Executive Branch
Classified Hiring and Selection Procedure

PURPOSE

This document describes the hiring and selection procedure for classified positions in the Executive Branch. The steps below are required for promotions and appointments. However, the agency may make minor adjustments to the arrangement of the procedure, or add additional steps as necessary. Any deviation from the established procedure shall be reviewed and approved by the Personnel Cabinet in advance.

PROCEDURE

Step 1: *Preparation*

1. Request Approval to Fill Vacancy

   A. Review position description, update as necessary
   The Position Description (PD) is the official document that describes, in detail, the tasks and responsibilities assigned to a specific position. If the tasks and responsibilities change in a material and permanent way, the supervisor must submit a PD worksheet reflecting those changes to the Appointing Authority through the assigned Human Resources (HR) liaison or other identified agency channel. Upon review and approval, the HR liaison will submit the new PD to the Personnel Cabinet for proper classification of the position.
   - If the position is filled (pending vacancy), the manager can access the PD in Manager Self Service.
   - If the position is vacant, the manager must request a copy of the most recent PD from the assigned HR liaison.

   B. Complete Fair Labor Standards Act exempt test
   To ensure compliance with the overtime provisions of the Fair Labor Standards Act (FLSA), the Personnel Cabinet developed an FLSA test based on U.S. Department of Labor regulations.

   The Personnel Cabinet requires positions to be tested if:
   - The position is a new establishment;
   - The job duties of the position have changed in a material and permanent way; or
   - Requested to do so by the Division of Employee Management.

   C. Prepare an internal request to fill the vacancy
   In addition to any documents required by the agency, the following documents must be submitted when requesting to initiate a hiring action:
   - Written request;
   - Updated Position Description form (if applicable); and
   - FLSA Exempt Test and form (if required).

   D. Submit request through the appropriate channels
   At a minimum, the submitted request must be reviewed and approved by the agency HR office and the Appointing Authority (or designee) prior to posting the vacancy. The agency may require additional approval levels.

2. Assign Selection Panel

   A. Identify appropriate panel members
   Each panel shall consist of a minimum of three (3) members. In addition to the immediate supervisor of the position, a selection panel may also include, but is not limited to, one or more of the following:
   - Another supervisor or manager;

- A departmental employee assigned to a different organizational unit who performs duties similar to the vacant position; or
- A representative from HR.

To the extent possible, the panel should be diverse in gender and race, and the members should have a working knowledge of the skills and abilities required for the position.

A panelist may not serve if they are a family member or a person of similar close relationship to any of the applicants who are interviewed.

The same panelists must participate throughout the process. In the event of an emergency that prohibits a panelist from participating in interviews or discussions related to the recommended candidate(s), the hiring manager should attempt to reschedule to ensure all members of the panel are present, and document the situation in detail to the selection process file. This should be a rare occurrence.

B. Complete *Selection Panelist Conflict of Interest Statement*
Provide the *Selection Panelist Conflict of Interest Statement* to each panel member to clearly convey the responsibilities and expectations of their participation on the selection panel. Each panel member must read and sign this document prior to participation on the panel.

3. Establish Screening Criteria

A. Use the PD to identify the knowledge, skills, and abilities necessary to be successful in the position.

B. Complete a *Screening Criteria Worksheet*

4. Develop Interview Questions

Use the position description to develop questions based on the knowledge, skills, and abilities necessary to perform the duties listed.

A. Include a combination of behavioral and technical style questions
The panel must ask all applicants competing for the vacancy the same interview questions, with the following exceptions:

- Panelists may ask follow-up questions to have applicants clarify or expand on a response; and
- Panelists may clarify incomplete or unclear information on the applicant's application, internal mobility form, performance evaluations, etc.

B. Ensure questions are legally acceptable
The Commonwealth of Kentucky does not discriminate on the basis of race, color, religion, sex, national origin, sexual orientation or gender identity, ancestry, age, disability, political affiliation, genetic information, or veteran status in accordance with state and federal laws.

A panel may not ask questions or make hiring recommendations related to any of the protected areas.

C. Create the Interview Questionnaire Worksheet

Step 2: *The Screening and Interview Process*

1. Screen Applicants

A. Review the requisition containing the listing of applicants in the recruitment module of MyPurpose.
Follow procedures related to Reemployment candidates, applicants with Veterans' Preference, etc.

B. Compare qualifications to screening criteria identified on the *Screening Criteria Worksheet*

C. For job classifications without special requirements: Agency reviews training, experience, and skills for minimum qualifications and conducts a preliminary education review. The Personnel Cabinet will make the final determination regarding education minimum qualifications.

