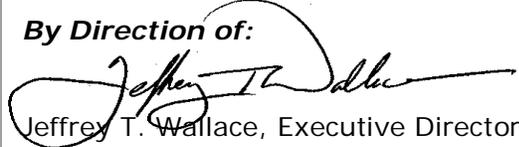


# MANAGEMENT DIRECTIVE

## Commonwealth of Pennsylvania Governor's Office

<b>Subject:</b> Conducting Interviews for Classified Service Positions	<b>Number:</b> 580.10 Amended
<b>Date:</b>  August 15, 2013	<b>By Direction of:</b>  Jeffrey T. Wallace, Executive Director, State Civil Service Commission
<b>Contact Agency:</b> State Civil Service Commission, Bureau of Policy and Information Services, Telephone 717.787.5855	

**This directive establishes policy, responsibilities and procedures for conducting employment and promotion interviews for classified service positions. Marginal dots are excluded due to major changes.**

- 1. PURPOSE.** To establish policy, responsibilities and procedures for conducting employment and promotion interviews for classified service positions.
- 2. SCOPE.** Applies to all state agencies, which are identified in *Civil Service Act, 71 P.S. § 741.3(d)*, and to state agencies and political subdivisions of the commonwealth which have contracts with the State Civil Service Commission (SCSC) for services and facilities as provided for in *Civil Service Act, 71 P.S. § 741.212*.
- 3. OBJECTIVE.** To ensure the rights of certified eligibles and employees applying for classified service positions as a result of a job posting are not violated; and to ensure that appointing authorities provide all candidates with the same opportunities for employment or promotion in the classified service.
- 4. DEFINITIONS.**
  - a. Appointing Authority.** The officers, board, commission, person or groups of persons having power by law to effect personnel transactions in the classified service.
  - b. Certification of Eligibles.** The referral of one or more eligibles by the Executive Director, SCSC, to an appointing authority, in order to fill one or more positions or to take appropriate classification action.

- c. **Eligible.** A person whose name is on a certification of eligibles.
- d. **Employee.** A person legally occupying a position in the classified service.
- f. **Personnel Transaction.** A recorded action documenting an employee's appointment to, movement within, status change within, or separation from an agency.
- g. **Rule-of-Three.** The three highest scoring available eligibles on a certification of eligibles. The Rule-of-Three may consist of more than three eligibles when tie score(s) exist with the third eligible in the Rule-of-Three, but does not prohibit an appointing authority from making an appointment if there are fewer than three available eligibles.

## 5. POLICY.

- a. Vacant positions must be properly classified prior to starting the job filling process.
- b. When appointing, promoting or transacting any other personnel action with respect to the classified service, individuals may not be discriminated against because of political or religious opinions or affiliations; because of labor union affiliations; or because of race, national origin or other non-merit factors.
- c. A person may not influence another person to withdraw from competition for a position in the classified service, nor may a waiver of another person's rights of availability be solicited for the purpose of either improving or injuring the prospects of an applicant for appointment or promotion. The SCSC may take action that it deems appropriate whenever it finds that a person has violated this paragraph.
- d. Appointing authorities may conduct interviews or otherwise assess relative suitability for appointment of certified eligibles, but the assessments must be based on job-related criteria and be conducted in accordance with standards established by the Executive Director, SCSC.
- e. Examinations for all classified service positions will be prepared and approved by the Executive Director, SCSC. Except as otherwise authorized in writing by the Executive Director, SCSC, appointing authorities may not develop and administer their own examinations for employment or promotion in the classified service. The SCSC may take action that it deems appropriate against appointing authorities who violate this paragraph if it is determined that an attempt was made to administer an unauthorized examination during the job-filling process.
- f. When using a certification of eligibles in the job filling process, all available eligibles within the Rule-of-Three must be interviewed or otherwise assessed if making a selection from that certification of eligibles, unless there is an available veteran within the Rule-of-Three, in which case non-veterans on that certification of eligibles are not to be interviewed or otherwise assessed and, therefore, may not be selected from that certification of eligibles.

**Exception:** If the Rule-of-Three consists of one eligible, it will be at the appointing authority's discretion to determine if an interview or other assessment is necessary as part of the selection process.

- g.** Candidates interviewed by an appointing authority within six months for the same job title need not be re-interviewed. However, if the candidate appears on a certification of eligibles, the candidate must be re-contacted through use of Form SCSC-98, Availability Survey/Interview Notice, to confirm if the candidate is still available for the position. For example, if an appointing authority interviewed a candidate for a Budget Analyst 1 position, but did not hire the candidate, and that same appointing authority had another Budget Analyst 1 vacancy to fill five months later, the appointing authority may request a certification of eligibles as part of the job filling process. If the candidate is on the new certification of eligibles that the appointing authority is issued, the candidate must be contacted to determine if he or she is available for the position. If the candidate indicates being available and is in the Rule-of-Three, the appointing authority does not have to re-interview the candidate, but it must still consider the candidate for possible employment. **Note:** The six month timeframe shall be calculated as 180 calendar days from the date of interview.
- h.** No employment commitments shall be made before a certification of eligibles listing is issued.
- i. References:** Section 905.1, *Civil Service Act*; 4 Pa. Code §§ 95.20, 97.15 and 97.16; *Management Directive 580.2*, *Civil Service Availability Survey/Interview Notice*; and *Manual 580.1*, *Certification of Eligibles for the Classified Service*.

