



SELECTMEN'S OFFICE
TOWN OF GILMANTON
PO Box 550, Gilmanton, NH 03237

Hiring Policy

I. Purpose

The Gilmanton Board of Selectmen ("the Board") finds that the provision of quality municipal services is dependent on the hiring of qualified personnel to provide those municipal services. The Board further finds that individual Department Heads of the Town of Gilmanton are uniquely positioned to understand the needs of their respective departments and the necessary qualifications for the various employees under their supervision.

Therefore, the Gilmanton Board of Selectmen, as the hiring authority of the Town and as the body responsible for comprehensive personnel management in the Town of Gilmanton, adopts this Hiring Policy to assist the Board in the selection of qualified employees. The purpose of this policy is to solicit and hire the best possible applicants for the various open positions of the Town of Gilmanton.

II. Applicability

This Hiring Policy applies to all circumstances involving the hiring of any individual to act as an employee or official of the Town or any Department of the Town, whether permanent, temporary, full-time, part-time, or seasonal. This policy also applies to all instances in which an open job position is filled by pre-existing employee of the Town, whether through internal transfer, lateral transfer, or promotion. This policy is binding upon and applicable to all Town Administrator and all Department Heads of the Departments of the Town, now existing or created thereafter.

III. Policy

a. Determination and Postings of Job Opening

i. Whenever a Department Head becomes aware that a position is vacant or about to become vacant, the Department Head shall provide the Board of Selectmen with: (a) a request to authorize the Town Administrator to post notice and advertise a job opening or (b) a recommendation to promote a current employee from within or (c) a request to modify the job classification, amend the job description, or eliminate the position. In addition, Department Heads shall provide the Selectmen with a statement on the availability of budgeted funds (for compensation and benefit purposes), a copy of the current job description, and any proposed amendments to the job description (if applicable). These same procedures shall be used by the Town Administrator in the event of a vacancy in a Department Head position.

ii. Upon authorization of the Board of Selectmen, the Town Administrator shall cause a notice of vacancies to be: (a) posted on the Town's website and at least two places in the Town of Gilmanton, including the Department with a vacancy and (b) advertised for not less than three (3) days in at least one (1) newspaper or professional association publication. The minimum application period shall be seven (7) days. Postings and advertisements shall include: the job classification, job location, minimum qualification requirements, essential duties and physical requirements, application method and deadlines, and notice as to the type of employment (i.e. regular full-time, seasonal, part-time with hours) and a statement on benefits. All postings and advertisements shall include reference to equal opportunity employment practices. The Town Administrator and Department are instructed to consult any collective bargaining agreements that may be in effect with regard to said open position and comply with any posting requirements which may be required in such collective bargaining agreement.

b. Processing of Applications

i. The Town Administrator or Department Head (if delegated by the Town Administrator) shall strive to notify applicants upon receipt of an application whenever applications are actively solicited.

ii. Upon the closing of the application period, the Department Head shall prepare a list of applicants and indicate which applicants appear to meet the minimum qualifications based on the application materials submitted. This list shall serve as the individuals whom the Department Head may contact for the scheduling of a job interview.

iii. Department Heads shall, thereafter, establish a schedule for interviewing applicants. During said interviews, Department Heads shall prepare and ask applicants selected for an interview a series of questions designed to elicit knowledge and skills related to the Department's specific needs for the position to be filled. Questionnaires should be approved by the Town Administrator, but persons conducting the interview may pose additional questions as a follow-up to topics raised during the interview or to obtain details that may have been missing from the application materials. Department Heads are instructed to not ask any questions during the interview which may violate or raise concerns as to the Town's compliance with the Town's equal employment opportunity policy, i.e. questions regarding race, gender or gender identity, marital status, national origin, religion, ethnicity, sexual orientation, etc.