D. For job classifications with special requirements: Agency conducts a preliminary review of training, experience, skills, education, licensure, and/or certification for minimum qualifications. The Personnel Cabinet will conduct the final review on these factors.

Please Note: Agencies should refrain from communicating to any employee that they "do not meet minimum requirements," as such communications are solely the responsibility of the Personnel Cabinet.

2. Schedule, Conduct, and Evaluate Interviews

A. Contact applicants to offer and schedule an interview

The hiring manager or designee may schedule the interviews within the recruitment module of MyPurpose or verbally. If verbally, they must follow up in writing, by either mail or email, to confirm the position applied to and the time, date, and place of the interview. Written confirmation should include directions and a map to the interview location and notice of any security requirements.

In addition to the details listed above, provide internal mobility applicants with the *Internal Mobility Applicant Form*. Require the applicants to provide the completed form by the interview date, as well as a copy of their two most recent performance evaluations (if eligible) and any other documentation they would like to be considered. The applicant may provide this information in advance of the interview date.

While competitive applicants should not be asked to complete an *Internal Mobility Applicant Form*, they should be encouraged to bring any documentation to the interview that assists in describing their qualifications and record of performance.

B. Provide members of the panel with pertinent information prior to the interviews

- A schedule of interviews, unless scheduled in the recruitment module of MyPurpose, which can be viewed in the system by panel members;
- A copy of applications for each applicant, as well as any other documentation submitted by the applicant in advance; and
- An *Interview Questionnaire Worksheet* for each applicant.

C. Conduct the interviews

Interviews should be structured and consistent for all applicants. The *Interview Questionnaire Worksheet* should be used as a guideline for the interview. However, a summary of the information to be addressed is provided below:

- *Opening*
    - Welcome the applicant and introduce panel members;
    - Give a brief overview of the agency;
    - Allow the applicant to review the PD;
    - Obtain any documents brought to the interview for submission;
    - Introduce the concept of behavioral interviewing; and
    - Allow the applicant an opportunity to ask any questions.

- *Interview Questions and Note-Taking*

  - Ask each question, allowing the applicant an opportunity to compose thoughts and respond without interruption;
  - Document key points of the applicant's responses (ensuring notes remain job related and legally acceptable), including how they addressed each of the following:
    - The *situation*, or the circumstances confronting the applicant;
    - The *action*, or the applicant's response to the situation; and
    - The *result*, or the outcome resulting from the action.
  - If the applicant does not give a specific related situation, action, and result, the panelist may follow-up. Follow-up questions should be documented on the *Interview Questionnaire Worksheet*.

- *Closing*
  - Allow the applicant an opportunity to share additional information with the panel;
  - Confirm that the applicant is still interested in the position;
  - Verify that the panel has the applicant's permission to contact references;
  - Inform the applicant of the anticipated start date;
  - Advise the applicant that the selection panel's role is to make a recommendation for Appointing Authority approval; and
  - Explain to the applicant that final hiring approval must be provided by the Appointing Authority or designee in order to proceed.

D. Evaluate the interviews

At the conclusion of each interview, the panelist must evaluate the applicant's interview responses individually. Individual ratings are then discussed by the panel as a whole and a consensus reached on a final, overall rating of the interview. Ratings are based upon the following general competency scale:

- *Excellent*- Applicant demonstrates *exceptional* knowledge, skills, and abilities as it pertains to the question. Provides a relevant, specific, detailed example of a previous similar circumstance, his or her actions, and the results for behavioral style questions.

- *Very Good*- Applicant demonstrates *better than average* knowledge, skills, and abilities as it pertains to the question. Provides a relevant, specific example of a previous similar circumstance, his or her actions, and the results for behavioral style questions.

- *Good*- Applicant demonstrates *basic* knowledge, skills, and abilities as it pertains to the question. Provides an example of demonstration of such knowledge, but may not identify his or her actions, or the results for behavioral style questions.

- *Fair*- Applicant demonstrates *little* knowledge, skills, and abilities as it pertains the question. Does not provide an example of a previous similar circumstance, his or her actions, or the results for behavioral style questions.

- *Poor*- Applicant demonstrates *no* knowledge, skills, and abilities as it pertains the question. Does not provide an example of a previous similar circumstance, his or her actions, or the results for behavioral style questions.

Step 3: *Evaluation and Selection*

1. Evaluate Applicants

Pursuant to 101 KAR 1:400, agencies must consider an applicant's qualifications, record of performance, conduct, seniority, and performance evaluations in the selection of an employee for promotion. The panel must ensure that they have thoroughly discussed all of these factors relative to each candidate. Agencies may, however, review, compare, and discuss all applicants with respect to these five factors.

