

CITY OF SAN DIEGO  
ADMINISTRATIVE REGULATION

SUBJECT  RECRUITMENT AND APPOINTMENT OF UNCLASSIFIED OFFICERS AND EMPLOYEES	Number 96.05	Issue 3	Page 1 of 7
	Effective Date June 1, 2018		

1. PURPOSE

- 1.1. To establish uniform procedures for the recruitment, appointment, background checks, and medical clearance of all unclassified officers and employees in departments under the Mayor's authority.

2. SCOPE

- 2.1. This Administrative Regulation applies to all unclassified officers and employees in departments under the Mayor's authority.
- 2.2. All independent departments are encouraged to follow this Regulation to ensure consistency throughout the City with regard to recruitment and appointments.
- 2.3. Charter Section 117, Unclassified and Classified Services, provides that employment in the City will be divided into the unclassified and classified service. The unclassified service is not subject to the Civil Service provisions of the City Charter.
- 2.4. The Mayor will have the power to appoint all officers and employees in the administrative service of the City under his or her control. The Mayor may authorize the head of a department or officer responsible to him or her to appoint subordinates in such department or office.
- 2.5. Appointments made by, or under the authority of, the Mayor will be on the basis of administrative ability and of the training and experience of such appointees in the work which they are to perform.

3. DEFINITIONS

- 3.1. Appointing Authority (AA) - *Appointing Authority* is a person or group having the authority to make appointments to positions in the service of the City. For those positions in the administrative service, the Mayor may authorize a department head or other officer responsible to him or her, including an executive director, to appoint and remove subordinates in the department or office.

(Supersedes Administrative Regulation 96.05, Issue 2, effective July 30, 2012)

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Authorized

*(Signature on File)*

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CHIEF OPERATING OFFICER

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4. POLICY

4.1. General

- 4.1.1. The Human Resources (HR) Director, or designee, will oversee the recruitment and appointment process of all unclassified officers and employees in departments under the Mayor’s authority. The Human Resources Department will ensure that all unclassified officers and employees complete and pass a background and medical clearance process, overseen by the Personnel Department, prior to starting employment with the City.
- 4.1.2. The HR Director will maintain standardized procedures to assist AAs in all City departments under the Mayor’s authority in making appointments on the basis of verified qualifications.
- 4.1.3. The Chief Operating Officer (COO) or designee will approve the salary, executive benefits, and miscellaneous expenses for all unclassified officers and employees in departments under the Mayor’s authority.

4.2. Approval of Salary, Benefits, and Miscellaneous Expenses

- 4.2.1. Prior to conducting the approved recruitment process, and in conjunction with the Request to Initiate Recruitment Memo, the COO or designee will approve a preliminary salary range of the position to be filled, consistent with the City’s approved Salary Ordinance. This salary range may be revised by the COO or designee at any stage of the recruitment/appointment process. The COO or designee will also make a preliminary determination as to the position’s eligibility for executive benefits and miscellaneous expenses, such as relocation costs, when permitted.
- 4.2.2. Prior to making a Conditional Offer of Employment, the COO or designee will approve the salary, executive benefits, and miscellaneous expenses to be offered to the selected candidate, consistent with the City’s approved Salary Ordinance

4.3. Initiation of the Recruitment/Appointment Process

- 4.3.1. The AA will submit a “Request to Initiate Recruitment Memo” to the COO or designee for written approval. Once approved, the AA will forward the approved request to HR to initiate a recruitment or appointment process.
  - a. Recruitment Process
    - i. On receipt of an approved Request to Initiate Recruitment Memo,

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an AA will forward a draft employment bulletin to their assigned HR Liaison who will review and edit the final copy for publication. The HR Liaison will consider:

1. Type of advertisement;
  2. Recruiting strategies (internal/external); and
  3. Funding sources
- ii. AAs must obtain approval from the COO or designee to hire an outside recruiting consultant and to pay related recruitment expenses in order to fill the classifications of Director or Assistant Director.

b. Appointment Process:

- i. If the AA is requesting to fill the position with an existing City employee in lieu of initiating a recruitment process, the AA must prepare a Request to Appoint Memo to the HR Director requesting approval. The memo must state the justification for not conducting a recruitment process, by setting forth the specific reasons for the appointment and the qualifications and expertise that the employee possesses. All requests to forego a recruitment process will be evaluated for approval by the HR Director.

