

State of Vermont Agency of Human Services Department of Corrections	Title: New Employee Selection		Page 1 of 5
Chapter: Personnel	#122.01	Supersedes #122.01 <i>Preparing and Conducting Employment Interviews</i> , dated 10/05/1998; #122.04 <i>Applicant Reference Checks</i> , dated 3/11/2002	
Attachments, Forms & Companion Documents: 1. Nepotism Statement			
Local Procedure(s) Required: No Applicability: All staff. Security Level: "B"- Anyone may have access to this document.			
Approved: <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="border-top: 1px solid black; width: 30%; text-align: center;"> Robert D. Hofmann, Commissioner </div> <div style="width: 30%; text-align: center;"> <u>September 1, 2006</u> Date Signed </div> <div style="width: 30%; text-align: center;"> <u>October 2, 2006</u> Date Effective </div> </div>			

PURPOSE

The purpose of this administrative directive is to ensure that Department of Corrections' staff who are involved in the hiring of new employees follow policies of the State of Vermont and existing laws related to fair employment practices. The primary purpose in preparing for and finally conducting employment interviews is to match the right people with the right job. Locating and acquiring the best qualified people greatly reduces organizational turnover, minimizes human-relations problems and maintains a consistent, high degree of productivity.

POLICY

It is the policy of the State of Vermont Department of Corrections to actively recruit and select the most qualified persons to fill positions in the classified service, while at the same time providing an equal employment opportunity for all. When a vacancy occurs, the Department will make a diligent effort to recruit an employee from within the classified service to fill the vacancy.

AUTHORITY & REFERENCE

3 V.S.A., Chapter 13, § 327. Vermont Department of Human Resources Policy & Procedures Manual, Section 3 "Affirmative Action and Equal Employment," Section 4 "Pre-employment" and Section 5 "Employment". American Correctional Standards for Adult Correctional Institutions, 4th Edition 2003, Standards 4057-4062. "*A Guide to Interviewing and Reference Checking*," Department of Human Resources Publication, 2000 edition.

DEFINITIONS

Appointing Authority: The person authorized by statute, or lawfully-delegated authority, to appoint and dismiss employees (e.g. Facility Superintendent, District Manager).

Qualified Ranked Candidate List: A ranked list of applicants for a given position.

PROCEDURAL GUIDELINES

1. Appointing authorities and their designees are required to be familiar with and follow all policies and procedures of the Vermont Department of Human Resources and the Agency of Human Services (AHS) related to hiring practices. Such policies and procedures are available on-line at the following web addresses:
 - https://vermontpersonnel.org/management/labor_policy.cfm and
 - <http://www.ahsinfo.ahs.state.vt.us>.
2. The Department of Corrections Human Resource Development Unit (HRD) oversees entry-level correctional officer selection to ensure all policy and procedure requirements are met. The Agency of Human Services Personnel Unit is responsible for all other employee selection. Questions about employment law, policy and guidelines will first be directed to those units.
3. Entry-level classified employees and temporary correctional officers must always be hired from a State Department of Human Resources Qualified Ranked Candidate List.
4. The employment interview should be considered as an opportunity to create a positive impression on behalf of both the specific work unit as well as the Department.
5. Eligibility for an Interview
 - a. Any job applicant convicted of a felony is ineligible for employment with the Department without an approved waiver.
 - b. An applicant with a misdemeanor conviction must remain crime-free for a period of five (5) years beyond the date of conviction or release from correctional supervision, whichever is later, or have received an approved waiver.
 - c. In accordance with one of the Department's guiding principles that people can change, and with the applicable standards of the American Correctional Association, ex-offenders should not be denied consideration for employment merely on the basis of prior criminal history. Therefore, applicants who do not meet the criteria in 5a or 5 b above may apply to the Commissioner for a waiver. The Commissioner has the sole authority to grant a waiver.
 - i. A waiver, if granted, is no guarantee of employment. It allows the applicant to proceed in the competitive process.
 - ii. The applicant should be advised that they must provide a written request, which includes the following:
 - a) A complete acknowledgment of responsibility for the crime(s) in question;
 - b) Any evidence of having addressed the crime victim's needs;
 - c) A statement by the applicant that there has been no further criminal involvement;

d) Evidence, which may include testimonials and/or official documents, demonstrating that the applicant has effectively become positively involved in their community. Absence of crime does not in itself meet the criterion of community involvement.

e) The Commissioner may refer a waiver request for further investigation.