iv. The Town reserves the right to conduct oral boards, written exams, proficiency tests, or any other method of applicant evaluation upon approval by the Town Administrator or as may be required by law with regard to the selection of an employee for a particular job opening. In addition, the Board of Selectmen reserves the right to engage the services of an outside contractor or third parties to participate in the recruiting process and to assist the Town in whatever manner may be deemed necessary.

v. The Board may conduct such interviews as it deems necessary. In addition, the Board of Selectmen may designate one or more of its members to participate in the selection of applicants and interview process in the hiring of any employee.

c. Background and Reference Checks

i. Following the interview, the Department Head shall cause a complete background check to be conducted regarding each individual that remains an applicant after the interview. The extent and comprehensiveness of the background check will depend upon the position sought to be filled after due consideration to the duties and responsibilities associated with the open position.

ii. At a minimum, the Department Head shall contact or attempt to contact each reference identified by the applicant and each of the prior places of employment identified by the applicant. The Department Head shall be prepared to ask questions of each such individual pertaining to the applicant's qualifications, performance history, trustworthiness, and other relevant information.

iii. The Town may require an applicant for a job to undergo additional testing or background examinations, including, but not limited to, any testing associated with the applicant's qualifications, a physical fitness test (as may be required by applicable law), polygraph examination, or psychological examination (as may be required by applicable law).

a. Notwithstanding the foregoing, no applicant for a position with the Town shall be required to submit to a medical examination or drug or alcohol testing unless said applicant has been tendered a conditional offer of employment by the Town Administrator.

iv. With prior authorization from the Town Administrator, the Department Head shall require applicants for employment to undergo a criminal history background investigation and a credit check where required

by applicable law or where said applicant will be put into a position where that applicant will regularly be exposed to money, confidential information, or other sensitive materials.

- a. Pursuant to RSA 485-A:24, the Town shall not employ or retain any employee to work with children in a recreation camp setting if the person has a criminal conviction for causing physical harm or threatening to cause physical harm against any individual. Any employee whose work may result in them being alone with any child or children in a recreation camp setting, including, but not limited to Parks & Recreation Department youth program leaders, lifeguards, and swim instructors, shall be subject to a criminal background check every twelve (12) months to be conducted by the Department Manager using the services of an independent investigator that is acceptable to the State of New Hampshire. The results of such investigations shall be forwarded to the Town Administrator for review and inclusion in the employee's personnel file. In addition, all Department Heads that have employees whose work may result in them being alone with any child or children shall develop and implement internal procedures to ensure that employees who work with children do not have any criminal convictions for causing physical harm or threatening to cause physical harm against any individual. A conviction for any offense as noted herein shall result in termination of employment. Failure to comply with this policy may result in disciplinary action, up to and including discharge.

v. All applicants who may be required to operate a motor vehicle while in the employ of the Town shall be required to authorize the release of their motor vehicle records to the Town of Gilmanton.

d. **Conditional Offers of Employment**

i. Upon completion of the background check, the Department Head shall notify the Town Administrator of those applicant(s) that have the Department Head recommends for selection and shall further inform the Town Administrator for why other qualified applicants were not selected by the Department Head. The selection of the preferred applicant for employment shall be made based solely on overall qualifications, experience and suitability for the job based on the application materials and performance during the interview(s) and/or testing.

- a. The Town Administrator shall strive to either interview any applicant recommended by a Department Head for appointment to a position with supervisory responsibilities or participate in the initial interview process as deemed necessary and beneficial to the Town.

ii. For positions below the rank of Department Head, the Town Administrator shall present a written conditional offer of employment to the person deemed to be best suited for the position to be filled, taking into account the recommendation of the Department Head (if applicable) and any other relevant factors as allowed by law.

