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**COUNTY OF ORANGE**  
**HUMAN RESOURCE SERVICES**

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# RECRUITMENT

# RULES AND POLICIES

Revised May 2025

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## **ARTICLE I**

## **GENERAL PROVISIONS**

To comply with [CA Government Code §19800, et seq.](#), [CA Code of Regulations, Title 2, Division 5, Local Agency Personnel Standards](#), [Title 5 Code of Federal Regulations § 900.603](#), the County of Orange shall recruit, select, and advance employees on the basis of merit, specifically their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial employment.

Merit is the guiding principle for all County of Orange selection decisions and activities. In any situation where these Rules and Policies are silent or not specific in their application to a particular situation, the County will operate consistent with the merit principles set forth in applicable statutes, local recruitment policies and/or collective bargaining agreements.

Any person receiving a temporary promotion, provisional appointment, or who is appointed to an extra help, limited- term or regular position, must possess the minimum qualifications for the applicable class.

These Rules apply to all recruitments for County of Orange positions, except where stated otherwise for positions which are represented by the Association of Orange County Deputy Sheriffs (AOCDS).

### **SECTION 1. Authority to Adopt and Revise Rules**

Under the authority of Article I of the County of Orange Personnel and Salary Resolution, the Chief Human Resources Officer (CHRO), hereby promulgates these Rules and may revise them as necessary provided that no revision that nullifies the basic principle of a merit system shall be effective unless approved by the Board of Supervisors.

The CHRO, directly or through their designee, bears ultimate responsibility for the appropriateness of all actions, and authority for the content, weight, pass point, administration of and modification of any and all competitive assessments in establishing the eligible list of candidates.

The CHRO has authority to overrule, modify, rescind, set practices and delegate authority as necessary to ensure that competitive assessments are job-related, assess candidates to ensure that the most competitive are included on eligible lists, and that processes meet business needs.

### **SECTION 2. Applicability**

#### **A. Inclusions**

Except as indicated below, these rules shall apply to all recruitment processes for all regular and limited-term positions under the control of the Board of Supervisors.

#### **B. Positions exempted from these rules**

1. Positions in the direct employ of the Board of Supervisors and Executives as identified in the Personnel and Salary Resolution.
2. Executive Secretaries excluding those in Child Support Services, the Social Services Agency and others which may be determined by the CHRO.
3. Positions to be filled by temporary promotion in accordance with the Personnel and Salary Resolution.

4. Positions filled by reassignment/transfer (as defined in the Personnel and Salary Resolution) of a qualified regular or limited-term County employee who has passed probation in the classification and who was initially appointed to the same or comparable classification through a competitive process, i.e., from an eligible list.
5. Positions which – as required by contractual agreements, program regulations, laws, ordinances, resolutions and other legislative actions, or as the resolution of a complaint, grievance or appeal – must be filled in a manner other than through the normal recruitment and referral procedures described in these Rules.
6. Positions to be filled by provisional appointment. The CHRO may authorize an appointing authority to make a provisional appointment to a regular or limited-term position when the CHRO determines it is in the best interests of the County to fill a vacancy until a new eligible list can be established as provided in Article V.

No provisional appointment shall continue for more than 90 days after an appropriate eligible list has been established or for more than six months from the date of provisional appointment unless an extension is authorized by the CHRO.

7. Extra help, volunteer, or internship positions.
8. Reclassified positions as provided in Article VIII, Section 1.

All applicants must meet the minimum qualifications to be appointed to a position including those exempt from these Rules.

## **ARTICLE II**                    **RECRUITMENT AND ANNOUNCEMENTS**

### **SECTION 1.    General Provisions**

The CHRO, or designee, shall determine specific recruiting and assessment methods to be used and may limit recruitments to County employees, or to employees of a County Department, or may authorize opening recruitments to the public. The County shall not limit the number of applications to be accepted in Department or Countywide recruitments.

### **SECTION 2.    Equal Employment Opportunity**

Fair and consistent treatment of applicants and employees in all aspects of human resources administration will be assured, without discrimination or disparate treatment based upon any protected category.

- A. Prohibitions against discrimination and different/disparate treatment as outlined in the County of Orange Equal Employment Opportunity Policy and Procedure (to view this document go to [County of Orange EEO Policy and Procedures](#)), Title VII of the 1964 Civil Rights Act, the Americans with Disabilities Act, Age Discrimination in Employment Act, Equal Pay Act, Fair Employment and Housing Act, Uniform Guidelines on Employee Selection Procedures, and other relevant federal and state statutes, regulations and guidelines shall be established and enforced.
- B. Each Department is responsible for ensuring that its own Equal Employment Opportunity (EEO) hiring and promotional goals are met. The CHRO, or designee, will provide oversight in this effort.
- C. Development and implementation of EEO principles in recruitment, selection and promotion practices shall include:
  - 1. Removal of artificial barriers to employment;
  - 2. Assessment of the County's workforce, including a comparison of its workforce composition with the Orange County geographical area workforce;
  - 3. Review selection processes to ensure that they are based on job-related criteria, and take action to identify and minimize adverse impact.
  - 4. Comply with all EEO requirements mandated by federal and state agencies as a condition for obtaining or maintaining program funding.

### **SECTION 3.    Recruitment Announcements**

#### **A.    General Provisions**

The CHRO, or designee, shall use generally accepted communications methods to ensure broad and effective communication of recruitments. Announcements will be accessible for a minimum of five business days.

Recruitment announcements will include information such as the general duties of the position; reference to examples of job duties as listed in the classification specification; minimum, desirable, and/or special qualifications; salary range; assessment method(s); type of eligible list to be established; the number of applications to be accepted (if applicable); and the final submission date applications will be accepted.

B. Modifications

The CHRO, or designee, may choose to modify, cancel, eliminate or make changes to a recruitment or selection process in progress. If this occurs, applicants will be notified of the change.

**SECTION 4. Types of Recruitment**

A. Department

Limited to current employees of one County Department (including limited-term and extra help) and persons who were laid off from that Department within the preceding two years who possess the applicable minimum qualifications.

B. Countywide

Limited to current employees of the County of Orange (including limited-term and extra help) and persons who were laid off from the County employment within the preceding two years who possess the applicable minimum qualifications.

C. Open

Open to any person seeking employment with the County of Orange.

D. Inter-jurisdictional Transfer (All units except units represented by AOCDS)

Open to any person possessing the applicable minimum qualifications who is a non-probationary employee currently serving in a lateral or equivalent classification from another County or other public agency within the State of California.



## **ARTICLE III**

## **JOB APPLICATIONS**

### **SECTION 1. Submission of Applications**

- A. All applications must be submitted and received on or before the final submission date and time specified.
- B. A separate and complete application or resume is required for each recruitment unless otherwise specified in the announcement.
- C. An applicant may, at any time, request in writing that their application be rendered inactive and that they not be given any further consideration in a particular recruitment procedure.
- D. Upon submission of an application, the applicant is certifying the truth of statements contained therein.
- E. Applicants may specify their Department, schedule and location preferences.

