DGS CALIFORNIA DEPARTMENT OF GENERAL SERVICES

HUMAN RESOURCES MEMORANDUM 21-011	DATE ISSUED: June 9, 2021
SUBJECT: **Best Hiring Practices**	REFERENCE: PML 2014-020
TO: DGS Supervisors and Managers	SUPERSEDES: HR Memo 14-011

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

This Policy Memorandum sets forth best hiring practices designed to ensure that Department of General Services (DGS) supervisors and managers select the most qualified candidates following a fair and rigorous hiring process. This guidance provides an overview of the hiring process with links to informational resources and tools to assist hiring authorities in every phase of the process. In concert with this policy, the California Department of Human Resources (CalHR) has online training available called Best Hiring Practices which provides more detailed direction and resources in a virtual setting. DGS requires all managers and supervisors to take DGS' internal training called Hiring Manager Training.

Throughout the hiring process, programs should work closely with their respective Office of Human Resources (OHR), Equal Employment Opportunity Office (EEO), and Office of Legal Services (OLS) to ensure compliance with applicable laws and rules, internal department processes, and provisions of relevant bargaining contracts.

Both the hiring supervisor and OHR are responsible for reviewing applicable bargaining unit contracts to ensure compliance with any provisions that may govern the hiring process such as Post and Bid, seniority, or other terms that relate to filling vacancies. Please refer to the Personnel Operations Manual (POM) related to Post and Bid for additional information.

Roles

Hiring Manager

The Hiring Manager is the supervisor or manager who asks to fill an open job vacancy and hire an employee. In addition to the daily duties and responsibilities of leading and managing a team, Hiring Managers are key members of the recruitment and selections team. As the initiator to establish a position or the need to fill a vacancy, they play a vital role in hiring the best and brightest. In order to initiate a request with OHR, Hiring Managers to submit the required documentation to their program's Employee Resource Liaison (ERL) for the Request for Personnel Action (RPA).

Employee Resource Liaison

The Employee Resource Liaison (ERL) is the program's contact throughout the hiring process. This position serves as the middle person between the program's Hiring Managers and OHR. The ERL's responsibility is to advise and consult with the Hiring Manager on hiring needs, recruitments, OHR policy, procedures, and guidelines, especially when it comes to making a hire. ERLs review and process various RPAs and submit the requested packages to OHR. The ERL works in collaboration with the analysts in OHR's Classification and Pay Unit and the Examination Unit. It has been determined that the ERL role is at the Staff Services Analyst (SSA) or Associate Governmental Program Analyst (AGPA) level.

Attendance Clerk

The Attendance Clerk (AC) assists the Hiring Manager and staff with resolving timesheet issues, assists the new employee with completing hiring documents including benefit forms, and inputting information into the Activity Based Management System (ABMS), and reviewing the Project Accounting & Leave (PAL) system to ensure accurate and timely submittal of payroll and benefits information is conveyed to the Personnel Specialist in OHR's Personnel Transactions Unit. It has been determined that the AC role is at the Office Technician (OT) level.

Classification & Pay

The Classification and Pay (C&P) analyst provides consultative services, guidance, and recommendations on hiring requests in accordance with the State civil service Classification Plan and ensures compliance with the merit system principles. The C&P analyst also validates RPAs, researches hiring restrictions, provides alternative solutions for difficult-to-fill classifications, and conducts desk audits to investigate out-of-class grievances. The C&P analyst works with the program's ERL. It has been determined that the ERL roles are at the SSA or AGPA level.

Duty Statement

Creating the duty statement is the first critical step of any hiring process. The Hiring Manager must prepare a detailed and accurate duty statement for the vacant position for which they are hiring. An accurate and thorough duty statement provides potential candidates with a clear description of the position and identifies essential and non-essential tasks and duties that are consistent with and appropriate for the classification specification.

