

## VACANCIES

Section 11.23 Bargaining unit position vacancies, if to be filled, shall be posted on the on-line hiring system for a period of seven (7) calendar days to no more than fourteen (14) calendar days. Employees may elect to sign up to receive email notifications of available posted positions from the online hiring system. The job postings will consist of the position classification, pay grade, department, location, rate of pay, and work shift. The Employer may temporarily fill the position vacancy during such posting. Selection of the successful bidder for such vacancy will be made not later than the forty-fifth (45<sup>th</sup>) day after the posting period expires, except in extenuating circumstances. Where a job is re-posted, the forty-five (45) day period shall begin anew.

Section 11.24 The Employer will first make job awards within the bargaining unit available on a seniority basis to its employees within the same job classification. If there is no same class applicant(s), job awards will be made from the three (3) most senior qualified bargaining unit applicants who possess the necessary qualifications and the demonstrated ability to perform the essential duties for the position under consideration. Each individual candidate is responsible for ensuring within the seven posting period, that his or her employment record and/or application accurately reflects those job skills, experience, training and other qualifications he or she desires the Employer to consider in evaluating his or her candidacy.

Section 11.25 The employer will provide the Union President with the following information:

1. A list of all internal job applicants/bidders.
2. A list of bargaining unit members who make up the three (3) most senior qualified bargaining unit applicants/bidders being considered.
3. The name of the successful bidder.

Section 11.26 Employees desiring consideration for posted positions shall complete the appropriate online application/bid form. The completed application/bid form must be submitted during the timeframe indicated in the position posting. The Employer will not be obligated to accept or otherwise consider a request for promotion or vacancy from an employee who has not completed and submitted the appropriate online application/bid form within the posting timeframe. An employee with a current discipline of two (2) points or more shall be disqualified from bidding until such time as the discipline shall have expired.

Section 11.27 The Employer shall notify, by email, all Bargaining Unit applicants of the disposition of their applications. Provision of the name and seniority date of the employee awarded the position shall be deemed appropriate notification to candidates not being offered the position.

Section 11.28 The successful bidder shall be transferred to the posted position within two (2) weeks after he/she is formally notified by the Employer of his/her appointment, provided a replacement is available. The successful bidder must either accept or refuse the position within three (3) calendar days, which includes the day of notification, from the date of the initial offer. An employee who refuses an offered bargaining unit position, or fails to respond to the hiring authority within this time frame shall forfeit his or her right to bid on another bargaining unit position for a period of one (1) year, except where the employee desires consideration for a vacancy with a higher rate of pay, or where the employee works less than full time and is applying or bidding on a full time position.

Section 11.29 At any time during the first twenty (20) days that an employee has actually worked in a new position, the employee may be returned to his/her former position, if:

(1) he/she does not possess the ability to perform the duties of the new position, or

(2) he/she does not desire to remain in the new position. In this case, the employee will be required to submit written notification to his/her supervisor of their desire to be returned to his/her former position. If during said twenty (20) day period, the Employer determines that the employee is unsatisfactory in the new position he/she shall be transferred back to his/her former position with reasons for the transfer submitted by the Employer in writing to the employee and the Steward of the District. The matter may then become a proper subject for the grievance procedure.

Section 11.30 When an employee returns to his/her former position pursuant to the above, the Employer may fill the vacated position utilizing any application received through or subsequent to the original posting period.

Section 11.31 Any new or current employee who is awarded and accepts a position for which he/she has applied or bid shall be barred from applying or bidding on any future vacancy for a period of one year, except where the employee desires consideration for a vacancy with a higher rate of pay or where the employee works less than full time and is applying or bidding on a full time position.

Section 11.32 During the period he/she is performing the work, an employee will receive the rate of the job he/she is performing.

#### FILLING MULTIPLE VACANT CUSTODIAL POSITIONS

Section 11.33 When three (3) or more vacant custodial positions exist they may be filled at the Employer's discretion and after notification to the union. These positions will then be subject to the provisions of ARTICLE 11 above Vacancies with the following exceptions.

1. Positions will be posted for seven (7) days.
2. The successful bidder must accept or reject a job award within one (1) hour of job award in person notification.
3. The successful bidder will move to the new position on the date posted on position posting.
4. Each vacant position will be limited to two (2) subsequent internal transfers.
5. Will not be subject to 11.29 timeframes.

It is understood that employees hired under this provision and during the posting process:

- (1)will have no guarantee that they will remain in the position in which they were hired.
- (2)could be reduced to part time status.
- (3)will be subject to shift preference.