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COMMISSIONER OF ADMINISTRATION

State of Louisiana

Division of Administration
Office of Human Resources

DIVISION OF ADMINISTRATION

PERSONNEL POLICY NO. 12

EFFECTIVE DATE: **July 9, 1984**

REVISED DATE: **02/28/94; 04/20/06; 10/19/07; 09/08/08; 02/16/2009; 05/19/11; 9/13/12**

SUBJECT: **Process for Filling Vacancies, Appointments, and Promotional Opportunities**

AUTHORIZATION: **Steven Procopio, Appointing Authority**

I. POLICY:

It is the policy of the Division of Administration (DOA) that, in accordance with Civil Service Rules and federal law, whenever possible and in the best interest of the agency:

A. All employees will be informed of the intent to fill vacancies through electronic and/or hard copy postings of such vacancies (unless specific exception is requested).

B. All eligible DOA employees, who follow the application procedure provided, will be considered for appointment to vacancies. Whenever possible and where the best interest of the agency is served, promotional opportunities and opportunities for career changes or advancement will be offered to DOA employees.

C. All classified job vacancies will be posted on the Civil Service LA Careers website for at least the minimum duration as specified by Civil Service Staffing policy. Unclassified vacancies may be posted as needed.

D. The most qualified applicant who is able to perform the job duties without accommodation or with reasonable accommodation under the guidelines of the Americans with Disability Act (ADA) will be selected for appointment regardless of race, national origin, sex, age, disability, or seniority.

It is the policy of the agency that reference checks will be conducted on the selected applicant prior to an unconditional offer of employment being made whenever possible. Further, applicants will be subject to a criminal history check following the conditional offer of employment.

No unconditional offer of employment will be made unless the section has been notified by the Office of Human Resources (OHR) that all conditions of employment have been met.

II. PURPOSE:

The purpose of this policy is to: 1) assist management in filling positions with the best qualified applicant from the broadest applicant pool which is available and desired as soon as possible, and 2) assure that, whenever possible, all employees are made aware of vacancies being filled and given the opportunity to be considered, and 3) assign responsibility for aspects of the policy and to explain the process for adhering to the policy.

III. APPLICABILITY:

This policy applies to all employees of the DOA, both general and ancillary appropriation, and all applicants applying for positions at the DOA.

IV. DEFINITIONS:

Applicant Pool - an applicant pool can include any or all of the following:

1. Qualified individuals with permanent classified status who currently work for the DOA (may be referred to as *Promotional-Division of Administration Employees).*
2. Qualified individuals with permanent classified status who currently work for the state in any department including the DOA (may be referred to as *Promotional-Statewide Employees).*
3. Qualified individuals who may work for the state in any department including the DOA or who may not work for the state (may be referred to as *Probational Applicants).*

Appointment - an unconditional offer of employment by the agency and the subsequent acceptance of such offer by the applicant. Appointment types include:

- Permanent classified - probational appointments, non-competitive re-employments, lateral transfers, promotions, demotions, re-assignments, position changes,

- Temporary classified - job appointments, restricted appointments, and details to special duty, and
- Unclassified

Conditional Offer of Employment - an offer of employment that is conditioned upon:

1. The applicant meeting certain criteria, such as passing a drug test, agreeing to direct deposit, registering with Selective Service if male between the ages of 18 through 25, agreeing to a criminal history check, etc., and

2. The department verifying certain aspects of the Conditional Offer such as the salary and that the applicant meets the minimum qualifications, etc.

Conditional Offer Orientation - the centralized process within the DOA which occurs after the conditional offer of employment and prior to the unconditional offer of employment and appointment. During this process the selected applicant is told of the conditions [such as passing a drug test, agreeing to direct deposit, agreeing to a criminal history check, etc.] which must be met in order to receive an unconditional offer of employment (appointment).

Criminal History Check - a check of the public records conducted by the State of Louisiana of arrests and convictions.

Designated Representative - those to whom the appointing authority has delegated authority to hire, fire, and take other actions. For the purpose of this document, these are called the designees.

Pay Level/Grade - the salary range assigned to an individual job title. The group of pay levels/grades creates the pay schedule/grid.

Pay Plan - the entire system of the state's uniform plan for compensation for classified employees including job titles, job codes, pay ranges, pay rates, etc.

Pay Range - the range of pay from minimum to maximum set for a pay level/grade.

Pay Schedule/Grid - the cumulative list of classified job titles and accompanying pay levels/grades in one of six categories such as Administrative Services (AS), Scientific and Technical Services (TS), Protective Services (PS), Medical Services (MS), Social Services (SS), and Technician and Skilled Trades (WS).

Probationary Period - the period of time that a classified employee must serve before becoming eligible for permanent status. This period can range from a minimum of 6 months to a maximum of 24 months. The following are examples of appointments which require a probationary period: probational appointments, non-competitive re-employment, any hire following a break in service, etc. A probationary period may be made a condition of employment for any new appointment including a promotion, a voluntary demotion, a transfer, etc.