### **SECTION 2. Qualifications of Applicants**

- A. Qualifications of Applicants- All units except employees represented by AOCDS
  - 1. At any stage of the recruitment process before job offers are extended, the CHRO, or designee, shall determine if the applicant meets the minimum qualifications. Applicants may be required to submit evidence of required education, training, licensure, service in the armed forces or required special qualifications.
  - 2. Applicants must meet the minimum qualifications by the final submission date stated on the announcement. Another date, at a later stage in the process, may apply in some recruitment procedures (e.g., pending confirmation of certification/licensure or degree conferral). Such date will be clearly stated in the announcement.
  - 3. At the discretion of the CHRO, or designee, depending on factors such as: the business needs of the county, number of positions anticipated to be filled, and the volume and quality of the applicant pool, advancement to the next step in the competitive process may be limited to only those applicants who appear to possess the desirable qualifications.
  - 4. Applicants will be notified of their status in a recruitment including whether or not they will be advanced to the next step in the competitive process.
- B. Qualifications of Applicants- Employees represented by AOCDS only
  - 1. The CHRO, or designee, shall review each application filed in accordance with Section 1, above, and determine if the applicant meets the minimum qualifications. Applicants may be required to submit evidence of required education, training, licensure, service in the armed forces or required special qualifications.
  - 2. Applicants must meet the minimum qualifications by the final filing date stated on the announcement. Another date may apply in some selection procedures. Such date will be clearly stated in the announcement.
  - 3. Whenever an applicant is disqualified for lack of minimum qualifications the applicant shall be notified.

### **SECTION 3. Veterans Preference**

The County of Orange will provide preferential employment considerations to veterans and their eligible family members in accordance with the [County of Orange Veterans Employment Preference Policy](#).

Eligible applicants as defined in the policy who apply for County employment and who wish to receive consideration under the policy shall provide the required documentation at the time of application submission for the specific recruitment.

Veterans preference consideration will only be applied to participants not currently employed by the County of Orange and to open competitive recruitments under the parameters defined by the County of Orange Veterans Employment Preference Policy.

### **SECTION 4. Disqualification of Applicants**

Any of the following actions or deficiencies may constitute sufficient grounds for the disqualification of an applicant at any time during the recruitment process.

- A. Actual or attempted use of any method to obtain an advantage to which they are not rightfully entitled in an assessment or appointment.
- B. Obtaining, disclosing, or disseminating confidential test content and/or interview questions for the current recruitment or any prior recruitments with the intent of providing someone with an unfair advantage in the recruitment process.
- C. Participating in compiling, administering, scoring or correction of the assessment for a recruitment in which they are an applicant.
- D. Failure to disclose any issue which may be and/or may lead to an actual or perceived conflict of interest in the recruitment (e.g., familial, personal, and/or financial relationship with an individual involved in the recruitment process).
- E. Conviction of any crime which renders the person unsuitable for a position in law enforcement as provided under the law.
- F. False statements of material facts or attempted deception in the application, assessment, or interview.
- G. Dismissal from prior employment for a cause rendering the applicant unfit for any position.
- H. Use or attempted use of political pressure or bribery to secure an advantage in an assessment or appointment.
- I. Any other action of the applicant that renders the applicant unsuitable for employment.

## **ARTICLE IV**

## **COMPETITIVE SKILLS ASSESSMENTS**

### **SECTION 1. Use of Applicant Assessment**

Competitive assessment of applicants' qualifications and/or competencies shall be used to determine the eligibility of applicants and the relative score group placement on eligible lists. Competitive assessments will be used to place successful applicants on an eligible list, except when exempt by the CHRO or designee.

### **SECTION 2. Competitive Assessments**

#### **A. General Provisions**

The County will recruit, select, and advance employees on the basis of their ability to perform essential job duties. The ultimate authority regarding which assessments will be used resides with the CHRO or designee.

#### **B. Assessment Requirements (All units except employees represented by AOCDS)**

1. Depending on the needs of the County, invitation to participate in assessments may be limited to only applicants who appear to meet or exceed desirable or ideal qualifications.
2. Assessments consist of objective tools that measure the degree an applicant's qualifications match the job qualifications and may include measures designed to evaluate an applicant's ability to perform essential functions of the job. These include skills examinations, performance tests, structured oral interviews, training and experience evaluations, application rating reviews, and any other method that would evaluate the applicant's expertise, skills, and knowledge level required for the job.
3. Participation and successful completion of County sponsored and other vetted apprenticeship and training programs may be considered as a valid assessment for pre-specified positions in accordance with the Orange County Ready Individuals for Success & Employment (RISE) Policy.
4. For assessments requiring raters (e.g., application appraisal or structured oral interview) panels will consist of at least two people who are Subject Matter Experts (SMEs) and at the same or equivalent classification. At least one of the raters shall be in a higher, related classification.
5. A person may not rate, score, or otherwise influence their own assessment evaluation or that of a relative as defined in the [County's Employment of Relatives Policy](#). Panel members who have a personal or financial relationship with a candidate must notify the recruiter immediately and when practicable, be recused and replaced with an alternative rater.

C. Assessment Requirements (Employees represented by AOCDS only)

1. Candidates must meet minimum qualifications in order to compete in a recruitment and any specific parameters noted in the job announcement.
2. Assessments consist of objective tools that measure the degree an applicant's qualifications match the job qualifications. Assessments will be objective, equitably applied, reliable, job-related and free from artificial barriers to employment. Each Department is responsible that each method meets this requirement which includes documentation of the assessment development, administration and validation.
3. At least one (1) Subject Matter Expert (SME) per assessment panel shall be included in determining the assessment's evaluation of candidate qualification.
4. A person may not rate, score, or otherwise influence his or her own assessment evaluation or that of a relative as defined in the County's Employment of Relatives Policy.

**SECTION 3. Notification of Applicants**

- A. Applicants shall be notified in advance of the date, time and place of any required assessment.
- B. Applicants shall be notified of their status in the recruitment process.
- C. Applicants who are placed on an eligible list shall be notified of their eligibility and their final score group.

**SECTION 4. Assessment Records**

Assessment records, including applicant information and candidates who placed on an eligible list, shall be processed confidentially.

Unless otherwise authorized by the CHRO, or designee, the names of eligibles referred to the hiring authority for hiring consideration shall appear within their designated score groups. Neither an applicant's final numerical scores nor ranking shall be available to the hiring authority or the applicant.

## **ARTICLE V.**                **ELIGIBLE LISTS**

### **SECTION 1.    Retention of Records**

The CHRO, or designee, shall preserve records used in the promulgation of eligible lists, in accordance with the retention guidelines established by the County Executive Office Human Resource Services (CEO HRS) [Record Control Schedule](#).

### **SECTION 2.    Order of Eligibles**

Applicants who qualify in a competitive assessment shall have their names placed upon an appropriate eligible list, by score group. The CHRO, or designee, may consult with hiring authorities or other appropriate Department representatives on establishing score groupings, but will retain the confidentiality of eligibles' individual scores.

### **SECTION 3.    Effective Date of Eligible Lists**

Eligible lists shall be in effect from the date on which established and will supersede any eligible list for the same job classification, recruitment type and if applicable, specialty.

### **SECTION 4.    Duration of Eligible Lists**

Open, Countywide Department and Inter-jurisdictional eligible lists shall be established, merged, extended or abolished as determined by the CHRO or designee.