4.3.2. The HR Department tracks and serves as the contact for all documents submitted by applicants, including resumes and cover letters, and forwards requested documents to the AA.

4.4. Department Interview Process

4.4.1. The AA or assigned unclassified designee will oversee the interview process for all vacant unclassified positions within his or her department. The HR Liaison will provide any needed assistance and guidance.

4.4.2. The AA will ensure that the following steps are conducted during the unclassified interview process:

- a. Convene a diverse interview panel composed of at least two individuals qualified by their job-related background and knowledge of the vacant position.
- b. Develop job-related criteria that will be used to screen applicants, which includes relevant experience, education, training, and knowledge.
- c. Establish a list of interview questions.
- d. Document interview responses of all candidates.
- e. Review interview panel's ratings prior to making a selection.

The interview panel may include a representative or representatives from outside of the City, with the permission of the HR Director.

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4.4.3. The AA is responsible for conducting reference checks and employment verifications prior to making a Conditional Offer of Employment, which must be in writing, to the selected candidate. State law prohibits the City from asking applicants about their salary history and from relying on salary history information as a factor in determining whether to offer employment to an applicant or what salary to offer. However, an applicant may voluntarily and without prompting disclose salary history information, and voluntarily disclosed information can be considered to determine salary.

4.5. Department Conditional Offer of Employment

4.5.1. The AA must request approval from the COO or designee to extend a written Conditional Offer of Employment. The AA must submit to HR the candidate's resume and a copy of the approved Request to Initiate Recruitment (RTIR) Memo.

4.5.2. Once the COO or designee has approved the Conditional Offer of Employment, HR will communicate the approval to the AA, who will be responsible for informing the candidate.

Note: The AA, in conjunction with the assigned HR Liaison, must complete a Candidate Selection Form. The employment offer is **CONDITIONAL**; therefore the candidate should be advised to not submit his or her resignation to his or her current employer until he or she has received an official offer letter. This Conditional Offer of Employment will be contingent upon successful completion of any necessary background checks, including criminal, financial, and medical. **Candidates cannot begin employment until ALL final clearances have been received from the HR Department.**

4.6. HR Department Background Process

4.6.1. The AA must contact the HR Liaison and inform him or her that a Conditional Offer of Employment has been made and provide the candidate's name, classification, and contact information.

4.6.2. The HR Liaison will evaluate the position and make a final determination as to the appropriate background process for the candidate. The City cannot conduct a criminal history background check or a medical evaluation until the applicant has been given a conditional offer of employment.

4.6.3. The AA will contact the candidate to request a signed "Candidate Statement of Authentication Regarding Qualifications and Background." HR will validate and verify the education and professional credentials of the selected candidate, and

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forward the findings to the AA.

- 4.6.4. Following a Conditional Offer of Employment, the appropriate background checks will be conducted for all new hires:
- a. A California Department of Justice Fingerprint/Background Check will be conducted for all new hires by the Personnel Department.
  - b. A criminal background check will be conducted by the Police Department, and coordinated by the HR Department, utilizing the Federal Bureau of Investigation’s criminal databases for non-California resident candidates, for candidates that will be responsible for safeguarding the City's assets, and for candidates that will work closely with minors.
  - c. As necessary, the HR Department will coordinate a credit check in compliance with the Fair Credit Reporting Act and California Labor Code sections 1024.5 through 1024.6, authorizing credit checks based on specified job duties and responsibilities, for example, positions that have access to large amounts of cash, signature authority on a City credit card, or when credit report information is legally required to be obtained.

