

LDWA POLICIES AND PROCEDURES

SECTION VII: EMPLOYEE HIRING

1. **EMPLOYMENT.** Job Descriptions for full-time, part-time and seasonal employees defining the essential functions of the vacant position shall be drafted and adopted before the vacancy is posted or otherwise advertised internally or externally.
2. **RECRUITMENT.** All recruitment shall be conducted in accordance with LDWA equal opportunity guidelines.
 - A. **Internal Promotions.** It is the policy of the LDWA Board to give first consideration to current qualified employees desiring to fill an open job position.
 - B. **External Advertising.**
 - (1) The LDWA Board will authorize placement of advertisements and respond to inquiries from employment agencies and/or job applicants.
 - (2) Each job opening notice is to contain a statement indicating that LDWA is an equal opportunity employer and a not-for-profit company.
 - (3) Job opening notices may be advertised in the appropriate media, or through any other channels that provide for Public Notice, and that the LDWA Board deems appropriate. The posting is to be available to the general public on at least three (3) separate days.
 - (4) All job opening notices must specify the name of the Board Member(s) to whom completed applications and resumes are to be returned and specify the deadline date for filing the application. The application should consist of a job application or a resume. Job application forms may be obtained at the LDWA office.
3. **SELECTION.**
 - A. **Nepotism.** It is the policy of LDWA to comply with the provisions of Utah's Anti-Nepotism Act, Utah Code 52-3-1.
 - B. **Employment of Minors.** It is the policy of LDWA that no one under the age of fourteen (14) shall be hired for any position.
 - C. **Rehires.** Job applications received from former employees will be processed

using the same procedures and standards that govern all other non-employee applications. LDWA Board will review the former employee's personnel records and the circumstances surrounding termination of previous employment with LDWA.

- (1) Former employees who have been terminated for cause, or who voluntarily resign while facing disciplinary action, are not eligible for rehire.
- (2) Former employees who are rehired shall serve the same probationary period as defined for new employees.

D. Other Tests. Job Applicants may be required to take other tests, which the LDWA Board members deem necessary for a specific position. Job applicants for certain positions may require skills for which a known level of competence must exist such as mathematics or timed typing tests. When LDWA uses other ability tests, LDWA shall make reasonable accommodations for disabled applicants.

E. Job Applicant Disqualification. An application may be rejected for, but not limited to, the following reasons. When the Job Applicant:

- (1) Does not meet minimum qualifications established for the position.
- (2) Is physically or mentally unable to perform the essential duties and responsibilities of the position with, or without, reasonable accommodation(s) (determined only after a conditional offer of employment, pending the results of a medical examination, has been extended to a job applicant).
- (3) Has falsified a material fact or failed to complete the application.
- (4) Has failed to timely file the application.
- (5) Has an unsatisfactory employment history or poor work references.
- (6) Has failed to attain a passing score, if an examination is required.

F. Interviewing.

- (1) The LDWA Board will select applicants to interview from those applicants who have passed the preliminary screening tests. Job related duties and qualifications will provide the basis for initial screening of job applicants. During the interview, all job applicants should be advised that any and all of the information provided will be verified.
- (2) An interview panel will be established by the LDWA Board. The Board

shall consist of at least three (3) Board Members.

(3) Individuals conducting job interviews shall only ask questions that pertain to the job position. In addition, during the interview each interviewer completes an interview guide, which is consistent with LDWA Equal Employment Opportunity policy.

G. Reference Checks. In order to facilitate references checks, written permission shall be obtained from the applicant after obtaining a consent form. LDWA may contact the references for each job applicant and ask job-related questions, which include similar questions for each job applicant checked, using a written reference check questionnaire.

4. **EMPLOYEE PLACEMENT.**

A. Job Offers. After a job applicant is approved by a majority vote of the LDWA Board, the Board members or designee, shall notify the successful job applicant of their conditional selection through a written job offer letter. A copy of the job offer letter will be filed in the employee's personnel file. The letter should include the following:

- (1) A clear statement of the job description.
- (2) The starting date.
- (3) The starting salary.
- (4) The job title.
- (5) The name of the Board's Officers and Members.
- (6) The LDWA At-Will employment policy.
- (7) The LDWA Not-For-Profit company status.
- (8) Conditions of employment (i.e., successfully passing drug/alcohol tests).
- (9) The probationary period.
- (10) If required, notice of contingency of employment upon passing a background examination, drug tests, medical/physical examinations, etc.