### **SECTION 5.    Removal of Names from Eligible Lists**

The CHRO, or designee, may remove candidates from eligible for any of the reasons cited in Article III, Section 4 or for any eligible who:

- A. Requests in writing to have their name temporarily or permanently removed from the list or states in writing that they are not interested in employment in that classification. No person shall cause or attempt to cause an eligible to waive these rights.
- B. Is appointed to a regular position in the classification for which their was on the eligible list. This restriction does not apply to an eligible who is appointed to a limited term or extra help position or any employee who receives a temporary promotion to a position in the classification.
- C. Has a disability that precludes the applicant from performing the essential functions of any position in the classification based on an interactive process or as declared by the applicant.
- D. Has been convicted of any crime which renders the person unsuitable for any position within the classification.
- E. Terminates employment with the County of Orange. Such eligibles shall be considered as having relinquished the right to be considered for promotion, and the person's name shall be removed from any Department or Countywide eligible list on which it appears.
- F. Is discharged from County employment for cause.

## **SECTION 6.   Types of Eligible Lists**

The following types of eligible lists may be established:

### **A. Department Eligible List**

The names of employees successful in Departmental recruitment procedures shall be placed on a Department Eligible List.

### **B. Countywide Eligible List**

The names of employees successful in Countywide recruitment procedures shall be placed on a Countywide Eligible List.

### **C. Open Eligible List**

The names of applicants successful in Open recruitment procedures shall be placed on an Open Eligible List (or an Open Specialty Assignment Eligible List- see Section 6.D).

### **D. Specialty Assignment Eligible List**

Special qualifications such as a specific skill or knowledge area may be prescribed by the CHRO, or designee, for specific positions within the classification.

When such special qualifications are needed, an appraisal of an eligible's application or other form of evaluation may be used to identify those with the special skill or knowledge area, and only applicants who possess such special qualifications will be added to the list.

### **E. Inter-jurisdictional Eligible List (All units except units represented by AOCDS)**

The names of applicants successful in inter-jurisdictional recruitment procedures shall be placed on an Inter-jurisdictional Eligible List.

### **F. Reemployment Eligible List**

The names of former County employee(s) seeking to return to County employment after separating from the County who have been properly vetted as required in Article VII, Section 2, may be added to a Reemployment List and be referred to Departments along with other eligibles in the referral method.

### **G. Internal Classification Eligible List**

The names of current County regular and limited-term employee(s) seeking consideration for a lateral transfer, reassignment to a similar or related classification, or a reduction to a classification within the same or similar occupational series of their current classification or any classification which they may previously have held status in may apply, and upon meeting the minimum qualifications and demonstrating possession of the technical skills and competencies, be placed on an Internal Classification Eligible List for the classification. These lists may be referred by itself and/or along with other eligibles in the referral method.

In rare circumstances and upon request, the CHRO, or designee, may approve an employee to submit an application for an Internal Eligible List for a non-related position in which they do not hold status, so long as they meet the minimum qualifications. Such exceptions may be considered when clearly justified and aligned with merit principles and the County's operational needs- for example, in situations when an employee is subject to layoff or classification elimination.

## **ARTICLE VI.            REFERRAL OF ELIGIBLES**

### **SECTION 1.    Request to Fill a Position**

#### **A. Requests for Referral of Eligibles**

Whenever a vacancy is to be filled, the hiring authority may submit a requisition to the CHRO, or designee, requesting referral of applicants from an eligible list.

Except as may be modified by the CHRO, or designee, all eligibles on a Referral List shall be invited to participate in the post-referral procedure(s), for example, a selection interview or job-related skills exercise (not scored).

#### **B. Requests for Selective Referral (for a specific skill or knowledge area)**

A hiring authority may request a selective referral clearly describing the specialized skill, knowledge or ability required to enhance efficiency or promote better public service.

#### **C. Requests for Dual Referral**

1. If separate eligible lists exist for two related classifications, the hiring authority may request referrals from both lists simultaneously.
2. If approved by the CHRO, or designee, eligibles on both lists shall be referred based on the same referral methods, described in Section 2 below.

#### **D. Requests for Reactivation of Expired Eligible Lists**

A hiring authority may request reactivation of previously referred and/or expired eligible lists. The CHRO, or designee, may approve this request provided there is a business need, it is within a reasonable time frame, the eligible list contains individuals who may still be interested and available, and the list has not been superseded by an active eligible list for the same classification, specialty, and/or recruitment type (unless approved as described below).

#### **E. Requests for Reactivation of Superseded Eligible Lists**

In exceptional and rare circumstances, a Department may submit a request to the CHRO to refer from an expired and superseded eligible list, provided they have exhausted the new active eligible list and can justify the business need for extending the expired list. The CHRO has sole discretion to approve or deny such requests and approval may only be granted if the request is clearly justified and aligns with merit principles and the County's operational and business needs. If approved, the list will only be referred for the position(s) in the requested documentation. Any additional positions or vacancies will require a separate request and approval.

## **SECTION 2. Method of Referral from Eligible List**

Following receipt of a requisition, the CHRO, or designee, shall determine from which eligible list(s) a referral is to be made and shall refer eligibles' names in any manner indicated below. Additional eligibles may be referred to replace, supplement, or add to referred candidates who were left under consideration, not selected, waived consideration, rejected an offer of employment, failed to respond to a notice of referral, failed the pre-employment conditions, or refused to sign a waiver.

### **A. Department, Countywide, Open, and Inter-Jurisdictional Eligible Lists**

#### **1. Referring by Score Group**

Eligibles are referred by banded score groups. The hiring authority may consider all eligibles in the highest score group prior to consideration of eligibles from the second score group, if applicable.

Except for sworn officers, all candidates from all banded score groups on the eligible list may be referred at the same time if there is a legitimate business reason to interview all unqualified candidates (e.g., difficult to recruit, special certification/licensure requirements, unique role/industry, large number of vacancies)

#### **2. Referring by Formula**

Candidates shall be randomly processed for referral from the highest score group of eligible candidates. The hiring authority may determine a reasonable amount of random eligible candidates to refer but no less than five (5) per vacant position.

#### **3. Selective Referral (For Required Skill or Knowledge Area)**

The CHRO, or designee, may authorize a referral to be determined by selective criteria. Selective criteria will be applied to all score groups, include Veterans Employment Preference Participants (VEPP List). If the number of candidates who meet the selective criteria are more than practical to consider for the number of vacancies, referral by score group or by formula may also be applied.

### **B. Referral from Alternate Eligible Lists**

The CHRO, or designee, may refer names to vacancies from the eligible lists for related classifications, provided that the required qualifications of the related classifications are at least equivalent to those of the classification in which the vacancy exists. The names of the persons thus referred shall remain on the eligible lists on which their names were originally placed.

### **C. Department Reinstatement List/County Preferred Eligible List**

Employees who have been laid off shall be reinstated/referred for reemployment prior to referral from any other list as defined in the applicable Memorandum of Understanding.



### **SECTION 3.   Referral Notification**

When referred, candidates will be notified:

- A. That a selection interview will take place along with any specific instructions.

OR

- B. The hiring decision will be based on a review of the referred eligibles' applications and other available written records, when the CHRO, or designee, determines such other records are appropriate. Note: "Review of Written Record" is typically only appropriate when all referred eligibles are current County employees (i.e., Department, County Promotional, and Open Eligible with selective referral for County only employees).