## **6. RESPONSIBILITIES.**

### **a. Appointing Authorities shall:**

- (1)** Ensure the position being filled is properly classified before starting the job-filling process.
- (2)** Develop interview questions that are job-related.
- (3)** Determine how the interview will be conducted, e.g., in person, by phone, etc., and who will conduct the interview. **Note:** When possible, the individual(s) conducting the interviews should be the same for all candidates being interviewed. However, in all cases, the criteria used to judge and select the candidate who will fill the position must be the same for all candidates interviewed.
- (4)** Provide reasonable accommodations to candidates who request them in accordance with the Americans with Disabilities Act.
- (5)** Be responsible for defending appointment, promotion or other personnel actions pertaining to classified service positions, in the event of an appeal.

**b. State Civil Service Commission shall:**

- (1)** Provide guidance to appointing authorities on conducting interviews for classified service positions.
- (2)** Investigate actions that appear to violate the provisions of this directive.
- (3)** Convene hearings, when applicable, regarding alleged violations of this directive.

**7. PROCEDURES.**

- a.** The appointing authority will determine how the interview will be conducted, who will conduct the interview, where and when the interview will take place, what questions should be asked, and who will be interviewed in accordance with civil service rules and regulations and Pennsylvania law.
- b.** If a candidate does not report for a scheduled interview, the appointing authority is not required to, but may at its discretion, contact the candidate to reschedule the interview. **Note:** Candidates who are not rescheduled should be annotated as "NR" on the certification of eligibles. If the appointing authority intends to use the certification of eligibles to fill its classified service position, a new Rule-of-Three must be established disregarding the eligible who did not report for the interview.
- c.** As applicable, appointing authorities should make a reasonable attempt to accommodate candidates who ask to reschedule an interview, provided the request is appropriately communicated to the appointing authority prior to the time of interview. In the event a candidate appeals the appointing authority's decision to not reschedule the interview, the appointing authority will be responsible for defending the decision.
- d.** Either prior to or during an interview, candidates should be provided with an overview of the job duties and essential functions; functions of the work unit and its relationship with other parts of the organization; job training to be provided; special requirements such as shift work, overtime, tools or physical demands; and the type of employment, e.g., full-time, limited-term, seasonal, part-time or substitute. **Note:** For employment in a substitute position, the candidate should be informed why the substitute position was created and that substitute employment does not end until the former incumbent either returns to the position at the expiration of the leave; fails to return or resigns from the position; completes the probationary period of the class to which currently assigned; or moves to another position in the unclassified or classified service by means other than substitute appointment or promotion.
- e.** The job-related questions prepared for the interview should be asked to each candidate. In addition, interviewers may ask follow-up questions or for a candidate to elaborate on a response provided; or may ask questions pertinent only to a specific candidate regarding information the candidate may have provided on an application, resume, performance evaluation, portfolio, curriculum vitae, etc.

- f. Appointing authorities may not test eligibles unless written authorization is granted by the Executive Director, SCSC. Certified eligibles within the Rule-of-Three should be considered equally qualified.
- g. If, after conducting an availability survey or interview, the appointing authority believes the eligible no longer meets Pennsylvania residency requirements, if applicable to the position being filled, contact:

State Civil Service Commission  
Veterans' Preference and Certification Division  
3<sup>rd</sup> Floor, Strawberry Square Complex, 320 Market Street  
Telephone: 717.783.7097  
Fax: 717.783.0419

Or, for U.S. Postal Service deliveries:

P.O. Box 569  
Harrisburg, PA 17108-0569

Or, by email at: [ra-listmaintenance@pa.gov](mailto:ra-listmaintenance@pa.gov)

If the objection is based on the belief that the eligible does not meet the minimum experience and training requirements for the job title being filled, contact:

State Civil Service Commission  
Bureau of Personnel Assessment  
5<sup>th</sup> Floor, Strawberry Square Complex, 320 Market Street  
Telephone: 717.787.1795  
Fax: 717.783.0838

Or, for U.S. Postal Service deliveries:

P.O. Box 569  
Harrisburg, PA 17108-0569

Or, by email at: [ra-cs-list\\_removal@pa.gov](mailto:ra-cs-list_removal@pa.gov)

- h. During the course of the interview, time should be allotted so that the candidate may ask the interviewer(s) questions about the job.
- i. Candidates should be informed, if they are selected for the position, of the timeframes on when the position may be filled. For candidates that may be newly appointed to the commonwealth or local government, discuss starting dates that are realistic and mutually agreeable. For example, a selected candidate who is working elsewhere should be afforded a reasonable time to sever that employment. For those candidates already employed by the commonwealth or local government, explain that the effective date will be finalized by the Human Resources Offices of the respective appointing authorities.
- j. Candidates declining employment or promotion consideration should be advised to do so in writing to the appointing authority.

- k. Candidates who are interviewed, but not selected, should be notified by the appointing authority of their non-selection in a timely manner.
- l. Appointing authorities should retain the documentation used to select a candidate, e.g., interview questions, candidates' responses, evaluation criteria used to rate each candidate, etc., in accordance with their own retention schedules. This documentation does not need to be forwarded to the SCSC, unless specifically requested by an SCSC staff member.

**This directive replaces, in its entirety, *Management Directive 580.10*, dated May 16, 1986.**