Promotion - the change of a permanent classified employee from a position in one job title to a position in another job title which is assigned to a pay grade with a higher maximum.

Reference Check - contacting previous employers to verify past employment including skills and experience as claimed on the job application and during the interview.

Security-Sensitive Position - a position determined by the Appointing Authority to be security-sensitive.

Unconditional Offer of Employment - an offer by an appointing authority to a qualified applicant who has met all of the conditions specified in the conditional offer of employment in a classified or unclassified position.

V. PROCEDURE:

A. Review of Position Description

A section wishing to fill a vacancy for a classified position must first determine if the *Position Description, (SF-3)* for the vacant position requires an update. Civil Service requirements mandate that a position description be updated:

- At least every five years.
- When major duty changes have taken place.
- Prior to filling a vacant position with supervisory duties, unless the position description has been updated within the last twelve months.

During this review, the section head should assure that any specific condition of employment such as a criminal history check or a current driver's license is included in the *Position Description, (SF-3)* for that position. Any special requirements for the position should also be noted on the *Request to Recruit for a Vacant Position* form for the position or in the comments text box of the NeoGov Online Hiring Center requisition.

B. Announcing A Vacancy

The section must create a requisition in the NeoGov Online Hiring Center and secure approval to fill a vacancy in a classified job title. Upon final approval of the requisition, the OHR will announce the vacancy on the Civil Service LA Careers website in compliance with procedures required by Civil Service and the DOA. Sections that have received special permission may use the Request to Recruit form in lieu of creating a requisition in NeoGov. This form must be submitted to the appointing authority for approval prior to the announcement of the vacancy on Civil Service LA Careers website. If a section wishes to announce a vacancy using other venues, the OHR will work with the section to accommodate such a request and to time the announcement to coincide with the LA Careers posting.

If a section requests to add a position number to an existing requisition or request to recruit that has already been announced, they may do so under the following conditions: It has not been more than 90 days since the closing date of the announcement, the section has requested from the appointing authority approval to add the position, and the new position has the same specification as the originally announced position.

Employees wishing to be considered for appointment to a vacancy must follow all directions and adhere to closing date deadlines referenced on the LA Careers announcement.

Vacancy announcements will be open for at least the minimum duration specified by Civil Service. An *Employment Application* received in the OHR and postmarked after the closing date will not be accepted.

If a Civil Service test is required it will be indicated in the vacancy announcement. Questions regarding the necessity for testing or the submission of a grade should be posed as soon as possible to the staff of the OHR. A grade will be required for:

- A promotion from a job requiring a test in one test series to a job requiring a test from another test series.

The following circumstances do not require public announcement of a vacancy in a classified job title:

- Appointment from a Department Preferred Re-employment list,
- Non-competitive appointment of a client of a State Vocational Rehabilitation program or a State Blind Services Program under provisions of Rule 22.8 (a),

- Non-competitive re-employment of a former employee based on prior state service under provision of Rule 23.13 (a),
- Demotion of a permanent classified employee,
- Re-assignment, position change or lateral transfer of a permanent classified employee,
- Non-competitive promotion of a permanent classified employee to a position to which he or she would have non-competitive re-employment eligibility under Rule 23.13 if he or she were to resign.

However, under this DOA policy, an exception must be requested of the Appointing Authority for the above circumstances. Should the section have a legitimate business reason for not announcing the vacancy, the appointing authority may, on rare occasions, waive an announcement of the vacancy.

To announce a vacancy in an unclassified position on the Civil Services LA Careers website, the section should complete a requisition in the NeoGov Online Hiring Center. If the Request to Recruit form is used instead, the section should submit the form to OHR for review and approval by the Appointing Authority.

C. Probationary Period for DOA Employees

Employees hired on a probational appointment must serve a minimum of 12 months before being considered for permanent status.

D. Interviews, Conditional Offers, Reference Checking

The DOA encourages hiring managers and supervisors to conduct interviews of applicants for vacancies. During the interview, applicants should be asked to sign the form, *Release for Reference Checking*, and informed that reference checks will be conducted. Each applicant must also be informed that the selected applicant will be subject to certain conditions before an offer of employment can be made. The conditions may include passing a drug test, having an acceptable response to a criminal history check, agreeing to direct deposit of his/her paycheck, registering with Selective Service (when applicable), etc. The list of conditions which any particular applicant must meet should be determined prior to the interview and must be explained to every applicant in every interview.

Following the interview process including reference checking, and after a candidate has been selected for a conditional offer of employment, the section must complete the form, *Conditional Offer of Employment*. The completed form is forwarded to OHR. If the position is designated security-sensitive, this must be indicated on the form.

AT THIS POINT, THE SELECTED APPLICANT HAS BEEN GIVEN ONLY A CONDITIONAL OFFER OF EMPLOYMENT AND NOT AN UNCONDITIONAL OFFER OF EMPLOYMENT.

Upon receipt of the *Conditional Offer of Employment* form, the OHR will call the selected applicant and schedule him/her for the Conditional Offer Orientation process.