DGS has developed the Hiring Toolkit and Hiring Manager Training which provides resources for developing a strong duty statement. The program's ERL may also assist with developing duty statements.

The duty statement is critical because it identifies the position's essential and marginal functions, work environment (e.g. number of days eligible for telework), physical requirements, reporting relationships, and level of supervision. Even after the hiring process is complete, supervisors and managers are responsible for maintaining accurate and up-to-date duty statements for each position. An accurate duty statement is also the Hiring Manager's first opportunity to establish the business justification for a background check, medical evaluation, or more extensive interviews that may be required.

Best Practice

Create a duty statement that provides a clear description of the position and identifies essential and non-essential tasks consistent with, and appropriate for, the classification specification and indicates the number of days the position may be eligible for telework. Please refer to the Hiring Toolkit and Hiring Manager Training for more information.

Advertisement

All DGS positions are advertised with the West Sacramento headquarters address for hard-copy mail-in and drop-off applications. In order to provide a centralized location for Hiring Managers to access applications, all applications are digitized and uploaded into CalHR's Examination and Certification Online System (ECOS). Hard-copy applications shall not be accepted if submitted directly to the program. The program shall direct applicants to submit applications to the address listed on the job advertisement by the final filing date.

Positions are generally advertised for a minimum of ten (10) calendar days on CalHR's website through CalCareers. Programs may also advertise their positions on multiple sourcing avenues and their internal and external websites. The 10-day minimum is consistent with the 10-day requirement for the posting of examination bulletins.

The CalCareers advertisement includes a description of the duties, desirable qualifications, and any other job-related information. For example, if the position requires a background check, it must be referenced in the CalCareers advertisement. Providing all the relevant information regarding the position in the CalCareers advertisement will assist candidates in determining whether they meet the minimum qualifications (MQs), and if they are able to perform the duties with or without reasonable accommodation. Please reference California Code of Regulations section 249.1 and 241 for additional information.

Statement of Qualifications

A Statement of Qualifications (SOQ) can assist with targeting the skills and experience desired for a specific position. While a resume is just a quick glance into someone's job history, an SOQ can be structured to provide the candidate a chance to expand on their resume in greater detail and prove why they are the best fit for the job. The SOQ can create context for what the candidate has done in the past, and how they will be successful in the future.

Hiring Managers can develop SOQ questions by utilizing a variety of sources including the duty statement, the most recent incumbent's skills/experience, critical skills, and experience (beyond the MQ) that are needed to be successful in the position. The best way to create an SOQ is by creating assessment standards and questions to engage candidates and prompt them to highlight their relevant work achievements, experience, and skills as they relate to the position and desirable skills needed to be successful in the job.

For re-advertisements, it is recommended the SOQ questions be updated and/or modified to prevent any advantage for previous applicants who may re-apply.

Job Control Report Form

DGS utilizes a Job Control Report form to indicate information required and/or special instructions for the job announcement. The Job Control Report form is an extremely important document because it serves as the blueprint for the advertisement, or job control, that is to be published on CalCareers. This form is typically filled out by the ERL.

Best Practice
Advertise vacant positions for 10 calendar days and include, at a minimum, a description of the duties, desirable qualifications, and any other job-related information including possible opportunities for telework.

Application Screening Process

Application screening is the process of reviewing and assessing each Examination and Employment Application (STD 678) that is submitted in response to a job advertisement. It involves creating documented, job-related screening criteria that link directly to the MQs, knowledge, skills, and abilities (KSAs), and the duties of the position, and then reviewing each application to find the candidates whose experience and skills stated on their STD 678 match closest to the required and desired qualifications. It also serves to screen out applicants who do not meet the basic requirements for a position.

The Hiring Manager plays a critical role in the screening process. They are responsible for developing and documenting in an Application Screening Spreadsheet the job-related screening criterion prior to reviewing each application to ensure that the applicant has the necessary education, work experience, and licenses or certificates as required that are needed to be successful in the position.

