILY:** The mother, father, grandmother, grandfather, son or daughter of the employee or of the spouse/domestic partner of the employee, and the spouse/domestic partner, stepparent, son-in-law, daughter-in-law, brother, sister, grandchild, brother-in-law, or sister-in-law of the employee, or any person living in the immediate household of the employee. References to in-laws shall include persons of a similar relationship to the employee, due to a domestic partnership.
- 5.16 **INTERNAL APPLICANTS:** Applicants who are current unclassified or regular VTA employees or VTA employees who were laid off and are on a callback or re-employment list.
- 5.17 **LATE TEST:** A test that is taken in a special testing session, after regularly scheduled testing sessions have been completed.
- 5.18 **POSITION:** A combination of duties regularly assigned to be performed by one person, which is an individual budgeted job within a classification.
- 5.19 **RECRUITMENT:** The process of finding qualified applicants for job openings.
- 5.20 **RE-EMPLOYMENT LIST/CALL BACK LIST:** A list of employees who have been laid off from a specific classification and are eligible for re-employment in that classification.
- 5.21 **RELATED POSITION:** A position with similar knowledge, skills, abilities, and minimum qualifications to another position (e.g. Human Resources Analyst/ Management Analyst/ Financial Analyst).
- 5.22 **REGULAR STATUS:** Employees who are appointed through certification to fill a position for an indefinite length of time and who have completed the required probationary period (initial or subsequent) for the classification are considered to have attained Regular Status in that classification.
- 5.23 **SELECTION PLAN:** The plan, developed by Recruitment staff, to select appropriate tests to assess the knowledge, skills, and abilities (KSA's) of Candidates. This plan is based on a job analysis of positions in the classification.
- 5.24 **TEST:** An instrument used to assess a Candidate's knowledges, skills, and abilities. Tests may include, but are not limited to, written (multiple choice, essay) examination, application review, evaluation of

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training and experience, management exercise, oral examination, interview, performance test, performance review, reference check, verification of degrees.

- 5.25 **UNDERFILL:** A position that is filled at a lower level in the classification series. An under fill is distinguished from an alternately staffed position in that the incumbent will not progress automatically to the next level in the series.

## **6.0 Records:**

All documents related to the selection process shall be maintained for a minimum of 3 years.

## **7.0 Appendices:**

All forms referred to in this procedure are available on SOS.

## **8.0 Training Requirements:**

Any person participating as an interviewer on a Selection Panel must have successfully completed "Employee Selection Process" training offered through the Employee Development unit of the Employee Relations Department.

## **9.0 Summary of Changes:**

- 9.1 This procedure has been revised extensively to codify recruitment and selection processes that have been in place for the last several years. It incorporates former Personnel Policies 020, Recruitment and Selection and 025.1, Testing and Eligibility, as well as portions of 20.1, Hiring Alternatives.
- 9.2 Recruitment will no longer send notices to applicants that their name has been certified to the department. It shall be the sole responsibility of the department to contact the applicant to arrange the interview.
- 9.3 The seven Candidates with the highest scores (who meet the job-related criteria if such have been established) will be certified. If there is a tie at the seventh place, all tying Candidates shall be included. If the Hiring Authority interviews all Candidates who respond, and are unable to locate a satisfactory Candidate, the Hiring Authority may request that the next seven highest scoring Candidates be certified.
- 9.4 This procedure has been revised to allow for the abolishment of an Eligible List before six (6) months. It also requires the Human Resources Department to notify Candidates in writing if an Eligible List is abolished within six-months of establishment.
- 9.5 This procedure describes the circumstances under which Candidates' requests to reschedule examination sessions shall be approved. Candidates who take a late test will be required to sign a statement that they have not received any information about the test from other Candidates. Falsification of this statement shall be grounds for application rejection, removal from eligibility lists, and/or dismissal, as applicable.


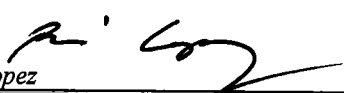
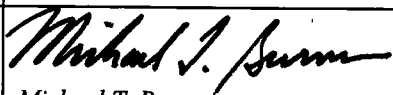
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9.6 The number of times an applicant can re-take the test for a position that is open has been limited to three opportunities for internal Candidates and two opportunities for external Candidates for each recruitment.

9.7 Interview panels shall include at least three panel members.

#### 10.0 Approval Information:

Prepared by	Reviewed by	Approved by
 Shellie Albright	 Bill Lopez	 Michael T. Burns

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