

## Personnel Policy No. 3 – Recruitment and Hiring

### 3.1 HIRING FROM WITHIN - PROMOTION

The Tribe wishes to encourage the career development of current employees, and will endeavor to transfer or promote qualified individuals from within whenever possible. Current employees are urged to apply for transfer or promotional positions for which they are qualified.

#### 3.1.1 PROMOTION

- a. The Yurok Tribe offers employee promotions to higher-level positions when appropriate. Department Directors may recommend individual/employee to the Administrative Committee for promotion from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above entry level within their department. If it is an employee outside of their department Personnel Policy 3.1.2 Transfer will be used.
- b. Employee's eligibility for promotion will be determined by the requirements of the vacant position. Employees must have held their current position for at least one year, have a satisfactory performance evaluation, and no disciplinary actions during the same year period. Candidates for promotion will be screened and selected on the basis of attendance, performance appraisals, and job-related qualifications.

#### 3.1.2 TRANSFER

- a. Employees may be transferred, either voluntarily or otherwise, from one job to another and from one location to another as may be required in order to meet the needs of the Yurok Tribe. The Yurok Tribe retains complete discretion to determine both the location and place for the conduct of business and the assignments to each employee consistent with the employee's job specifications. Reasons for transfers may include fluctuations in workloads and production flows, **increased career opportunities**, emergency requirements, and implementation of governmental mandates, health considerations, and personal preference.
- b. The position vacancy may be posted on the Yurok Tribe's website for five (5) business days as a "hiring from within" opportunity.
- c. The Applicants will have five (5) days to apply and will be screened and selected individuals interviewed in accord with the Tribe's general policies.
- d. If it is determined that no employee is qualified to fill the position, the open hiring procedures specified below will be followed.
- e. Only employees who have completed one year in their current position are eligible to apply for a hiring from within opportunity.

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### **3.2 OPEN HIRING**

The vacant position will be announced in the following ways:

- a) Advertisement in local and/or regional newspapers; and
- b) Advertisement online
- c) Advertisement through flyers posted throughout the local communities or specified offices.
- d) Posting on the Tribal Office bulletin boards,
- e) When requested, the announcement may be sent to all Tribal Households, other agencies or organizations, and newspapers outside the local service area.

### **3.3 TEMPORARY HIRING**

If there is an immediate emergency need, positions may be filled on a temporary basis. The Department Director must complete a “Temporary Recruitment Checklist” and obtain authorization to recruit through advertisement or TERO. Temporary employees must apply to open hire positions in order to obtain regular employee status.

### **3.4 REHIRE**

The rehire of former employees will be at the sole discretion of the Yurok Tribe. It is the practice of the Yurok Tribe to thoroughly review all applications for employment with the Tribe to determine if an employee is eligible for rehire. The following steps will be taken when reviewing job applications for individuals who have previously worked for the Yurok Tribe:

- a. Applicants who have previously worked for the Yurok Tribe must identify so on the Tribe’s employment application. Including if Applicant has ever been discharged or forced to resign from employment and the details.
- b. Human Resources will review applicants work history with the Yurok Tribe. Special attention will be paid to applicants whose past supervisor have indicated that they would not rehire. All such information must be identified and brought to the attention of the Interview Panel and the Executive Director. Human Resources will provide the following information to both in a standardized format.
  - 1. Positions held and when
  - 2. Termination type
  - 3. Reasons

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4. Identify any circumstances out of the ordinary that existed during the applicants past employment with the Tribe that resulted in termination of the applicants employment
  5. Was applicant recommended for rehire
  6. Summary of exit documents associated with each position
  7. Summary of performance evaluations
- c. The Interview Panel will have the above information available during the interview process. The Panel will ask questions of the applicant related to this information during the interview. The Panel then determines whether Applicant will be considered or not based upon its review of the above and provide written justification. Rumor and gossip will not be considered by the Panel.
- d. The Interview Panel's recommendation will then be approved or disapproved by the Executive Director.