The Application Screening Toolkit provides additional information regarding the application screening development process. The site also provides sample Application Screening Spreadsheets and other helpful tips and tricks.

Hiring Managers shall provide their ERL all necessary documentation, as the ERL also has a role in the application screening process. The ERL must upload a copy of the Application Screening Spreadsheet which documents the criteria used to evaluate each candidate as required by the Electronic Request for Personnel Action (eRPA) process. This record verifies that you conducted a fair, impartial process using screening criteria directly related to the KSA's for the position. It is also a critical record if you are later required to defend your hiring process.

State Restrictions of Appointment (SROA)/Surplus/Reemployment/Super SROA

OHR's Certification Unit will inform the program if an applicant must be given priority due to SROA/Surplus eligibility in the hiring process. The California State Restriction of Appointments (SROA) Policy and Procedures can be found on CalHR's website and DGS' POM - State Restrictions of Appointment (SROA)/Surplus/Reemployment/Super SROA

Best Practice
Develop job-related screening criteria that directly relates to the minimum requirements and the duties of the position. Hiring managers are responsible for reviewing the applications to make a preliminary determination if the candidate meets the MQs for the position. OHR reserves final determination for MQs and eligibility for appointment. Refer to the DGS Hiring Guides to help determine whether or not an applicant meets the MQs for the classification for which they applied.

Supplemental Screening Process

Some positions may require supplemental screening. Examples of supplemental screening include:

- Background Investigation
- Medical Evaluation
- Criminal Conviction Record Check
- Drug Testing
- Fingerprinting/Live Scan

Supplemental screening such as those listed above should only be conducted if the hiring authority has established the screening is job-related, required by business necessity, and has a legal authority to substantiate the requirement. These screenings are subject to specific laws and regulations regarding when and how they may be conducted. OHR works with the program and OLS to confirm the current legal authority for a particular supplemental screening before it is conducted.

Hiring authorities should also be aware that Assembly Bill 218 (Dickinson, 2013) enacted Labor Code section 432.9 which became effective on July 1, 2014. Labor Code section 432.9 prohibits a state agency from asking an applicant to disclose information regarding a criminal conviction until the agency has determined the applicant meets the MQs for the position. This prohibition does not apply to positions where criminal conviction history checks are required by law, to any position within a criminal justice agency, or any individual working on a temporary or permanent basis for a criminal justice agency on a contract basis or loan from another governmental entity.

Although supplemental screenings may be permitted at various points in the hiring process, as a practical matter, DGS does not complete the supplemental screening until the hiring manager has identified the most qualified candidate(s).

In all cases, and regardless of when a department conducts the supplemental screening, it is critical to note that when conducting supplemental screenings, a hiring authority must be able to demonstrate that the screening is job-related and justified by business necessity.

Best Practice
Conduct background or other types of hiring inquiries only when they are supported by law or policy, are related to the job and are required by business necessity. When appropriate, conduct the additional hiring inquiry after you have identified the most qualified candidates, instead of immediately after determination that the applicant meets the MQs.

Interviews

The interview is the Hiring Manager's primary opportunity to assess a candidate's qualifications and potential for success on the job. It is important to ask candidates open-ended, job-related questions. It is also important to ask each candidate the same set of questions during the interview. However, you may ask each candidate-specific questions related to their application or work experience. Accordingly, you may ask a candidate follow-up questions to clarify the specific experience that is listed on their application. If you are interviewing both internal and external candidates, it is inappropriate to develop questions that require internal knowledge gained only from working at the hiring department. Such questions are impermissible because they create an unfair advantage for internal candidates.

Evaluation and rating criteria should be established when you develop interview questions. Similar to the application screening criteria, evaluation and rating criteria must be based on job-related qualifications. The evaluation and rating criteria should assess the candidate's responses to the interview questions relative to education, experience, communications skills, transferable skills, and other job-related qualifications. Refer to the Record Retention section below.