iii. All conditional offers of employment shall be in writing and indicate the offer may be withdrawn at any time upon written notification. The conditional offer of employment shall also include, but may not be limited to the following: starting rate of pay, the pay period and pay day, position offered (classification), union affiliation (if applicable), term of employment (if applicable), summary of benefits, probationary period, supervisor's name and classification, conditions associated with said offer (i.e. drug or alcohol testing or physical/mental capacity screenings). Where applicable, the conditional offer of employment shall reference that the employee is an at-will employee and, as such, such employment can be terminated unilaterally by either the employee or the Town, with or without cause. All conditional offers of employment shall clearly and conspicuously state the following: **THIS OFFER OF EMPLOYMENT IS CONDITIONED ON THE VOTE AND APPROVAL OF THE GILMANTON BOARD OF SELECTMEN. NO EMPLOYEE/EMPLOYER RELATIONSHIP SHALL BE DEEMED TO EXIST UNTIL SUCH TIME AS THE BOARD OF SELECTMEN APPROVES YOUR HIRING.** The conditional offer of employment shall further have an acknowledgment and agreement to terms to be signed and executed by the applicant.

iv. All applicants for employment in a position that requires regular or strenuous physical labor shall be required to undergo a medical examination to test for physical capacity to perform the essential functions of the job and to evaluate if there are any pre-existing medical conditions for worker's compensation insurance purposes. Such testing shall be at Town expense and convenience at a facility designated by the Town.

v. All applicants for employment that require possession of a Commercial Driver's License shall be required to undergo testing for drugs and alcohol in accordance with applicable federal regulations. Such testing shall be at Town expense and convenience at a facility designated by the Town.

vi. All applicants for employment and all Town employees shall, as a condition of employment, be required to prove they are legally authorized to work in the United States.

e. **Hiring/Appointment by Board**

i. The hiring of all employees of the Town shall be at the sole discretion of the Board of Selectmen and no hiring shall be deemed effective until such time as the Board of Selectmen, by majority vote, approve the hiring of said individual.

ii. In recommending an applicant, the Department Head shall provide the Board of Selectmen with a narrative summary of the applicant's qualifications, job history, education, and experience. Said narrative shall also contain a summary of the Department Head's background check, including, identification of the references and former employers contacted and the summary of any discussions with those individuals contacted. Said narrative shall also include the results of any testing or checks completed regarding the applicant. The Department Head shall append to the narrative summary a copy of all materials associated with the applicant's application, background check, criminal check/credit/motor vehicle check, and testing. The Board of Selectmen may request and shall be provided with any other information in the Department Head's possession with regard to any applicant.

iii. The Board of Selectmen reserves the right to reject any applicant recommended by the Department Head and/or the Town Administrator for any reason (except as prohibited by law) or for no reason. In the event that the Board of Selectmen votes to reject an applicant recommended by the Department Head and/or Town Administrator, the Department Head shall immediately thereafter inform the applicant that the conditional offer of employment has been revoked and is no longer of any force or effect.

iv. If the Board of Selectmen votes to hire an employee, said applicant shall be provided with a copy of the Town's Personnel Policies and Procedures Manual, as well as copies of any applicable Town policies, rules, or regulations associated with position. To the extent required, the Town Administrator shall ensure that any oath of office required of the position is administered without undue delay.

f. **Miscellaneous**

i. The Town Administrator may waive strict adherence to these application and hiring procedures, (particularly with regards to seasonal or irregular employees), provided, however, that no person shall be allowed to actually begin working for the Town until such time as the Board of Selectmen has approved the pay and work schedule.

ii. Nothing herein is intended to prescribe a mandatory set of procedures for the Board of Selectmen in the hiring of a Town Administrator.

iii. These procedures are intended to serve as guidelines only and any deviation thereof shall not void the hiring decisions.

iv. The provisions of this Hiring Policy and the parts hereof are severable. If any portion or section of this Hiring Policy or the application thereof to any person or circumstance shall be held unconstitutional or is held

v. This policy shall be effective June 1, 2019.

IN WITNESS WHEREOF, this Hiring Policy for the Town of Gilmanton is adopted and approved on the 29th day of April, 2019 by the Gilmanton Board of Selectmen.

ATTEST:

Date 4/29/19

Date 4/29/19

Date 4-29-19

M Bealy
Manu Wanda
[Signature]