

CHAPTER 4

APPLICATION FOR EMPLOYMENT

4.1 APPLICATION

4.1.1 FILING OF APPLICATIONS:

All applications for employment shall be made upon official forms furnished by the Commission. Every item shall be answered in full and the application filed in the Classified Human Resources Office (hereinafter known as Classified H.R. Office) by the time and date specified in the official vacancy notice.

4.1.1.1 Applicants taking more than one (1) examination must file a separate and complete application for each examination.

4.1.1.2 For affirmative action and federal and state reporting purposes, questions regarding ethnicity, sex, age and disability condition shall be placed on a separate form. Answers to such questions shall be voluntary and no other information shall be requested relative to race, religious creed, color, national origin, ancestry, disability condition, medical condition, marital status, sex or age prior to employment. This form shall be kept separate from any application materials.

4.1.1.3 Applications and examination papers are confidential records and become the property of the Personnel Commission, and shall not be returned to the applicant.

Reference: EC§ 45260 and 45272

4.1.2 GENERAL QUALIFICATION OF APPLICANTS:

Applicants must be permanent residents of, or must otherwise prove their right to work in the United States and must possess all other requirements that are specified in the qualifications established for the class. Every applicant must be mentally and physically competent to perform the duties of the position for which applying.

4.1.2.1 Every qualified applicant shall have an opportunity to seek, obtain, and hold permanent employment without discrimination of race, religious creed, color, national origin, ancestry, disability condition, medical condition (as defined in Government Code Section 12926), employee organization membership or non-membership and legal activities related thereto, marital status, sex, sexual orientation, or age.

4.1.2.2 No maximum age limit shall be set as a condition for initial or continued employment in the District.

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4.1.2.3 Place of residency shall not be a condition for filing an application or offering employment.

4.1.2.4 Disabled persons shall be given equal employment opportunity and reasonable accommodation for employment shall be made where practicable.

Reference: E.C. § 451111, 45122, 45123, 45124, 45134, 45260 and 45272
G.C. § 1291 and 12926

4.2 **DISQUALIFICATION OF APPLICANTS AND CANDIDATES**

4.2.1 **CAUSES FOR DISQUALIFICATIONS:**

An applicant or candidate may be refused initial admittance to an examination, and a candidate may be disqualified from further competition for any of the following reasons:

4.2.1.1 Failure to meet the general qualifications of Rule 4.1.2.

4.2.1.2 Advocacy of overthrow of the Government of the United States or the State of California by force, violence, or other unlawful means.

4.2.1.3 Conviction of or pleading guilty or nolo contendere, a court decision or a jury verdict to a charge of a sex or narcotics offense as defined in Education Code Sections 44010 or 44011.

4.2.1.4 Conviction, either by a plea of guilty or nolo contendere, a court decision or a jury verdict of a felony or serious crime or a record of one or more convictions which would indicate that the person is a poor employment risk. A conviction record will be evaluated on the following basis: nature, seriousness and circumstances of the offense(s); number of convictions relationship of the offense to the position applied for; evidence of rehabilitation and maturing including the employment record with respect to job responsibility and duration; truthfulness in admitting to the offenses; and the duties of the class.

4.2.1.5 Making a false statement or intentionally omitting a statement as to any material fact on the application form.

4.2.1.6 Practicing any deception or fraud in connection with an examination or to secure employment.

4.2.1.7 Dismissal from a previous employment for cause if the cause would have subjected the applicant to dismissal by the District.

4.2.1.8 Previous dismissal from this District.

4.2.1.9 A record of unsatisfactory service within the District, supported by documentation in the employee's permanent file, as evidenced by a disciplinary action, or a resignation in lieu of dismissal.

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- 4.2.1.10 Unsatisfactory health conditions which clearly indicate that the applicant would be unable to perform the duties of the job or would endanger his/her health and safety and/or the health and safety of others.
- 4.2.1.11 Dishonorable discharge from the Armed Forces of the United States.
- 4.2.1.12 Refusal to furnish testimony other than self-incriminating at a hearing or investigation before the Personnel Commission or Board of Education.
- 4.2.1.13 Failure to report to duty after an assignment has been offered and accepted.
- 4.2.1.14 Failure, after due notice, to report promptly for review of any of the above basis for rejection.

Reference: EC§ 45111, 45122, 45123, 45124, 45134, 45260, 45261 and 45303

4.3. **APPEAL FROM DISQUALIFICATION**

Applicants, candidates, and/or eligible disqualified based on Rule 4.2 shall be notified in writing, indicating the reasons for disqualification and advising the individual that he/she has four (4) working days from receipt of notification to appeal the decision to the Director Human Resources-Classified.

- 4.3.1 Anyone who has appealed a disqualification shall conditionally be permitted to take the examination pending final decision.
- 4.3.2 Upon receipt of an appeal, the Director Human Resources-Classified shall conduct an investigation. If the decision is in favor of the applicant, he/she shall be notified and given rights as though the disqualification had not occurred. If the decision is to deny the appeal, the applicant may appeal to the Commission within five (5) working days after being notified.
- 4.3.3 Upon receipt of an appeal, the Commission shall conduct a hearing and shall receive evidence and render a decision within fourteen (14) calendar days. If the Commission's decision is in favor of the applicant, he/she shall be given rights as though the rejection had not occurred. The decision of the Commission is final and binding on all parties.
- 4.3.4 Appointments may be made from available eligibles pending final decision on the appeal (unless ordered otherwise by the Personnel Commission), and shall not be changed even though the outcome is in the appellant's favor, unless such appointments were fraudulently made.

4.4 **SUBMITTING PROOF OF VETERAN'S CREDIT**

Any applicant who claims veteran's credit must submit Form #DD214 at the time the employment application is submitted. Failure to submit Form #DD214 at the time of application shall result in no veteran's credits being considered or added to any passing score.

4.5

APPLICANT'S NAMES NOT TO BE MADE PUBLIC

The names of applicants or unsuccessful candidates in any of the District's selection processes shall not be made public.