It is best practice that the interview panel be comprised of three (3) panel members. Hiring Managers should create a diverse panel, both in terms of gender and ethnicity, which includes individuals who are at the same level or above the classification for which you are recruiting. Panel members should also remain the same for all interviews to ensure consistent scoring. The final hiring decision should be made by the supervisor or manager.

It is recommended that at least three (3) candidates be interviewed to ensure a competitive and objective process.

Remember that you must be able to substantiate that your final candidate was selected based upon a fair and objective assessment of job-related qualifications. This is an integral part of the merit-based, competitive selection process.

The following describes a variety of methods of conducting interviews:

A. Patterned Interview

Candidates appear before a panel of three or more evaluators who ask each candidate the same predetermined questions, evaluate candidates' responses, and assign ratings based on previously defined rating criteria. The questions usually have model answers with a correlating points system that scores the candidate with points for every correct element covered by the candidate in answering the question.

B. Structured Interview

Prior to appearing before the interview panel, candidates are given a specified amount of time to prepare responses to predetermined questions or problems. Candidates' responses are generally discussed with the panel during the interview.

C. Written Exercise

Candidates are given a topic and asked to prepare a written narrative response. Generally, 15 to 30 minutes of the interview is set aside for this purpose. The written product is then subsequently evaluated to assess both the applicant's writing ability and the ability to organize and integrate information and ideas.

D. In-Box Exercise

The in-box exercise evaluates the candidate's ability to prioritize and/or identify the appropriate action to take to complete the job-related tasks. Candidates sometimes perform a job-related mock assignment.

E. Behavioral-Based Interview

Behavioral-based interviewing is premised on the concept that the best predictor of a candidate's future performance is past performance. Interview questions are built around specific job-related activities previously performed by the candidate. The interviewer asks the candidate to describe what they have actually done rather than what they would do in a 'what if' situation. To find more information on behavioral-based interviews, see Page 3 of the Selection Process Module in the Virtual Help Desk for Supervisors and Managers, the Leadership Competency Model Behavioral Interview Guides Presentation, or Interview Question Types.

Sample interview guides and questions can be found on CalHR's website and in DGS' Hiring Toolkit.

Provide the candidate the Authorization to Release Information (DGS OHR 18) prior to the interview and inform the candidate to bring the form to their interview. This is a mandatory document and obtains the candidate's authorization to review their Official Personnel File (OPF), conduct reference checks, and provides the contact information for their references. Ensure the candidate knows that their current supervisor may be contacted.

Second Interviews

The Hiring Manager has the option to conduct second interviews to determine the final selected candidate. Second interviews shall be conducted similarly to first interviews with clearly written questions and established rating criteria. Additionally, the documentation from second interviews must be submitted following the same process as eRPA.

Helpful Tips

- When scheduling interviews, inform each candidate of the type of interview (i.e., virtual, in-person, written, or in-box exercises), so that they can request and receive reasonable accommodation, if needed.
- Provide each candidate with a current duty statement either before or during the interview. You may also provide an organization chart or other information.

- If candidates have been provided with a copy of the questions during or before the interview, remember to retrieve the questions at the conclusion of the interview.
- During the interview, ask each candidate if they have any questions.
- Advise candidates of the next steps and if a second round of interviews will be conducted.
- Inform candidates when you expect to reach a final decision.
- If you miss that deadline, keep in touch with all candidates to let them know you are still completing the process. Remember, they are waiting to hear from you, and keeping candidates updated will have a positive reflection on your organization.
- Once a candidate has been selected, letters should be sent to all candidates through the Examination and Certification Online System (ECOS) to inform applicants they were not selected.

Best Practice
Select the most appropriate interview method for the position. Use the same interview method for all candidates for the same position. Ask open-ended, job-related questions. Always establish and apply consistent evaluation and rating criteria to each candidate and retain a written record of the criteria. Refer to the Record Retention section below for information on submitting all documents specific to the hiring process to OHR. The Application Screening Spreadsheet, Interview Schedule, Interview Notes, and OHR 18 are all required as part of eRPA.

