

## CHAPTER 4 – RECRUITMENT & INTERVIEW PROCESS

### SECTION 1. POLICY

To attain the highest level of effectiveness and efficiency, the Nation must recruit and employ the highest caliber of applicants. A primary step in reaching this objective will be to begin by identifying and attracting qualified applicants for each position available.

Recruitment and publicity efforts will be directed at and utilize the best means possible to assure that Nation members are given every opportunity to apply and be considered for employment. When Nation members are not available, equally aggressive means will be employed to find the talent to further the productiveness of the Nation.

The process of hiring a person to a position shall be based on job related requirements, the potential of the applicant, and on a clear demonstration that the applicant possess the skills, knowledge, ability and characteristics necessary for successful job performance.

### SECTION 2. DETERMINING VACANCY

Executive Leadership, Court Administrator, Directors and/or Supervisors are required to actively participate in filling a vacancy within their department. Directors will determine whether a position will be filled through an internal or external recruitment procedure. All pertinent information will be provided to Human Resources.

Upon receipt of a formal request to fill a vacancy, Human Resources will review and verify the information submitted for accuracy and completeness. All requests submitted must contain the following: cover memo requesting to advertise a vacant position, copy of resignation/termination of employee who vacated the position, justification of approved budgeted position, account number, updated job description, suggested/recommended questions to be used in interviews. If the information is considered as incomplete, Human Resources will notify the department to obtain the missing information. Upon receipt of all required information, Human Resources will continue in the hiring process of filling the vacancy.

### SECTION 3. PRE-RECRUITMENT PROCEDURES

Recruitment for a position shall commence upon completion of the following steps:

**Defining a job.** When a vacancy occurs, the Director, Executive Leadership or Court Administrator requesting action shall assure and ascertain that the position description is accurate and current and submit to HR. The position description shall include detailed

statements relating to functions, duties, responsibilities, and minimum qualifications, special requirements and performance standards.

**Budget certification.** The Director, Executive Leadership or Court Administrator is required to submit certification and proper documentation that the position is itemized on an officially approved budget.

**Special requirements.** The Director, Executive Leadership or Court Administrator shall define general, specific, educational and training requirements to be included in the recruitment documents. The appropriate Director may be required to provide sample questions to be used in the interview process.

## SECTION 4. INTERNAL RECRUITMENT

Executive Leadership or Court Administrator and the Human Resource Director may limit recruitment to within a department where the vacancy exists. This will allow employees of the Nation an opportunity for advancement through this process. Internal recruitment for management level positions and above are approved by the President. When a decision is made to fill a position from among existing employees, the following procedures must be followed:

- A. Job announcements or recruitment documents must clearly state that a specific position will be filled from among applicants who are currently considered employees.
- B. Recruitment documents must be complete and accurate in describing title, general and specific qualification requirements, statement of duties and responsibilities, pay/salary range, location of position and other vital information which an applicant may need to best respond to the recruitment.
- C. Notices of vacancies or internal recruitment documents shall be posted or advertised for not less than five (5) days. Such advertising will be posted within the department and a copy provided to the Human Resource Office.

If there are no applicants for the position through internal recruitment, the position will be filled through external recruitment.

## SECTION 5. EXTERNAL RECRUITMENT

External recruitment means that applications for employment will be accepted from any eligible person, including a current employee, who wishes to be considered for a specific position in the Nation.

The Human Resource Office shall execute recruitment efforts which will result in the most appropriate qualified candidates for each position in the Nation.

The Human Resource Director, in consultation with an appropriate Director, will determine the range, method, and the mode of advertising to be used in the recruitment process for each position. Additionally, a standardized job announcement format shall be implemented for posting at [www.hrjicarilla.com](http://www.hrjicarilla.com); Human Resource Office; Jicarilla Chieftain Newspaper; public bulletin boards and at key locations throughout the community. Job announcements shall contain the following information: job title, minimum qualifications and required skills and abilities, statement of duties and responsibilities, pay/salary range, location of position, and other vital information which an applicant may need to respond to the recruitment notice.

All applicants, including those that are currently employed by the Nation, shall receive fair and equal consideration in accordance with the Jicarilla Apache Preference.

## SECTION 6. EMPLOYMENT APPLICATIONS

Applications for employment shall be for a specific vacancy and shall be accepted by the Human Resource Office from the date public notice of the vacancy is posted.