A. *Review* each applicant, one at a time, considering all available data:

- Application;
- Internal Mobility Applicant Form (if applicable);
- Performance Evaluations;
- Additional provided documentation; and
- Interview.

B. *Compare* applicants

- Consider all available data; and
- Examine significant discrepancies.

C. *Discuss* the information compiled and determine the candidate that best fits the needs of the position.

2. Minimum Qualification Reviews
After interviews have been conducted, agencies may submit to the Personnel Cabinet, up to 3 names, for a Minimum Qualification Review (MQR).

3. Once MQRs are complete, those applicants set to an approved status can move further in the process.

4. Conduct Reference Checks

Prior to making a recommendation, the hiring manager, HR, or designee must attempt to obtain a viable reference from at least two of the professional references listed on the candidate(s) application, if the candidate(s) are not currently employed in the hiring organization. Record the references' responses on the *Prior Employment Reference Check Form for Final Candidates*.

5. Prepare Recommendation for Approval, and Process

A. Compile a selection packet
The hiring manager or designee shall compile a selection packet. At a minimum, the packet shall include:

- A memorandum summarizing the selection process and recommendation;
- A copy of the selected candidate's application, Internal Mobility Applicant Form (if applicable), performance evaluations, and all completed/attempted reference checks;

B. Route documents for final agency approval
The approval process may vary from agency to agency, but will always include:

- The agency-level HR office will ensure compliance with applicable statutes and regulations, addressing any concerns prior to proceeding with the recommendation; and
- The Appointing Authority will review and determine if the request will be authorized.

C. Extend a conditional offer of employment and process action for Personnel Cabinet approval
If approved by the Appointing Authority, the agency must contact the candidate to explain that he or she has been recommended for the position, provide the salary, and determine a proposed effective date in order to submit the personnel action. The proposed effective date must allow adequate time for personnel action processing and approval. The Commonwealth Office of Technology (COT) recommends 5-7 days in advance to best accommodate Enterprise Identity Management's facilitation of email, workstation, etc.

The agency HR office will submit the personnel action for Personnel Cabinet review and approval. The Personnel Cabinet will review the personnel action along with any required supporting documentation to ensure compliance with applicable laws, policies, and procedures. Notwithstanding any compliance issues, the Personnel Cabinet will approve the action.

Step 4: *Conclusion*

1. Notify Applicants of Outcome

A. Contact recommended applicant
Notify the selected applicant to advise of final approval by the Personnel Cabinet. Advise the applicant, if a new appointee, that the agency will send a follow-up letter, which will include written confirmation of the position details.

B. Send *Confirmation of Employment* to selected applicant, if a new appointee.
Send a follow-up letter to the selected applicant via mail or email, confirming job title, start date, salary, work address, supervisor contact information, and identification documents needed for I-9 purposes. Include any necessary details specific to the agency.

C. Send letters of regret to applicants who were interviewed, but not selected.
The agency HR Office will send system generated "regret" letters to applicants who are interviewed, but not selected for hire.

2. Maintain Appropriate Documentation

In a location determined by the agency Human Resources Office, the following documents must be maintained five years from the date of register certification:

- The requisition list of applicant submissions (electronically maintained within the recruitment module of MyPurpose, accessible upon request to the Personnel Cabinet);
- Screening Criteria Worksheet;
- Applications and any documentation provided by the applicants (i.e. Internal Mobility Applicant Forms, Performance Evaluations, resumes, etc.);
- Signed Conflict of Interest Statements and Interview Questionnaire Worksheets for all panel members;
- Completed Prior Employment Reference Check Forms for final applicants; and
- Recommendation Memo.

RESOURCES

This procedure was compiled from many sources, including, but not limited to, federal law, Kentucky Revised Statutes (Chapters 18A and 12.080), and Kentucky Administrative Regulations (Title 101).

Employee Training Opportunities:

- Personnel Cabinet, Office of Diversity, Equality & Training
  - *Hiring & Selection Process: Best Practices*

- Personnel Cabinet, Department of Human Resources Administration
  Agency MyPurpose Recruitment Module Training
  KHRIS Manager Self-Service (MSS)
  - *Manager Self-Service Overview*

Forms/Tools:

- Executive Branch Merit Hiring and Selection Process Checklist
- FLSA Exempt Test
- Selection Panelist Conflict of Interest Statement

- Interview Questionnaire Worksheet
- Internal Mobility Applicant Form
- Prior Employment Reference Check Form for Final Candidates
- Screening Criteria Worksheet
- Requisite Skills Examples

Letter/Memorandum/Email Examples:

- Written Interview Confirmation
- Merit Hiring Recommendation
- Confirmation of Employment

State Agency Records Retention Schedule

- P0039 Hiring Process Materials File – Merit System Positions