Verification of Employment History References

Another critical component of the hiring process is reviewing the top candidates' Official Personnel File (OPF) and checking references.

A. Authorization to Release Information (OHR 18)

   All interviewed candidates must complete and sign a standard OHR 18. This form gives you permission to contact references and complete an Official Personnel File (OPF) Review

B. Official Personnel File (OPF) Review

   Verify you have a signed OHR 18 on file and contact Human Resources at the candidate's current employer to request an appointment to review the file. Information for reviewing a personnel file can be found in the Selection Process Module from the Virtual Help Desk for Supervisors and Managers.

   It is important to base your hiring decisions solely on information that is job-related and appropriate for consideration. For instance, you should not make an adverse hiring decision based on low leave balances. Do not assume that a low leave balance indicates an attendance problem. Employees are entitled to use all leave balances as approved by the supervisor. Low leave balances could be related to reasonable accommodation or other appropriate use of approved leave. Utilize the OPF Review form (OHR 755) when reviewing OPF files for potential candidates.

   For Department of General Services employees, you may email DGSOPFReviewRequest@dgs.ca.gov to request a review of a candidate's personnel file. Please refer to the Personnel Operations Manual (POM) related to Employee Reference Checks for additional information.

C. References

   One of the most valuable means of gathering information about candidates is conducting reference checks. This step should *never* be skipped, regardless of how quickly the position must be filled. As a prospective employer, you must seek job-related information regarding your candidates in order to make an informed hiring decision. As part of this process, it is important to speak with current and former supervisor(s). Private sector employers are sometimes reluctant to provide a detailed reference; however, they will almost always verify employment dates. Check all the information you receive against the information provided by the candidate.

If the candidate failed to provide the name or phone number of a prior supervisor or indicated a supervisor was 'retired' or 'unavailable,' you should call the prior appointing authority to find out if there is anyone who will provide a reference for the candidate. Failure to provide this information may be inadvertent, but it does not relieve you of the duty to complete as thorough a reference check as possible. Most Human Resources staff will provide information if there was a serious problem with the candidate or will provide the name of some other person who has the ability to provide a reference. Finally, a hiring authority may also call additional references not listed on the candidate's reference list.

Remember you may only consider information that is relevant and directly related to the candidate's ability to perform the duties of the position. If the information you obtain from a reference check is not related, you may not rely on it in rendering your final hiring decision. If you are uncertain about whether you can rely on extraneous information provided by a hiring reference, consult with OHR.

Following are some helpful resources regarding conducting reference checks:

- Selection Process Module from the Virtual Help Desk for Supervisors and Managers
- Sample Reference Check Completion Form
- Sample Employment Reference Questions
- Hiring Toolkit

D. Social Media

As more and more information becomes publicly available on the Internet and social media sites, you may be tempted to search the Internet for information about your candidate at some point during the hiring process. There are some potential pitfalls you should consider prior to accessing social media to search for information about your candidate.

Labor Code section 980 prohibits an employer from requiring or requesting an employee or applicant to (1) disclose a username or password for the purpose of accessing the employee's or applicant's personal social media, (2) access personal social media in the presence of the employer, or (3) divulge personal social media use (with limited exceptions for the investigation of employee misconduct). The law currently does not prohibit an employer from accessing public information not protected by a password.

However, although it is not illegal to access public, or non-password protected information, there are risks in checking social media sites. For example, if you check the Internet and discover information that reflects that the candidate is a member of a protected class, and then you subsequently hire a different candidate, you could inadvertently bring into question whether you improperly considered that protected status in reaching your hiring decision. This is another reason why all hiring decisions should be well documented and based solely on legitimate job-related considerations.