## **ARTICLE VII.**

## **SPECIAL REFERRAL QUALIFICATIONS**

### **SECTION 1. Reassignment and Reduction to a Different Classification and/or Occupational Series Qualifications**

The CHRO, or designee, may upon request of the hiring authority, approve the reassignment or reduction of a regular or limited-term employee from one position to another, provided the employee was previously appointed through the normal recruitment and referral procedures and provided the employee meets the minimum qualifications for the classification to which reassigned or reduced, and/or in accordance with the [Voluntary Reduction or Reassignment to a Different Occupational Series Policy](#).

### **SECTION 2. Reemployment Qualifications**

This section shall apply to a former employee seeking to return to County employment after separating from the County. A previous employee who had successfully passed probation and left employment in good standing, may request to have their name placed on an eligible list (Reemployment List) for any classification in which they held status or any lower classification within the same occupational series.

The request must be made within two (2) years after leaving County employment, not including any time spent on military duty. The requesting employee must possess the current minimum qualifications of the applicable classification(s) and submit a separate employment application for each classification. Employees who meet the qualifications for reemployment shall be placed on the reemployment eligibility list and referred to Departments in the manner provided in Article VI, Section 2 unless an appointment without a referral is approved as authorized in Article VIII, Section 5.

### **SECTION 3. Reassignment, Reduction or Transfer within the Same or Similar Classification and/or Occupational Series Qualifications**

The County will administer a process for regular and limited-term employees who are in good standing to request consideration for a lateral transfer, reassignment to a similar or related classification, or a reduction to a classification within the occupational series of their current classification (or a classification they have previously held status in). Applicants must meet the minimum qualifications and demonstrate possession of the technical skills and competencies required for the specific position. If approved, the employee shall be placed on an Internal Classification List for the classification and may be referred in the manner provided in Article VI, Section 2. The employee's request to transfer may be denied by the CHRO. If the employee is currently serving probation, before a job offer is extended the CHRO must approve the request to change positions while serving probation.

Nothing in this section prohibits the County Executive Officer, Chief Human Resources Officer, or designee from transferring a qualified employee from any position and/or department to another.

### **SECTION 4. Inter-Jurisdictional Transfer Qualifications (Applicable to all units except units represented by AOCDS)**

The CHRO, or designee, may upon request of the Department approve the inter-jurisdictional transfer of employees from other public agencies. As deemed appropriate by the County, such employees must have held permanent employment status in their current jurisdiction and shall be allowed an inter-jurisdictional transfer only to comparable County classifications. The requesting Department shall be responsible for verifying the qualifications of interagency transfer employees. When approved, the transfer employee's name shall be placed on an eligible list for the appropriate classification and referred in the manner provided in Article VI, Section 2.

Inter-jurisdictional transfers will be processed into employment under the same terms and conditions outlined in the applicable Memorandum of Understanding as any other external new hire employee (e.g., probationary status, leave accruals, salary rates, tentative merit increase dates, etc.) unless otherwise agreed upon and approved by the CHRO and/or Department Head.

## **ARTICLE VIII.            APPOINTMENTS TO POSITIONS**

### **SECTION 1.    Appointment to a Reclassified Position**

- A. When an occupied position is reclassified, the CHRO may waive the normal recruitment and referral procedures and permit the incumbent to remain in the position or limit competition to the employees of a portion of a Department. To determine whether this waiver or limitation is warranted, the CHRO may consider:
  - 1. Length of time that the incumbent has performed the duties cited as the basis for the reclassification.
  - 2. Whether the reclassified position has been filled by rotating incumbents for the purpose of training in higher level duties.
  - 3. Availability of current eligibles or current or potential competitors for the reclassified position.
  - 4. Availability of other vacant positions to which the incumbent could be reassigned.
- B. The CHRO may waive the normal recruitment and referral procedures and permit the incumbent to remain in a position which is being reclassified or restored upward after being temporarily classified to a lower level for training purposes.
- C. When the CHRO does permit an incumbent to remain in a position which is reclassified upward, the incumbent must serve a promotional probation period as required by the Personnel and Salary Resolution or applicable Memorandum of Understanding.

### **SECTION 2.    Appointment of Extra Help Employees to Regular Positions**

An extra help employee, typically exempt from the recruitment rules, may be appointed to a regular or limited-term position within the same classification without going through an additional recruitment and/or referral process, provided they meet the following conditions:

- A. The employee must have been appointed to the extra help position through an open competitive recruitment process (either regular or extra help), for the same classification and assignment.
- B. The employee must have served at least ninety (90) days in the extra help position.
- C. Departments must utilize approved budgeted regular or limited-term positions for such appointments.

Under extenuating circumstances or due to a demonstrated business need the CHRO may authorize the appointment of an extra help employee in a position for less than ninety (90) days to a regular or limited-term position. The CHRO has the sole discretion to approve or deny such requests and approval may only be granted if the request is clearly justified and aligns with merit principles and the County's operational and business needs.

### **SECTION 3. Transition of Limited-Term Employees to Regular Positions**

A limited-term employee shall only be transitioned into a regular position through the normal recruitment and referral procedures provided in these Rules, except as provided below:

- A. The limited-term and regular positions are in the same classification.
- B. The employee was appointed to the limited-term position through the competitive process provided in these Rules, **and**
- C. The hiring authority has determined that the employee has satisfactorily performed the duties of the position.

### **SECTION 4. Temporary Promotion Appointments**

A regular, probationary or limited-term employee who has been temporarily promoted to a higher level classification may be appointed to a regular or limited-term status in the higher classification through the normal recruitment and referral procedures provided in these Rules.

### **SECTION 5. Appointment of Reemployment Eligibles**

The hiring authority may appoint without referral a former employee of that Department by selecting the employee from an active reemployment list, providing the former employee meets all the reemployment requirements of Article VII, Section 2.

### **SECTION 6. Appointment from Prior Referral Lists**

A candidate may be appointed to a regular or limited-term vacant position without going through an additional recruitment and/or referral process provided they went through an open competitive recruitment and referral process for the same classification, were left under consideration and provided the same eligible list is still active and that candidate is still active on the eligible list.

**ARTICLE IX.**                    **RECRUITMENT APPEALS PROCEDURE**

**SECTION 1.**    **Scope**

- A. A recruitment appeal may be filed only if an alleged act of discrimination (as defined herein) or a misapplication of these Rules has adversely affected an applicant's status in a recruitment procedure.
- B. Specifically excluded from this Recruitment Appeals Procedure are:
  - 1. Content of:
    - a. Recruitment Rules
    - b. Minimum Qualifications
    - c. Recruitment Procedures
  - 2. All matters expressly within the discretion of the CHRO as stated in these Recruitment Rules.
  - 3. All recruitment matters subject to resolution through a County grievance procedure.

**SECTION 2.**    **Recruitment Complaints**

- A. An applicant may file a recruitment complaint with the CHRO. Such a recruitment complaint must be received by the CHRO:
  - 1. Within fourteen (14) calendar days from the occurrence which gave rise to the problem

**OR**

  - 2. Within fourteen (14) calendar days of the date the applicant was notified of their status in a portion of the recruitment procedure including any disqualification.
- B. If an applicant does not file their recruitment complaint within the prescribed time limit, the matter shall be considered resolved.
- C. The recruitment complaint shall be in writing, signed by the applicant and shall be submitted on the official form provided by Human Resource Services. The recruitment complaint shall contain:
  - 1. The full name, address, email address and telephone number of the applicant.
  - 2. The specific Article/Section/Paragraph/Sub-paragraph of the Recruitment Rules which was allegedly misapplied.
  - 3. A plain and concise statement of the facts constituting the alleged Recruitment Rules violation.
  - 4. What adverse effect the alleged violation had on the applicant's status in the recruitment procedure.
  - 5. The specific remedy requested.