Note: For existing City employees, the position will be evaluated by the HR Liaison based on the new duties and responsibilities in order to determine that the appropriate background checks are conducted prior to appointment.

4.7. Medical Review Process

- 4.7.1. Following a Conditional Offer of Employment and in conjunction with the background checks, an external candidate must also complete a medical review conducted by the Personnel Department. The AA is responsible for the following:
- a. Complete the Personnel Department “Personnel Clearance Request” form for new candidates (including reinstatements, returning retirees, and provisional new hires) and provide to the Personnel Department prior to a candidate’s scheduled appointment with the Personnel Department.
  - b. Instruct the candidate to call the Personnel Department between 8:00 a.m. and 5:00 p.m. at (619) 236-6686, Monday through Friday to schedule the fingerprinting and pre-employment paperwork appointment. The Personnel Department is located at 1200 Third Avenue, Suite 300, San Diego 92101.
  - c. Inform the candidate that he or she will be screened through the City’s pre-employment process, which will include a medical clearance, background check, fingerprint, and photo imaging, as required for the specific position. This process takes anywhere from three to six weeks depending on if additional information is required.
  - d. Inform the candidate to bring documents that verify the candidate’s identity and legal right to work in the United States. All documents must be original

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and unexpired. Examples of such documents can be found on the Personnel Clearance Form.

- e. **Candidates cannot begin work until ALL final clearances have been received from the HR Department.** If candidates fail any background process, the City must comply with all federal and state law noticing requirements, including the requirement set forth in California Government Code section 12952, which requires the City to provide notice to an applicant and opportunity to respond within five business days, if the City is withdrawing an offer based on a prior criminal conviction.

5. RESPONSIBILITY

5.1. *Appointing Authorities* or Designees

- 5.1.1. Obtains COO approval on RTIR Memo. Ensures adherence to the unclassified hiring process. Updates recruitment bulletin pursuant to HR Liaison advice. Conducts interview process, and selects candidate. Provides hiring documents to HR as appropriate, conducts reference checks, and initiates candidate selection form.

5.2. Human Resources Department Director or Designee

- 5.2.1. Approves draft recruitment bulletin. Approves proposed salary and unclassified candidate selection form. Approves final salary recommendation. Produces the conditional and final offer letters for COO signature. Verifies degrees or diplomas.

5.3. Personnel Department

- 5.3.1. Posts recruitment bulletin. Conducts medical clearance and Department of Justice background check.

APPENDIX

Legal References

Charter section 29, Responsibility of the Manager [Mayor] – Powers of Appointment and Removal  
Charter section 117, Unclassified and Classified Services

Forms

Candidate Statement of Authentication Regarding Qualifications and Background  
Request to Initiate Recruitment Memo  
Personnel Clearance Request Form  
Unclassified Hiring At A Glance

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SDPD Background Check Form

Subject Index

Recruitment and Appointment – Unclassified Officers and Employees

Administering Department

Human Resources Department

**ATTACHMENT 1**

**City of San Diego**

**Department of Human Resources**

**Recruitment & Selection of Unclassified Officers and  
Employees**

**Candidate Statement of Authentication  
Regarding Qualifications and Background**

I, \_\_\_\_\_ (print name), certify that the information submitted in my employment packet (i.e., resume, employment history, experience, education, degrees, certifications, licenses, etc.) regarding my qualifications for the Unclassified position of \_\_\_\_\_ with the City of San Diego is authentic and true to the best of my knowledge.

Candidate Name (print): \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Educational Institution Attended: \_\_\_\_\_

Graduation Year: \_\_\_\_\_

Candidate Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Reference: Administrative Regulation, # 96.05  
"RECRUITMENT AND SELECTION OF UNCLASSIFIED OFFICERS AND EMPLOYEES"

Note: This form is to be completed by the candidate who is being considered for an unclassified position and being provided a Conditional Offer of Employment. This form will be provided to the candidate by the HR Liaison and will be kept by the HR Department.