Best Practice
Get a signed release (OHR 18) from the candidate to review their OPF. Compare all the information provided by the candidate with that in the OPF. Call the references provided by the candidate and additional references not provided by the candidate to make an informed evaluation. Consider only job-related information.

Selecting the Candidate

After you have completed the steps above, the Hiring Manager provides the names of the top candidates (up to 5 names) that they would like the ERL to submit to OHR for final eligibility check utilizing the eSheet. The Hiring Handbook and the Hiring Toolkit describe the eSheet and can provide additional information on the process. During this phase, the Hiring Manager will also have to provide any supplemental documents that show the candidate meets MQs including the diploma, typing certificate, etc. Once the Hiring Manager receives the results from OHR, the Hiring Manager has the approval to make a tentative offer to any of the eligible candidates, pending any supplemental screening processes, including Background Investigation, Medical Evaluation, etc.

A written Conditional Offer Letter template is available on OHR's Virtual Onboarding Toolkit. The offer should be conditional so that you can follow up to ensure that the candidate has submitted all required documentation to support the selection and that there are no outstanding issues that might prevent extending a final offer.

A Final Offer Letter including the salary range for the classification and benefits information should be made after all hiring procedures are completed and the parties have resolved any outstanding issues or questions regarding the position. Prospective employees usually ask to give a former employer at least two weeks' notice to accept a new position. It is the receiving manager's responsibility to contact the relinquishing Supervisor and negotiate a release date. Relinquishing Departments may retain the employee for up to two weeks for promotions, up to 30 calendar days for transfers, and up to 14 calendar days for promotions and Training & Development Assignments.

Best Practice
Verify that all hiring procedures and requirements are completed before making an initial or final offer.

Follow-up

It is important to complete timely follow-up with each candidate who participated in the hiring process by notifying those who were not selected. They may be potential candidates for future positions. A follow-up letter that notifies the candidate that they did not receive the position and expresses gratitude for their interest in the position can be sent through ECOS.

Best Practice
Send a timely follow-up letter to each candidate who participated in the hiring process.

Probationary Period

Selection of the candidate does not end with the offer and acceptance of the position. Government Code section 19171 requires that a probationary period be completed: (a) when an employee enters or is promoted in the state civil service by permanent appointment from an employment list, (b) upon reinstatement after a break in the continuity of service resulting from a permanent separation, or (c) after any other type of appointment situation not specifically excepted from the probationary period requirement by statute or by board rule. This probationary period is considered part of the selection process. Government Code section 19172 requires a department to regularly evaluate the work and efficiency of the probationer. It is important that this evaluation is in writing. If a hiring manager determines that a probationer must be rejected on probation, the hiring manager must be able to demonstrate that the probationer was provided both notice of their performance deficiencies and an opportunity to correct them.

Best Practice
Continue to evaluate and document the probationer's work and efficiency through the probationary period.

Record Retention

Your hiring package should be carefully collected and retained consistent with our retention schedule. Remember, your hiring package is the record that you conducted a fair and objective hiring process. For information on recordkeeping, please see [California Code of Regulations, Title 2, section 26,] and [State Administrative Manual section 1600.]

For audit purposes and per the State Personnel Board (SPB) DGS is required to retain complete RPA packages for five years after a hire is made.

A complete RPA Package includes OHR recruitment documents (e.g. duty statement, justification, etc.) and program hiring documents (e.g. application review spreadsheet, interview questions and notes, final scoring, etc.).

OHR implemented Electronic Request for Personnel Action (eRPA), a process that requires all RPA documents to be easily accessible electronically for business needs during the mandated retention period. With eRPA, DGS programs are now responsible for submitting their hiring documents to OHR throughout the hiring process.

Best Practice

Collect and retain all records of the hiring process using the eRPA process. These are part of your defense if your process is challenged. Please visit the eRPA site on the Hiring Toolkit for more information on the eRPA process.

Questions

For questions regarding this HR Memo, please contact Amy Applegate of the Office of Human Resources at (916) 376-5428.

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