- D. The complaint shall fail if it lacks the information needed to provide a clear understanding of the issue(s). In such event, the complaint shall be returned to the applicant stating the reasons for the rejection. The applicant may then resubmit the complaint with clarifying information. Such a clarified complaint must be received by the CHRO within fourteen (14) calendar days from the date the rejection was sent.

If, after the revision, the complaint still lacks the information needed to provide a clear understanding of the issue(s), the complaint shall fail and the CHRO shall so notify the applicant.

- E. If the recruitment complaint contains an allegation of discrimination, it shall first be referred to the Equal Employment Opportunity Office whose investigation may include:
  - 1. Consulting with the applicant.
  - 2. Advising of rights.
  - 3. Making necessary inquiries.
  - 4. Seeking informal resolution of problems.
  - 5. Reporting to the CHRO regarding findings and recommendations for adjustments.
- F. Within twenty-one (21) calendar days after receipt of the recruitment complaint, the CHRO, or designee, shall notify the applicant regarding the following:
  - 1. If applicable, the findings and recommendation regarding the merits of the recruitment complaint and, when appropriate, the corrective action or remedy required. If the recruitment complaint is not within the Scope of the procedure, and the CHRO, or designee, determines that corrective action is required, they shall have the authority to initiate corrective action and/or to prescribe any of the remedies provided in Article IX, Section 7 of these rules.
  - 2. If the CHRO does not render a decision to the applicant within the time limitations set out above, and the applicant has not agreed to a waiver of time to resolve the complaint, the applicant may file a recruitment appeal as provided in Section 3. Such an appeal must be received by the CHRO, or designee, within seven (7) calendar days after the last date on which the CHRO's, or designee's, decision could be rendered.

### **SECTION 3. Recruitment Appeals**

- A. An appeal may be filed by an applicant whose complaint is within the Scope of this Procedure whose complaint was denied or unresolved by the CHRO's recommendation regarding the merits of the complaint. Such an appeal must be received by the CHRO within fourteen (14) calendar days from the date the CHRO's recommendation is sent.
- B. The applicant shall submit a written request to have the appeal heard by an Appeals Officer and the request shall contain the full name, address and telephone number of the appellant and shall be signed and dated by the appellant.
- C. If the applicant does not request an Appeals Hearing within the prescribed time limits, the CHRO's recommendation regarding the merits of the recruitment complaint shall be final.
- D. If the applicant requests a Recruitment Appeals Hearing, the CHRO shall, within seven (7) calendar days from the date the recruitment appeal is received, arrange for the matter to be heard by an

Impartial Appeals Officer. The Recruitment Appeals Hearing shall be held as soon as practicable thereafter, with written notification of such hearing to be sent to the appellant.

- E. Prior to conducting a Recruitment Appeals Hearing involving a regular or limited-term County employee, the parties may agree to a non-binding mediation meeting conducted by a third party neutral mediator in an attempt to resolve the issue(s).
- F. Remedies in mediation shall be limited to correcting the misapplication of the Rules and making corresponding adjustments to the appellant's and/or other affected applicants' status in subsequent portions of the recruitment procedure. Such corrective action may include, but is not limited to, revoking that portion of the recruitment procedure which included the alleged misapplication and, where appropriate, subsequent portions of the recruitment procedure; and re-administering any such portions of the recruitment procedure that were revoked. Mediation remedies shall not include appointing an applicant to a position or removing an incumbent from a position.

#### **SECTION 4. Basic Rules**

- A. Within the scope of this Recruitment Appeals Procedure, an applicant shall have the right to file an appeal and to have their appeal heard by an impartial Appeals Officer.
- B. If any two (2) or more applicants have essentially the same complaint, the County may combine their cases for presentation before an Appeals Officer.
- C. If the appellants are a group of more than three (3) applicants, the group shall, at the request of the County, appoint one (1) or two (2) applicants to present the case before an Appeals Officer.
- D. Upon written consent of the parties, i.e., the CHRO and the applicant or their representative, the time limitations may be extended at any step in the Recruitment Appeals Procedure.
- E. Applicants may be represented at the Recruitment Appeals Hearing by a person of their choice. If the applicant is a County Employee, they may represent themselves or be represented by their Labor Organization as outlined in the applicable Memorandum of Understanding.
- F. In all cases when an applicant is represented by a labor organization the cost of the Appeals Officer or Third-Party Mediator shall be shared equally by the County and the appealing party. Each applicant shall bear all costs associated with the presentation of their case except when the appealing party alleges discrimination or is not represented by a labor organization, in which case the County shall bear the full cost.
- G. A County employee who has filed a recruitment appeal or is participating in mediation shall be given reasonable time off without loss of pay to present their case before an Appeals Officer/Mediator.
- H. A recruitment appeal shall not automatically compel the delay of the normal process of selection and referral.
- I. An appellant may be permitted to continue to compete in the recruitment procedure pending resolution of the appeal.
- J. If an appeal is filed, the CHRO may extend the new or promotional probationary periods of incumbents appointed as the result of a recruitment procedure which is appealed. Such probationary periods may be extended no longer than sixty (60) calendar days from the date on which the County of Orange received the Appeals Officer's findings and decision.

- K. No incumbent shall obtain a vested right to a position until they have completed probation as may be modified by Article IX, Section 4.J., above.
- L. In the event that an incumbent's probationary period is extended by the provisions of Article IX, Section 4.J., and such an incumbent has served a probationary period which is longer than the probationary period normally prescribed for new or promotional probation, such an incumbent may fail probation during the extended period only upon the recommendation of the Appeals Officer and final determination by the CHRO in accordance with the provisions of Article IX, Section 7.F.

#### **SECTION 5. Conduct of Hearing**

- A. The hearing shall be conducted in the following manner:
  - 1. Appeal Hearings shall be private.
  - 2. Oral evidence shall be taken only on oath or affirmation.
  - 3. Each party shall have the right to call and examine witnesses on any matter relevant to the issue, even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called them to testify; and to rebut any evidence against them.
  - 4. If the appellant does not testify on their behalf, they may be called and examined on a cross examination.
  - 5. The hearing need not be conducted according to the technical rules of evidence. Any relevant evidence shall be admitted and the Appeals Officer will determine its standing in relation to the issues presented.
  - 6. The Appeals Officer shall have the authority to decide any procedural issues or questions not covered by the rules of this Recruitment Appeals Procedure.

#### **SECTION 6. Disclosure of Evidence**

- A. At least twenty (20) calendar days prior to the scheduled hearing date, either party may submit a written request for copies of all documentary evidence to be used by the other party at the hearing. Such evidence shall be provided no later than ten (10) calendar days prior to the scheduled hearing date.
- B. Any evidence not so provided may not be admitted or offered as evidence at the hearing except when the evidence was discovered after a request for copies, but not soon enough to comply with the above time limits. In such circumstances the evidence copies will be provided as soon as practicable.
- C. Nothing contained herein shall prevent either party from presenting additional documents by way of rebuttal.