B. Job Rejection Letters. Within five (5) working days after the job offer has been accepted, non-selected job applicants will be notified. The LDWA Board, or designee, shall send a letter to each job applicant not selected for a job

opening or telephone the applicant, documenting the call date and time and placing it with the job application.

C. Reinstatements. Employees who are reinstated will have their anniversary date adjusted for seniority purposes as well as for those benefit programs governed by the anniversary date as follows:

- (1) Layoffs. Employees who terminate because of a reduction in force will have their anniversary date adjusted for the period of time they were separated from employment, if re-employed by LDWA within one (1) year after the date of termination.
- (2) Voluntary resignations. Employees who voluntarily terminate their employment will have their anniversary date adjusted for the period of time they were separated from employment, if re-employed by LDWA within six months after the date of termination.

D. Hiring New Employees.

- (1) Required for All New Employees: LDWA Board or designee is responsible to: (i) ensure new employees complete all pre-employment forms, benefit applications, enrollment forms, and (ii) for providing basic information on LDWA's policies concerning pay, leave and benefits.
- (2) For Part-Time and Seasonal Employees: LDWA Board or designee is responsible for completing the Part-Time or Seasonal Employment Agreement.
- (3) A temporary employee will be hired by the LDWA Board or designee to provide coverage as required to maintain regular office hours of operation. A temporary employee should make application and be interviewed, and requires LDWA Board approval. Temporary, Part-Time, and Seasonal employees do not receive any benefits. LDWA Board or designee is responsible for filling out a Temporary Employment Agreement.
- (4) Additional Requirement for Employment of Minors
 - (a) A file shall be kept showing the minor is the minimum age for the job.
 - (b) Minors shall be employed and scheduled in conformance with existing child labor laws and compulsory school attendance laws.
 - (c) Unless otherwise exempt, a minor employee must be paid

according to the statutory minimum wage and overtime provisions of the Fair Labor Standards Act of 1938, as amended.

(d) Employees fourteen (14) and fifteen (15) years old may not be employed:

1. During school hours, except as provided for in work experience and career exploration programs.
2. Before 7 a.m. or after 7 p.m., except 9 p.m. from June 1 through Labor Day.
3. More than three (3) hours a day on school days.
4. More than eighteen (18) hours a week, in school weeks.
5. More than eight (8) hours a day, on non-school days.
6. More than forty (40) hours a week, in non-school weeks.
7. In any occupations found and declared to be hazardous.
8. In the operation or tending of hoisting apparatus.
9. In the operation or tending of any power-driven machinery.
10. Outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds or their substitutes.

(e) Employees sixteen (16) and seventeen (17) years old are subject to Department of Labor Orders when working in any occupations which the Secretary of labor shall find and by order declare to be particularly hazardous or detrimental to their health and well-being as set forth in WH Publication 1330, entitled Child Labor Requirements in Nonagricultural Occupations.

E. Orientation. Newly hired LDWA employees shall complete all required paperwork and receive an orientation.

- (1) In accordance with the Immigration Reform and Control Act of 1986, all new employees shall provide proof of identity and employment status by completing an Employment Eligibility Verification Form. The

employee must sign under penalty of perjury that they are a U.S. citizen, a lawful permanent resident alien, or an alien otherwise authorized for U.S. employment.

- (2) All new employees shall complete and sign a Form W-4 Federal Withholding Statement.
- (3) All new employees should be given a tour of the work place with a brief overview of company rules and benefits.

F. Probationary Period.

- (1) All new employees shall be subject to a probationary period. During this period, probationary employees may be terminated with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said termination.
- (2) Probationary periods begin on the first day of employment and continue for 120 hours or three (3) months, whichever is greater. Management will provide guidance to probationary employees so they understand work requirements.
- (3) An employee on probation shall have a performance evaluation at the end of the probationary period. This performance evaluation may be used to provide information to both the employee and management regarding the employee's performance. A performance evaluation and the results of such evaluation shall not obligate management to a particular course of action relative to the probationary employee nor shall it create any property/due process rights for the probationary employee relative to their job/position.