### **3.4.1 Individuals Not Suitable for Rehire**

There may be individuals for whom the Yurok Tribe will not consider for employment with the Yurok Tribe for a specified time period. The criteria or list is following:

- a. Employees terminated for felony convictions that are related to job performance and/or job requirements ineligible for 7 years.
- b. Employees terminated for serious rule violations (e.g. theft, assault, fighting, intentional falsification of official records, gross negligence or gross insubordination) are not eligible for 2 years
- c. Dismissal for violations of the Drug and Alcohol policy ineligible for 12 months
- d. The above list is not an all-inclusive list. Additional termination issues will be considered by the Executive Director on a case-by-case basis.

### **3.5 GENERAL HIRING PROCEDURES**

- a. Current applications will be required for each position.
- b. The deadline for accepting applications is the published Final Filing Date. Only those applications, which are brought, faxed, or emailed to a Yurok Tribal Office by 5:00 P.M. on the Final Filing Date, or those delivered to Klamath by the post office, Federal Express, or other commercial mail service, which have a postmark not later than that of the Final Filing Date, will be accepted for consideration.
- c. If, for any reason, a position becomes available which is similar to a position that was formally announced within the prior six (6) months, the existing

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applicant pool may be used without formally announcing the position and the hiring Manager may re-interview and/or offer the position.

- d. The Human Resource Director or his/her designee will pre-screen all applications and résumés for minimum qualifications and verification of Indian Preference as identified in Section 3.6.
- e. The Interview Panel will be composed of individuals identified by the hiring Department Director and at least one Council Member (if interviewing for a Director position). If interviewing for a Head Start position the interview panel must include at least one Head Start parent.
- f. Immediate family members of applicants, as defined in Policy No. 2 – Nepotism/Conflict of Interest, may not sit on an interview panel. When identified by Federal or other program requirements, panels will include a representative of the appropriate committee or board.
- g. An Interview Panel, once convened, will sit for all interviews for the advertised position. If an individual panel member is unable to sit on all interviews for the position, his/her input will not be considered for any of the interviews.

### 3.6 HIRING PREFERENCE

All recruitment and hiring will be done in accordance with the Yurok Tribe's Tribal Employment Rights Ordinance.

- a. To the greatest extent feasible, consistent with business necessity and efficient performance, it is the goal of the Tribe to recruit and select qualified applicants in the following order of preference. Except when recruiting for a Head Start position Tier 1 will include only qualified Head Start parent applicants or if required by funding source Indian preference will apply:
  - **Tier 1** Tribal Preference: qualified persons who are enrolled Yurok Tribal members.
  - **Tier 2** Indians (enrolled members of other Federally recognized Tribes) married to enrolled Yurok Tribal Members.
  - **Tier 3** Indian Preference: qualified individuals who are enrolled members of other Federally recognized Tribes,
  - **Tier 4** Non-tribal spouse of members of the Yurok Tribe.
  - **Tier 5** Other qualified persons.
- b. The Human Resource Director will apply the preferences in the order as shown in section (a) above.

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- c. Interviews will first be set up to include only Tribal members or only Head Start Parents when recruitment is for a Head Start position, which meet or appear to meet the minimum qualifications for the position. Once the interview process has been completed, the Interview Panel will make its selection from among the successful Tribal candidates.
- d. If there are no qualified Indian candidates only then will interviews and selection be made from any remaining qualified candidates.

Further, if qualified Indians are not available, the Tribe may, to the extent feasible and consistent with efficient performance, provide employment and training opportunities to Yurok Tribal members or other Indians, or Head Start parents (when recruitment is for a Head Start position), who are not fully qualified for a particular position, or as otherwise required or permitted by federal law or regulations currently in effect.

- e. Human Resource staff must complete reference checks on the individual selected after the interviews. The Director will then complete the New Hire Approval Request and return it to the Human Resource Office along with all interview materials, including applications, rating sheets, interview questions, reference checks, etc. Interview materials will be held on file for one (1) year.
- f. The Human Resource Director will forward the New Hire Approval Request and backup materials (as necessary) to the Executive Director and Chairperson for final approval. Prior to hiring Head Start employees, the New Hire Approval Request must also be signed by a Head Start parent signifying that Head Start hiring requirements have been met and that the candidate is acceptable.
- g. Upon final approval, the Human Resource Director will create and send new hire notification to the individual selected.