## **SECTION 7. Findings, Decisions, and Remedies**

Within thirty (30) calendar days after completion of the Recruitment Appeals Hearing, the Appeals Officer shall render a decision which shall include the findings upon which the decision is based and, when appropriate, the remedy required. This decision shall be communicated in writing to the County and the appellant.

- A. The Appeals Officer may find in favor of the appellant and prescribe a remedy only if the appellant can demonstrate to the Appeals Officer's satisfaction that:
  - 1. Discrimination and/or a misapplication of these Rules was committed in the conduct of the recruitment procedure within the Scope of this Recruitment Appeals Procedure;  
**and**
  - 2. Such discrimination and/or misapplication had an adverse effect on the appellant with respect to their standing in the recruitment procedure.
- B. Remedies shall be limited to correcting the misapplication of the Rules and making corresponding adjustments to the appellant's and/or other affected applicants' status in subsequent portions of the recruitment procedure. Such corrective action may include revoking that portion of the recruitment procedure which included the alleged misapplication and, where appropriate, subsequent portions of the recruitment procedure; and re-administering any such portions of the recruitment procedure which were revoked.
- C. The Appeals Officer shall not have the authority to appoint an applicant to a position or to remove an incumbent from a position except that the Appeals Officer may make an advisory recommendation of an appointment of an applicant where the Appeals Officer determines that an applicant obtained appointment by fraud rather than merit.
- D. Upon a finding of discrimination, remedies shall not include orders that would require legislative action by the County Board of Supervisors, fines, Equal Employment Opportunity timetables or goals. Remedies shall be limited solely to the appellant(s) except as provided in Article IX, Section 7.B. above.
- E. The Appeals Officer's decision, under the authority invested in them in Article IX, Section 7 above, shall be binding. In the event of a mistake or error in the award by the Appeals Officer, the Appeals Officer may reopen the hearing to correct such mistake or error upon petition from either party or by the Appeals Officer's own motion within thirty (30) calendar days after the award is served upon the parties.
- F. The Appeals Officer may also make an advisory recommendation to the CHRO recommending that an incumbent's appointment be revoked when in the Appeals Officer's judgment such a recommendation is required to properly remedy a finding of discrimination and/or misapplication of the Recruitment Rules and Policies. In such an instance, the CHRO shall make the final determination.

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## **Definitions**

The following definitions shall apply to terms used in the Orange County Recruitment Rules and Policies.

**ABOLISHED ELIGIBLE LIST:** An eligible list for a recruitment that had previously been run and established which may or may not have active eligibles still on it, but is replaced when a new eligible list of the same classification, type, and specialty (if applicable) is established.

**ACTIVE ELIGIBLE:** Any candidate who has successfully competed in a recruitment process in accordance with the Merit and Selection Rules and Policies and been placed on an active eligible list.

**ADVISORY RECOMMENDATION:** A non-binding suggestion or opinion by a person or body to assist the hiring authority or Human Resource Services in making a final decision. While advisory recommendations may inform decisions, they do not carry the authority to make or enforce decisions and are used solely for guidance.

**ALTERNATE ELIGIBLE LIST:** Refers to an existing eligible list that may be used to fill a different but related classification, when a new eligible list for the specific classification is unavailable and when the alternate eligible list classification is similar in duties, qualifications, and requirements.

**ANNOUNCEMENT / RECRUITMENT ANNOUNCEMENT:** A notice of an employment opportunity containing a description of the classification and/or position requirements, salary, instructions for applicants, selection procedure, submission deadlines and any other pertinent information.

**APPEALS HEARING:** A formal proceeding held to review and evaluate an appeal filed by an appellant concerning matters such as recruitment, selection, examination or assessment results, or other decisions.

**APPEALS OFFICER:** The individual designated to review and render decisions on appeals filed by applicants regarding recruitment, selection, or examination or assessment processes.

**APPEALS PROCEDURE:** Refers to the formal process by which an applicant or employee may challenge or seek review of a decision or action related to recruitment, selection, or examinations/assessments.

**APPELLANT:** The individual who files an appeal challenging an action, decision, or outcome related to recruitment, selection, or examination/assessment matters. The appellant may be a current County employee or an applicant who believes that a rule, policy, or right was violated or improperly applied. The appellant seeks formal review or reversal of the action through the appropriate appeals process.

**APPLICANT:** Any person who applies for a recruitment and is participating in any part of the recruitment process until they are added to an eligibility list.

**APPLICATION / JOB APPLICATION:** Official record and any supplemental information required by the Chief Human Resources Officer, or designee, for employment/promotion application purposes.

**APPLICATION RATING REVIEW / APPLICATION APPRAISAL PANEL:** A structured assessment used to evaluate and rate an applicant's application materials, such as resumes, supplemental questions, and other submitted documents. This review assesses how well an applicant's background, education, training and experience matches the established qualifications for a specific classification.

**APPOINTMENT:** An eligible candidate selected to fill a position as a new hire, promotion, transfer, reassignment, or reemployment.

**APPOINTING AUTHORITY:** The Board of Supervisors or a Department Head or the Department Head's designated representative empowered to appoint personnel.

**ASSESSMENT:** The measurement of an individual's job-related qualifications or competencies including, but not limited to, written examinations, performance-based tests, interviews, and evaluations of training and experience.

**AUTHORITY:** Refers to the legal or delegated power granted to an individual or entity- such as the Board of Supervisors, Department Heads, Chief Human Resources Officer, or designated officials- to make decisions, take actions, or enforce policies related to recruitment and selection matters, defined here within.

**BOARD OF SUPERVISORS:** The governing body of the County of Orange, composed of five elected officials, each representing one of the County's five supervisorial districts. The Board holds the ultimate authority over County operations, including approving budgets, setting policies, adopting ordinances, and establishing rules related to employment and human resources.

**BUSINESS CONDITIONS:** The established organizational need, historical recruiting data and/or the role of the position that justifies a specific business need. This may include but is not limited to work location, employment status, turnover, no-show rate, language requirements, shift, environmental conditions, and pre-employment conditions.

**BUSINESS DAYS:** For the purposes of this document, business days refer to typical weekdays, Monday through Friday, with the exception of any county-paid holiday.

**CANDIDATE:** Any person who has applied and completed the recruitment process successfully, being placed on an eligibility list. Once added to the eligibility list, they are considered a candidate instead of an applicant.

**CHIEF HUMAN RESOURCES OFFICER:** The person delegated the authority and responsibility by the Board of Supervisors to make decisions concerning Human Resources matters on behalf of the County.

**CLASSIFICATION SPECIFICATION / CLASSIFICATION / CLASS:** Refers to the formal grouping of a position or group of positions based on similarities in duties, responsibilities, qualifications and required competencies. Each classification is assigned a specific title, salary range, and job duties, which outline the essential functions and minimum qualifications for the role.

**COUNTYWIDE ELIGIBLE LIST:** An eligible list for a classification comprised of all applicants who successfully competed in a countywide recruitment. To remain on the Countywide Eligible List, a person must be an employee within one of the departments of the County of Orange.

**COUNTY PREFERRED ELIGIBLE LIST:** An eligible list designated for persons who were laid off (or voluntarily reduced) from the County for a designated Classification. Positions must be filled with Departmental Reinstatement List and County Preferred Eligible Lists before seeking other lists, in accordance with the specific Memorandum of Understanding.

**DEPARTMENT ELIGIBLE LIST:** An eligible list for a classification comprised of all applicants who successfully competed in a Departmental recruitment. To remain on the departmental list, a person must be a current employee (including extra help and limited-term) within the Department.

