

## CHAPTER IV

### APPLICATION FOR EMPLOYMENT

Rule 4.1

#### APPLICATION

4.1.1

#### FILING OF APPLICATIONS

- A. All applications for employment shall be made on the official forms furnished by the Commission. Every item shall be answered in full and the application filed on or before the date specified on the Employment Opportunities Bulletin.
- B. Applicants taking more than one examination must file a separate and complete application for each examination unless otherwise directed.
- C. For affirmative action purposes, questions regarding ethnicity, sex, age and handicapping 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, handicapping condition, medical condition, marital status, sex or age prior to employment.
- D. Applications and examination papers are confidential and shall not be returned to the applicant.

4.1.2

#### GENERAL QUALIFICATIONS OF APPLICANTS (EDUCATION CODE 45111, LABOR CODE 2805, GOVERNMENT CODE 12921)

- A. 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 he/she applies.
- B. Every qualified applicant shall have an opportunity to seek, obtain and hold permanent employment without discrimination because of race, religious creed, color,

national origin, ancestry, handicapping condition, medical condition, marital status, sex or age.

- C. Residency within the District shall not be a condition for filing applications for employment except in the case of restricted positions.
- D. No maximum age limit shall be set as a condition for initial or continued employment in the District.
- E. Handicapped persons shall be given equal employment opportunity and reasonable accommodation for employment shall be made.

Rule 4.2

## DISQUALIFICATION OF APPLICANTS AND CANDIDATES

4.2.1

### CAUSES FOR DISQUALIFICATION

- A. An applicant may be refused initial admittance to an examination and a candidate may be disqualified from further competition for any of the following reasons:
  - 1. failure to meet the general qualifications of Rule 4.1.2;
  - 2. advocacy of the overthrow of the Government of the United States or the State of California by force, violence or other unlawful means;
  - 3. conviction, either by a plea of 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 44010 or 44011;
  - 4. a history of drug addiction without acceptable evidence of rehabilitation;
  - 5. 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); age of the person at the time and recency of the offense; 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; person's attitude; and the duties of the class;

6. making a false statement or intentionally omitting a significant statement of a material fact requested on the application form;
7. practicing any deception or fraud in connection with an examination or to secure employment;
8. obtaining or attempting to obtain either directly or indirectly, privileged information regarding test questions or examination content;
9. dismissal from previous employment for cause if the cause would have subjected the applicant to dismissal by the District under these Rules;
10. previous dismissal from the District;
11. a record of unsatisfactory service within the District as evidenced by a disciplinary action, a work improvement, unsatisfactory job performance notice or a resignation in lieu of dismissal;
12. dishonorable discharge from the armed forces of the United States;
13. refusal to furnish testimony, other than self-incriminating, at a hearing or investigation before the Commission or Board;
14. unsatisfactory health conditions which clearly indicate that the applicant or candidate would be unable to perform the duties of his/her job or would endanger his/her health and safety or the health and safety of others or
15. failure, after due notice, to report for review of any of the above causes for disqualification.

#### 4.2.2

#### APPEAL FROM DISQUALIFICATION

- A. Anyone disqualified based on Rule 4.2 shall be notified in writing, indicating the reasons for disqualification and advising him/her that he/she has five (5) working days to appeal the decision to the Director of Classified Personnel.
- B. Anyone who has appealed a disqualification shall conditionally be permitted to take the examination pending final decision.
- C. Upon receipt of an appeal, the Director of Classified Personnel 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 ten (10) working days after being notified.
- D. 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.
- E. Appointments may be made from available eligibles pending final decision on the appeal and shall not be changed even though the outcome is in the appellant's favor.
- F. If the Commission's decision is to deny the appeal, such decision shall be final.