All applicants applying for employment must file an application and/or resume with attached current required documentation for the position with the Human Resource Office prior to the close of business on the date specified in the vacancy announcement in order to be considered. Human Resource is not responsible for attaching or retrieving required documentation. It is the responsibility of each applicant to submit required documentation. Each applicant shall sign the application certifying to the truthfulness of all statements and answers. It should be made clear that making false or deliberate deceptive statements on an employment application are grounds for rejecting an applicant. The Human Resource Office will verify applicant information.

## SECTION 7. MINIMUM QUALIFICATION REQUIREMENTS

Applicants for Nation employment must meet the minimum qualification requirements, as defined in the position description and vacancy announcement of the position. Minimum requirements may be set for employment factors or areas that include skill level, experience, education, training, certification and suitability.

The Human Resource Office is responsible for assuring that an applicant for employment meets the minimum job requirements of a position and suitability standards for the position which they apply. An applicant not meeting the minimum suitability standards will receive no further consideration and will be deemed to be ineligible for the position applied.

If there are no applications for or persons meeting the minimum qualification requirements for a position advertised, the requirements of that position may be restructured or changed. A position restructured or changed may require different minimum qualifications and the salary for the position may also change. Reclassification by changing the minimum requirements of any position after a position has been advertised will require the concurrence of Executive Leadership or Court Administrator, as appropriate.

## SECTION 8. BACKGROUND INVESTIGATIONS, SPECIAL SELECTION CRITERIA AND SUITABILITY STANDARDS

The Human Resource Office will conduct Background Investigations on applicants for positions and classifications that drive a tribal vehicle; have access to tribal assets; and/or work with tribal elders or tribal youth, with the exception of Law Enforcement positions, that are screened and checked by the Public Safety Department. The background investigations shall include review of applicant's personnel file (if applicable), check of references, driver's history and federal, state, and tribal criminal history check. Executive Leadership or Court Administrator and the Human Resource Office may place specific and additional requirements for certain positions in the Nation consistent with position, grant or funding requirements. Requirements that may be considered additional criteria and which are allowed include the following:

- A. A comprehensive and complete medical, psychological and stress examination or test may be required of individuals being considered for positions that demand above normal physical, mental and emotional strength.
- B. A drug or substance abuse test may be required to conform to the Jicarilla Apache Nation Government policy or prohibition of intoxication, use of alcoholic beverages, drugs or other controlled substances while on duty. This requirement conforms to the Federal Drug Free Workplace Act requirements.

Suitability or restrictions against specific personal character traits may be made as minimum requirements for certain specific positions. Such character traits may include:

- A. Documented disciplinary actions that include a pattern of misconduct or negligence in current, or prior employment;
- B. Excessive criminal conduct and conviction records;
- C. Pattern of dishonest conduct and/or intentional false statement, deception or fraud in obtaining employment;
- D. Refusal to cooperate with an employee background investigation;
- E. Habitual use of unlawful substances without evidence of substantial rehabilitation, or alcohol use of a nature and duration that suggests the individual could not perform the duties of the position or would directly threaten the property or safety of others;
- F. Individual knowingly and willfully engaged in an act or activities designed to disrupt government operations by force or violence;
- G. Known medical condition, such as, a behavior pattern or condition that could adversely affect other employees or would impede the progress of the Nation.

Applicants who have regular contact or control over children must be disqualified for employment with the Nation if any statutory or regulatory provision would prevent his/her lawful employment.

Background Investigations may be completed upon hire or during employment as needed or required.

## SECTION 9. BACKGROUND INVESTIGATIONS FOR CHILD CARE, ELDER (SENSITIVE) POSITIONS AND MINIMUM STANDARDS OF CHARACTER

The Nation shall serve to protect their children by making sure those employees of the Nation who have regular contact with or control over children meet the minimum standards of character as defined by this policy. This policy conforms with the laws of the Jicarilla Apache Nation and conforms with the mandates of the Indian Child Protection and Family Violence Act.

A “sensitive” position is defined as a position in which an individual has regular contact with, or control over, children or elders. Each individual serving in a sensitive position must meet the following standards of character:

- i. The individual has not been found guilty of, charged with, received a deferred sentence, received a conditional discharge of, or entered a plea of not contest to, or enter a plea of guilty to any one felony misdemeanors under Federal, State or Tribal law involving: crimes of violence, sexual assault, molestation, exploitation or contact; prostitution; or crimes committed against person(s) or children.
- ii. All convictions, guilty pleas and no contest pleas will be considered no matter how long in the past they took place. A conviction, guilty plea or no contest plea will be disregarded only if there has been a determination (by appeal, pardon, or subsequent court order) that the individual was not guilty.
- iii. The individual has the moral, ethical and emotional strengths of character to ensure that he/she is competent to complete his/her job without harm to children.
- iv. The individual has not violated the following additional standards of conduct to include: a judgement in a civil proceeding that the individual has engaged in conduct defined in Section 8; or conviction of any offense related to controlled substances.