**DEPARTMENT REINSTATEMENT LIST:** The following persons shall be placed Departmental Reinstatement Lists as provided in the order of their respective layoff points in accordance with the applicable MOU, with the person having the largest number of layoff points listed first. 1. Persons Laid Off; 2. Persons who Exercise Their Rights to Voluntary Reduction in Lieu of Layoff; 3. Persons who Voluntarily Reduced as a Voluntary Reduction from Classes Designated as Vulnerable to Layoff.

**DESIGNEE:** Refers to an individual who has been formally delegated authority or responsibility by a person in a position of official authority- such as a department head, Chief Human Resources Officer, or member of the Board of Supervisors- to act on their behalf of specific matters.

**DESIRABLE QUALIFICATIONS:** Refers to the knowledge, skills, abilities, certifications, or experiences that are not required to meet the Minimum Qualifications but are preferred and may enhance an applicant's ability to succeed in the role. These qualifications may be used to further differentiate applicants who meet the minimum qualifications.

**DISCRIMINATION:** As used in this policy, discrimination is defined as the unequal treatment in the administration of these Rules or any aspect of employment based solely or in part on an individual's protected characteristics or their perceived protected characteristics including: race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer or genetic conditions), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding or other related medical conditions), gender, gender identity, gender expression, age (40 years and over), sexual orientation, veteran or military status, and reproductive health decision-making. Discrimination also includes unequal treatment based upon a person's association with a member of these protected classes.

**ELIGIBLE:** Any person whose name appears on an eligible list and may be referred for vacant positions within that classification or any classification of a similar and/or lower classification.

**ELIGIBLE LIST / ELIGIBILITY LIST:** A list, in order of score or score groups, of candidates who meet or exceed the qualifications of the position being filled. Placement on an eligibility list does not guarantee an individual shall be selected for a position.

**EQUAL EMPLOYMENT OPPORTUNITY:** Providing equal access to jobs, work assignments, training and other employment related opportunities to all job applicants, candidates, and employees regardless of political affiliation, race, ethnicity, color, ancestry, national origin, religion, gender, sexual orientation, age, marital status, medical condition, or mental or physical disability.

**EVIDENCE:** Refers to any documentation, testimony, records, or other materials presented in support of or in opposition to a claim, appeal, or employment-related action. All evidence must be relevant, credible and submitted in accordance with established procedures.

**EXPIRED ELIGIBLE LIST:** Refers to a list of candidates who were deemed eligible for hire following a competitive recruitment process but whose eligibility period has ended (either due to list depletion, passage of time ie., typically one year, and/or creation of a new eligible list that supersedes the previous one).

**EXTRA HELP EMPLOYEE:** Shall mean a person employed in an extra help position. An extra help employee serves at the pleasure of the County in an extra help position and may be removed from an extra help position at any time with or without notice or cause and without a hearing.

**EXTRA HELP POSITION:** Shall mean a position which intended to be occupied on less than a year-round basis including, but not limited to, the following: to cover seasonal peak workloads; emergency extra workloads of limited duration; necessary vacation relief; paid sick leave and other situations involving a fluctuating staff.

**FINAL SUBMISSION DATE:** The last date and hour designated by the Chief Human Resources Officer, or designee, for receiving applications for a recruitment or selection procedure.

**HIRING AUTHORITY:** Refers to the individual or official who has been legally or administratively delegated the power to make hiring decisions on behalf of the County. This may include department heads, elected officials, or their authorized designees.

**INACTIVE ELIGIBLE:** Refers to a candidate who was placed on an eligible list after a competitive recruitment process but is unavailable or ineligible for appointment consideration and will not be referred to future vacancies from the date of deactivation.

**INTERNAL CLASSIFICATION ELIGIBLE LIST:** Refers to a list of current County employees who have applied and been deemed eligible to a specific classification without having to compete in another recruitment process because they already have obtained a position that is similar and/or related (reassignment), higher (reduction within the same occupational series), or the same (transfer)

**INTERNSHIP POSITION:** A temporary, non-permanent assignment designed to provide undergraduate and/or graduate students (or recent graduates) with practical experience, training and exposure to public sector work.

**LABOR ORGANIZATION:** Refers to any employee organization or union that exists, in whole or in part, for the purpose of collective bargaining, negotiating wages, hours, and other terms and conditions of employment, or representing employees in grievances or disputes with the County. Labor organizations must be recognized by the County in accordance with the County's Employee Relations Resolution (ERR) and applicable provisions of the Meyers-Milias-Brown Act (MMBA).

**LAID OFF / LAY OFFS:** Refers to the involuntary separation of an employee from County service due to lack of work, lack of funds, organizational changes, or the abolition of a position, rather than for reasons related to the employee's performance or conduct.

**LIMITED-TERM EMPLOYEE:** Shall mean an employee employed in a limited-term position. Except where a regular position is converted to a limited-term position, the incumbent shall retain his or her former status. As an exception to this definition, a limited-term employee may also be used to fill a regular position when the incumbent employee is on Official Leave of Absence.

**LIMITED-TERM POSITION:** Shall mean a position which the County has determined has no anticipated long-range funding or has uncertain future funding.

**MEMORANDUM OF UNDERSTANDING:** A formal, negotiated agreement between the County of Orange and a recognized labor organization that outlines the terms and conditions of employment for a specific bargaining unit.

**MERIT:** The principle that employment decisions- such as hiring, promotion and retention- must be based on an individual's qualifications, knowledge, skills, and ability to perform the duties of the position, rather than on personal connections, political influence, or other non-job-related factors.

**MERIT SYSTEM:** A structured framework system for recruiting, selecting, promoting, and retaining employees based on qualifications, competence, and job-related criteria designed to ensure fair and open competition, equal employment opportunity, and the efficient delivery of public service.

**MINIMUM QUALIFICATIONS:** The knowledge, skills, abilities, education level, experience and licenses listed as minimum qualifications on a classification specification or included on a recruitment announcement.

**NON-BINDING MEDIATION:** A voluntary and information dispute resolution process in which a neutral third party (mediator) facilitates communication between conflicting parties- such as an employee and management- to help them reach a mutually acceptable resolution. The mediator does not have the authority to impose a decision, and any outcome reached is not legally binding unless both parties agree to it in writing.

**OCCUPATIONAL SERIES:** Refers to a group of related job classifications that involve similar types of work, duties, and required qualifications, but may vary in terms of complexity, responsibility, and/or skill level.

**PANEL:** An assessment conducted by a team of two or more which would include at least one subject matter expert.

**PASSPOINT:** A minimum qualifying score on a specific assessment.

**PERFORMANCE TEST:** A performance test is a type of job-related examination used to assess an applicant's ability to perform specific tasks or duties required by the position. This may include hands-on demonstrations, simulated work activities, or practical exercises.

**PERSONNEL AND SALARY RESOLUTION:** Under the County of Orange Recruitment Rules and Policies, the Personnel and Salary Resolution (PSR) is an official document adopted by the Board of Supervisors that governs the terms and conditions of employment for non-represented (unclassified or management) employees. The PSR outlines provisions related to classification, compensation, benefits, leaves, allowances, and other employment practices not covered by a Memorandum of Understanding (MOU). It serves as a guiding framework for administering personnel actions in a consistent and equitable manner, in compliance with County policy and applicable laws.