If the applicant does not meet all of the conditions of employment, as determined by staff of the OHR, the staff of the OHR shall contact the applicant with further instructions or to inform the applicant that his conditional offer has been withdrawn.

The OHR shall contact the section when all reviews, verifications and test results are available to notify the section that the applicant may be given an unconditional offer of employment and secure a start date from the applicant.

Sections must notify all classified job applicants and should notify all unclassified job applicants once a hiring decision has been made. Samples of appropriate letters or forms can be obtained from the OHR Recruitment and Retention team.

An offer of employment for any classified position announced must be made within 90 days of the closing date of the announcement. If an offer is not made and the position is not filled, the vacancy must be re-announced in order to fill it.

VI. RESPONSIBILITY:

Deputy/Assistant Commissioners are responsible for:

Holding accountable the section heads under their supervision for adhering to all aspects of this policy.

Section Heads or their designees are responsible for:

Ensuring that each employee under his supervision, current and new, is made aware of this policy and its contents as well as any forthcoming revisions, and is informed that he/she must abide by the terms of the policy.

Ensuring that all classified job position descriptions are current and accurately describes the duties and responsibilities performed by the incumbent and that each is updated according to Civil Service guidelines outlined above.

Ensuring that position descriptions include information about requirements specific to the position such as the successful results of a criminal history check, possession of a valid driver's license, the ability to wear specific safety equipment, etc.

Ensuring that all Civil Service and Division of Administration LA Careers vacancy announcements are distributed to all employees via e-mail or posted in a timely fashion in locations accessible and known to all employees.

Justifying to the appointing authority requests to appoint an individual without an announcement, in exception to this policy and sharing documentation of any approvals with the OHR prior to making an unconditional offer of employment.

Selecting a candidate to recommend for appointment based on job-related criteria and in accordance with all State and Federal laws.

Ensuring that the selected candidate is given only a Conditional Offer of Employment until notified by the OHR that the applicant may be made an Unconditional Offer of Employment and ensuring that the applicant is informed that the Conditional Offer may be withdrawn if all of the conditions are not met.

Ensuring that the applicant is cautioned not to resign an existing job until such time as the applicant is notified that an unconditional offer is made.

Providing for informal discussions of grievances and complaints in an effort to resolve problems prior to the filing of a formal complaint.

Maintaining records of any dispute between the agency and an employee regarding the filling of a vacancy including any written statement from the agency or employee of the reasons for the disagreement.

Creating and maintaining appropriate documentation of the reasons for the selection/rejection of each candidate within the applicant pool clearly outlining the selection criteria utilized in the decision. The documentation must be electronically submitted via the NeoGov Online Hiring Center. Sections not using the NeoGov Online Hiring Center must submit applicant pool information to the appointing authority and the OHR along with the *Personnel Action Request* requesting the appointment.

Notifying the OHR as soon as possible if the status of the vacancy changes.

Managers/Supervisors are responsible for:

Complying with this policy as instructed by the section head.

The Office of Human Resources (OHR) is responsible for:

Ensuring that all Civil Service and Division of Administration LA Careers vacancy announcements are distributed via e-mail or hard copy to the appropriate individual in each section in a timely fashion.

Responding to questions posed by employees and applicants regarding the application process.

Contacting the selected applicant and scheduling the unconditional offer orientation, (upon receipt of the *Conditional Offer of Employment* from the section).

Ensuring that the candidate for employment is made aware of all the conditions which must be met in order for the applicant to be given an unconditional offer of employment and obtaining all required signatures during the Conditional Offer Orientation process.

Notifying the applicant and the section when the applicant is not eligible for employment.

Employees are responsible for:

Adhering to the stipulations as outlined in this policy.

Following all directions and adhering to closing date deadlines referenced on the LA Careers announcement.

Determining where announcements are posted in the workplace by asking his/her personnel liaison or viewing the Civil Service Internet LA Careers for any posting made.

Responding to a vacancy announcement in accordance with the instructions provided in the announcement, and providing a complete Civil Service Employment Application, which is in full compliance with the instructions provided on the form, along with any additional documentation specified in the LA Careers announcement.

Acquiring the necessary qualifications for desired vacancies by taking the appropriate test as soon as he qualifies for the desired position, attaining an eligible score or meeting any other requirement necessary for application.

VII. EXCEPTIONS:

Requests for exceptions to this policy shall be justified, documented and submitted in writing to the appointing authority for consideration.

VIII. QUESTIONS:

Questions regarding this policy should be directed to the staff of the Office of Human Resources.

IX. VIOLATIONS:

Employees found to have violated this policy may be subject to disciplinary action.

X. FORMS:

All forms listed in this policy may be found on the following websites:

Office of Human Resources at: http://www.doa.louisiana.gov/ohr/forms/forms1.htm

Position Description, SF-3
Release for Reference Checking
Conditional Offer of Employment
Request to Recruit for Vacant Position
Employment Application

Department of State Civil Service at: http://www.civilservice.la.gov/index.asp

Go to "State Employees" and select "Employment Application" then scroll down page to Employment Application.