In applying the standards of character under Section 8, an Adjudicating Official must determine where the individuals prior conduct will interfere with the performance of duties or will create a potential risk to the safety and well-being of any children.

## SECTION 10. INTERVIEW BOARD

An Interview Board shall be established for filling vacant positions to the Jicarilla Apache Nation Government. The Human Resource Director is delegated the authority to appoint an Interview Board consisting of four (4) appointed Nation employees. The Human Resource Director may delegate such appointment responsibility to a Staffing Specialist. Each appointment for serving on an Interview Board will be for thirty (30) days.

Executive Leadership or a formally delegated department representative shall represent the department or office in which the vacancy exists. If the Director or his department representative is not present for the interview, the interview will be cancelled, and no action

will shall be taken. The balance of the Interview Board may include Nation employees, Nation members and/or individuals whose expertise may be helpful in evaluating the selection of an applicant.

Participation on an Interview Board, when appointed, is mandatory for Classified or Court non-probationary Nation employees. Refusal or failure to serve will be considered to be equivalent to non-performance of assigned job duties and responsibilities and will result in disciplinary action, beginning with a written reprimand upon recommendation from the Human Resource Office and concurrence with the President to Executive Leadership or Court Administrator. Being tardy to a scheduled Interview Board session may result in a formal reprimand or a more serious disciplinary action.

An employee may be excused from serving on an Interview Board if any of the following conditions exist: the applicant is an immediate family member or relative, personal illness, medical emergency in the immediate family, death in the family, or an excused absence by the Nation President.

Interview Board members will be required to sign a confidentiality statement to maintain strict confidentiality about applicants, documents reviewed, and about the formal proceedings of the Board. Board members are further prohibited from releasing or divulging information about interview proceedings and decisions. Violation of such confidentiality on the part of an Interview Board member will result in disciplinary action and/or termination.

The Interview Board has the following responsibilities:

- A. Participate in orientation briefings and training sessions related to interviewing techniques, what to look for, and behavior and mannerisms expected during an interview.
- B. Review, study and become knowledgeable about requirements of the position or job for which an interview will be conducted.
- C. Reviews applications, references, and other relevant material submitted by applicants.
- D. Evaluates applicant qualifications through direct personal interview and examination of relevant information.
- E. Assures that applicants eligible for Jicarilla Apache employment preference, as defined in the body of this policies and procedures manual are given such preference.
- F. Recommends and certifies for formal selection of an appropriately qualified applicant and an alternate.
- G. Submits Interview Board Recommendation form and documents that are required for formal selection and approval to the Staffing Specialist.

## SECTION 11. INTERVIEWING PROCESS

The Human Resource Office shall prepare packets consisting of current job descriptions, applications for employment, verification of Jicarilla Apache Preference, and other relevant personnel information. This action shall be accomplished for each vacancy not more than two (2) weeks after the close of the vacancy announcement.

The primary purpose of the interviewing process is to assure that the most appropriately qualified applicants are recommended for selection. Executive Leadership, Court Administrator, Director or Supervisor are required to be present on the Interviewing Board. If the Director or Hiring Department Representative is not present for the interview, the interview will be cancelled, and the Director or supervisor will be subject to disciplinary action.

Executive Leadership or Court Administrator prepares specific job-related questions in close coordination with the Human Resource Office.

The Interview Board, together with a representative from the Human Resource Office and Hiring Department Representative(s) shall interview qualified applicants. Minutes of the Interview Board are confidential and shall not be available or open to the public.

Specific interview procedures to be followed are set forth below:

- A. The Human Resource Office shall provide the Interview Board members a packet containing employment applications, an official job description and interview questions. In instances where there is a single applicant for position the interview board may recommend a job offer.
- B. The Human Resource Office shall provide instruction and guidance about the interview process.
- C. Upon completing the interview process for a position, the Interview Board shall recommend for selection one applicant and one alternate Recommendation for selection. This shall be accomplished on an Interview Board Recommendation Form which shall serve as an official record of an applicant selection. Interview Board Recommendation Forms are submitted to the Staffing Specialist for processing and approval by the Nation's President or Trial Judge. The Human Resource Office is not involved in making a recommendation or selection.
- D. The Human Resource Office shall maintain a record of documents and materials used in the interviewing process for each position as required by this manual.

If the selected applicant declines the position or fails to satisfactorily complete the probationary period, the alternate whose name appears on the Interview Board Recommendation Form shall be offered the position.