**PROBATIONARY PERIOD:** Refers to the designated initial trial period of employment during which newly appointed employee's performance, conduct, and suitability for the position are evaluated. The length of the probationary period is defined by the job classification and applicable labor agreement.

**PROMOTION:** Shall mean the movement of a regular, limited-term, or probationary employee from one (1) classification to another classification where the maximum rate on the new salary range is at least one (1) full step (for E range classifications) or 2.75 percent (for management range classifications) higher than the maximum step of the old salary range.

**PROVISIONAL APPOINTMENT:** Shall mean an appointment of a qualified person, who is not a regular, probationary or limited-term employee of the County, to a regular or limited-term position on a temporary basis.

**RATER:** An individual (often a subject matter expert, supervisor, or hiring expert in the field of knowledge) who is responsible for evaluating and scoring applicants during the recruitment assessment process.

**REACTIVATION OF ELIGIBLE LIST:** Refers to the process of restoring a previously inactivated eligible list to active status, allowing it to be used again for referring candidates to fill vacancies.

**REASSIGNMENT:** Shall mean the movement of a regular, limited-term or probationary employee from one (1) classification on the same salary range or to a classification where the minimum rate on the new salary range is less than one (1) full step (for E range classifications) or 2.75 percent (for management range classifications) higher or lower than the minimum step of the old salary range.

**RECLASSIFICATION:** Refers to the process of officially changing the classification of a position when a significant or permanent change has occurred in the duties, responsibilities, or required qualifications of that position. Reclassification may result in the position being assigned to a higher, lower, or different classification based on a thorough review by Human Resource Services.

**RECRUITER:** A Human Resource Services professional responsible for managing and facilitating the recruitment and selection process for County positions.

**RECRUITMENT:** The process used to attract qualified persons to apply for employment or promotion.

**RECRUITMENT APPEAL:** A formal request for review submitted by an applicant or employee who is dissatisfied with the outcome of a previously filed recruitment complaint. This appeal challenges the County's response or resolution to the original complaint, typically alleging continued concerns related to fairness, procedural error, or violation of merit system principles.

**RECRUITMENT COMPLAINT:** A formal expression of concern or objection submitted by an applicant or employee regarding the recruitment, examination, assessment, selection, or hiring process. A recruitment complaint may allege violations of merit system principles, unfair treatment, procedural errors or discrimination.



**REDUCTION:** Shall mean the movement of a regular, limited-term or probationary employee from one (1) class to another class where the minimum step of the new salary range is at least one (1) full step (for E range classes) or 2.75 percent (for management range classes) lower than the minimum step of the old salary range.

**REEMPLOYMENT:** Refers to the process by which a former employee is reinstated to County service following a voluntary separation in good standing or a layoff or reduction in force, in accordance with applicable Memorandum of Understanding.

**REEMPLOYMENT ELIGIBLE LIST:** Individuals eligible for reemployment as defined in the recruitment rules and policies and in the applicable Memorandum of Understanding are typically placed on an eligibility list and may be referred to vacancies alongside other candidates from active eligible lists during the referral process for consideration for vacancies.

**REFERRAL:** The submission by Human Resources of names of eligibles to a hiring authority in accordance with these Rules. The hiring authority may make an appointment only from such a list of eligibles or as otherwise provided in these Rules.

**REFERRAL BY FORMULA:** A method of referring candidates from an eligible list to a hiring department based on a randomized formula in a spreadsheet to determine the names of the candidates selected to be referred to the interview.

**REFERRAL BY SCORE GROUP:** A method of referring candidates from an eligible list to a hiring department based on their placement within defined score ranges or bands, rather than individual ranking. Candidates who fall within the highest score group are typically referred together for consideration.

**REFERRAL METHOD:** The established process used to provide eligible candidates from a list to a hiring department for consideration. The referral method may include score group, referral by formula, or selective referral.

**REGULAR EMPLOYEE:** Shall mean an employee who is not on probation and is employed in a regular or limited-term position.

**REGULAR POSITION:** Shall mean a position established on a permanent year-round basis requiring work on a regular schedule unless otherwise authorized by minute order of the board.

**REQUEST TO FILL / REQUISITION:** A form to be used by a hiring authority to request the referral of eligibles to fill a current or anticipated vacancy.

**REVIEW OF WRITTEN RECORD:** A selection method in which the hiring authority uses submitted materials (applications, resumes, attached materials, supplemental questions, and previous performance evaluations to make a selection in lieu of a selection interview. This method is typically only used when all candidates are County employees.

**SCORE GROUP:** Group of scores that is considered to indicate an essentially equivalent level of competence of the persons scored. Equivalency may be determined by various numerical or statistical measures.

**SELECTION PROCEDURE:** A competitive assessment or series of assessments used to measure applicants' ability to perform the duties of a classification or position.

**SELECTIVE REFERRAL:** Referral based on special knowledge, skills or abilities and/or unique business needs.

**SPECIAL QUALIFICATION:** A knowledge, skill, ability or competency which is required for a specific position because of a specialized characteristic of the assignment, but normally is not included in the minimum qualifications for the classification.

**SPECIALTY ASSIGNMENT (ELIGIBLE LIST):** A list of candidates who have met specific, job-related criteria or possess specialized qualifications required for a particular assignment or area of emphasis within a broader classification. These lists are typically established when a position requires unique skills, certifications, or experience not common to all positions in the classification.

**STRUCTURED ORAL INTERVIEW:** A standardized, panel-based interview method used as a competitive assessment to evaluate an applicant's knowledge, skills, abilities, and other job-related competencies. All applicants are asked the same set of predetermined questions in the same order and their responses are evaluated using a consistent scoring guide and/or rating scale.

**SUBJECT MATTER EXPERT (SME):** An individual who has expertise in a business process or specific job related area.

**SUBMISSION PERIOD:** A period of time designated by the Chief Human Resources Officer, or designee, during which applications may be submitted for a recruitment or selection procedure.

**TEMPORARY PROMOTION:** A temporary promotion is the short-term assignment of an employee to a higher-level position when they are required to perform the full duties of that position for a limited period of time. This type of promotion is typically used to cover vacancies due to leave, special projects, or transitional needs.

**TERMINATION:** Any separation of an employee from County service.

**THIRD PARTY MEDIATOR:** A third-party mediator is a neutral, impartial individual who is not affiliated with either party involved in a dispute and is engaged to facilitate communication, understanding, and negotiation between the parties. The mediator's role is to help the parties reach a voluntary, mutually acceptable resolution without imposing a decision.

**TRAINING AND EXPERIENCE EVALUATION:** A structured assessment method used to evaluate an applicant's education, training, and work experience as it relates to the qualifications and competencies required for a specific position through written applications, supplemental questionnaires, and/or resumes and is scored competitively as part of the assessment process.

**TRANSFER:** Movement of an employee to another a different position (typically in a different section or department) in the same classification.

**VACANT POSITION / VACANCY:** An authorized position within the County's staffing allocation that is not currently occupied by an incumbent. A vacancy may arise due to resignation, retirement, promotion, termination or creation of a new position. All vacant positions must be budgeted and approved before being filled.

**VOLUNTEER POSITION:** Refers to an unpaid role in which an individual offers their time and services willingly to support County programs, departments, or community initiatives without expectation of compensation.