

CITY OF MINNEAPOLIS

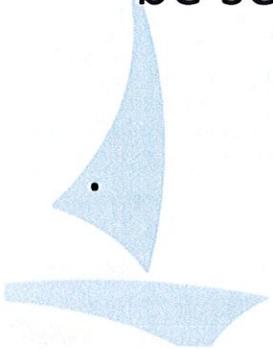
The Rule of Three

Committee of the Whole

**City of Minneapolis
City Attorney's Office
Human Resources Department
May 25, 2016**

What is the Rule of Three?

- Refers to the number of candidates that can be “certified” to a hiring manager for consideration.
- Under the "rule of three," applicants for civil service positions are scored based on their qualifications.
- The three candidates with the highest scores are then “certified” to the hiring manager for consideration.
- The hiring manager then must choose from among those three candidates.
- A candidate below the top three scoring applicants may not be selected for the position.



Background Information

- Created before Human Resources was a profession.
- Assumption that one may test for all attributes and characteristics that may be desirable in a candidate.
- May favor candidates that test well.
- Does not take into consideration sound Human Resource selection principles.



History of Rule of Three

- Mpls City Charter originally provided for the “Rule of One.”
- The MN Legislature passed a “Special Law” in 1978 applicable only to the City of Minneapolis that provided:

*Notwithstanding any contrary provisions of the charter of the city of Minneapolis, when there is a vacancy in the classified service other than in the category of unskilled labor, the civil service commission shall certify **the first three persons** from the appropriate list of the eligible register. see Laws 1978, Ch. 511*

- The Plain Language Charter approved in 2013 provides for the “Rule of Three.”

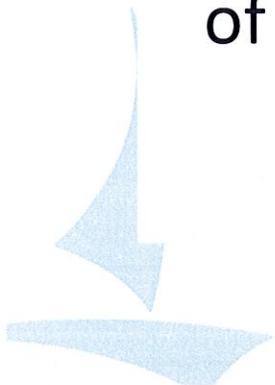
Minneapolis Charter, article VIII, § 8.5.

Amending City Charter

- The Minnesota Constitution provides that “Any special law may be modified or superseded by a later home rule charter or amendment applicable to the same local government unit.”

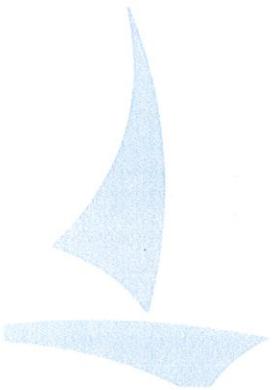
--Minnesota Constitution, article XII, § 2

- The City Charter may be amended by a 13-0 vote of the Council.



Proposed Charter Amendment

- The proposed Charter amendment:
 - Removes “Rule of Three” language from the Charter; and,
 - Grants Council the authority to adopt an ordinance regarding hiring procedures.



Why Change is Needed

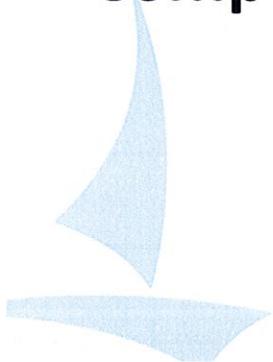
Supports City Goals and Values

- One Minneapolis
- A City That Works
- Equity: Creating fair and just opportunities and outcomes for all

Hiring and Selection

- Having the flexibility to interview a sufficient number of qualified candidates increases our ability to continue to build a highly qualified diverse workforce.

Competition for Top Talent



Example

HR Generalist – Eligible List (Hypothetical)

Eligible List Rank	Name	Test Score
1	XYZ (External Candidate)	93.50
2	ABC (City Employee)	93.00
3	MNO (Veteran/External Candidate)	92.00
4	STU (City Employee)	92.00
5	HIJ (External Candidate)	91.50
6	EFG (Former Urban Scholar)	89.50

Assuming a single vacancy, under the Rule of Three *only* the candidates ranked 1, 2 and 3 above can be interviewed.

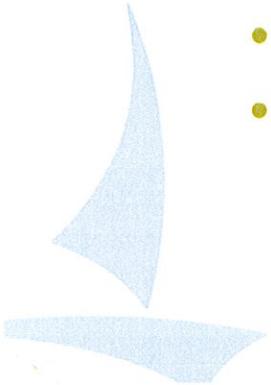
Human Resources: Selection Principles

- Job analysis review:
 - Review essential functions, qualifications, skills and abilities for accuracy.
 - Remove barriers, unnecessary requirements or certifications.
- Objective rating of application materials.
- Additional testing and or assessments.
- Create a list of qualified applicants.
- Select and train diverse interview panels.
- Conduct structured, behavior-based interviews.
- Reference and pre employment checks.



Equity and Fairness: Safeguards

- City of Minneapolis Ethics Ordinance
 - Ethics Hotline
- City of Minneapolis Nepotism Policy
- City of Minneapolis Civil Service Appeals Process
- Discrimination, Harassment and Retaliation Protections
 - Human Resources Investigations Unit
 - Minneapolis Department of Civil Rights
 - Equal Employment Opportunity Commission
 - Minnesota Department of Human Rights



Possible Next Steps:

- Labor Management Committee - May 12, 2016.
- Focus groups - labor, department leaders, hiring managers.
- Use information gathered from sessions to shape procedures.

