

APPENDIX "A"

JULY 10, 2018 BOARD OF SUPERVISORS AGENDA

**EFFECTIVE JULY 16, 2018**

PERSONNEL RULE 4 SELECTION PROCESS

4014.1 Appeal Procedure for Applications Rejected for Employment or Promotion: When an applicant has received notice from the Department of Human Resources confirming the rejection of an application due to not meeting the stated minimum qualifications and general requirements for County employment, the applicant may submit an appeal in writing as follows:

4014.1.1 Initial Appeal to Human Resources staff: The initial appeal must be addressed to the Human Resources Analyst identified in the notice not later than five (5) business days after the date of the rejection notice specifying the reasons which substantiate the applicant's appeal. In consultation with the Human Resources Manager or designee, the Human Resources Analyst may grant the appeal and accept the application or deny the appeal and sustain the rejection of the application.

4014.1.2 Final Appeal to the Director of Human Resources: If the initial appeal of the applicant is denied and the application rejection sustained, the applicant may submit a final appeal in writing to the Director of Human Resources not later than five (5) business days after the date of the initial appeal rejection notice further specifying the reasons which substantiate the applicant's appeal. The Director of Human Resources may grant the final appeal and accept the application or deny the final appeal and sustain the rejection of the application. The Director of Human Resources is the final adjudicator of appeals under this section and such appeals will not be subject to further appeal unless a complaint is filed under the provision of Personnel Rule 4014.2.

4014.2 Filing a Complaint due to Unlawful Discrimination: An applicant who believes their Application for Employment or Promotion was rejected due to unlawful employment practices, denial of reasonable accommodation requests, or discrimination based on race, color, medical condition, religion, sex (including sexual harassment), national origin, political affiliation, age, disability, sexual orientation, or other factors protected under federal or state law may complete and submit a Discrimination Complaint Form to:

Fresno County Human Resources  
Labor Relations Division  
2220 Tulare Street, 16th Floor  
Fresno, CA 93721  
(559) 600-1840

The above procedure applies in all instances of alleged employment discrimination, except those associated with the following:

External Complaint - An employee or job applicant may file a discrimination complaint simultaneously with the appropriate agency such as the Equal Employment Opportunity Commission (EEOC) and the Department of Fair Employment and Housing (DFEH) or other agencies which have jurisdiction over the complaint. EEOC and DFEH which enforce anti-discrimination laws have "work sharing agreements" in order to avoid duplication of efforts while at the same time ensuring that a charging party's rights are protected under both Federal and State law.

4100 Certification Without Examination:

- 4100.1 In instances where the number of eligible candidates is less than or equal to the number of qualified applicants the Department is entitled to receive under Personnel Rule 4212, the competitive examination process will be waived and the names will be certified without an examination.
- 4100.2 Should a recruitment be open on a continuous basis, qualified candidates shall be referred in the order they are received not to exceed the maximum amount of names the Department is entitled to receive under Personnel Rule 4212 or until all requested vacancies are filled.