6. If an applicant requests an accommodation in the application process, including testing or interviews, the appointing authority must contact AHS Personnel prior to taking any action.

7. Interview Questions

a. It is the responsibility of the appointing authority to ensure that interview questions are not discriminatory or give the appearance of discrimination. All questions should be related to job functions or requirements. Generally, all applicants should be asked about the same topics. The appointing authority or designee will consult with AHS Personnel or the HRD Unit as necessary.

b. After being provided with the job description, applicants must be asked, “Can you perform the duties of this job with or without accommodation?” There must be no further discussion on this issue at this time.

c. Applicants must complete the *Nepotism Statement (Attachment 1)* at the beginning of the interview.

d. If the applicant is a state employee, they shall be asked to provide a copy of their latest evaluation. If it is not provided, the appointing authority shall obtain the latest evaluation from the employee’s personnel office.

8. Selection of Candidates

Selection of candidates shall consider the following factors:

a. Utilizing a common scoring or assessment process. Factors to be considered include experience, achievements, references, education, evaluations (if a state employee), training and interviews. Other factors such as a writing sample, problem solving exercise or typing test may also be included if appropriate.

b. Personal reference checks must be done before a job offer is made. Reference checking is intended to establish the ability to do the job tasks, or how well they performed job tasks in other jobs.

i. Reference checks should be done primarily to verify details on the State of Vermont Job Application or attached resume.

ii. More than one reference check is required to adequately assess the candidate’s qualifications, and efforts should be made to corroborate information that contributes to the job offer.

- iii. Staff should always attempt to contact the current or most recent supervisor and as many former supervisors as is possible.
 - iv. An applicant's signature on the State of Vermont Job Application authorizes reference checks, but as a courtesy, it is always wise for staff to inform the applicant of that intention during the job interview.
 - v. If a job applicant says "no" to contacting a former employer, appropriate staff will consult with the AHS Personnel Unit or HRD Unit before taking any further action.
 - vi. Reference checks should be done by phone, not by mail.
 - vii. Reference checks should focus on areas related to actual job performance.
 - viii. If staff is reference checking more than a final candidate, then generally speaking, the same questions should be asked, except those that pertain specifically to the State of Vermont Job Application or attached resume.
 - ix. The appointing authority must ensure that findings are documented in a professional manner, and that all information is maintained for a period of three (3) years.
- c. The appointing authority must ensure that appropriate staff conduct criminal record checks of the applicant before a job offer is made. All record checks will be forwarded to the AHS Personnel Unit immediately after the employee is hired, to be included in the employee's official personnel file.
 - d. If an interview candidate checks "yes" on the Nepotism Statement and is a candidate under final consideration, the appointing authority must contact the AHS Personnel Unit before making a job offer.
9. All notes pertaining to the job interview will be maintained by the appointing authority for a period of three (3) years and may be subject to review if there is a complaint about the process.



**State of Vermont
SERVICES**

AGENCY OF HUMAN

Personnel Unit
103 South Main Street
Waterbury, VT 05671-0202
(802) 241-2787
Fax: (802) 241-2797

ATTACHMENT 1

NEPOTISM STATEMENT

The State of Vermont has a policy on hiring relatives, so we need to inquire about relatives working for the State. The "relative" list below includes those relationships that the State considers under its nepotism policy.

RELATIVE - includes parent, grandparent, spouse, civil union partner (a person who has entered into a civil union pursuant to Vermont law), domestic partner (a person of the same or opposite sex who lives with a State employee under circumstances in which they have agreed between themselves to be responsible for each other's welfare), child, brother, sister, grandchild, aunt, uncle, niece, nephew, parent-in-law, brother-in-law, sister-in-law, step-parent, step-child, any other person so related through marriage, and any other person so related to one's civil union partner or domestic partner.

Does anyone related to you as described on the list work for the State of Vermont, in any capacity including a permanent, limited, or temporary position, in an exempt position, or under contract? A positive answer does not necessarily eliminate you from consideration and will have no impact on the results of this interview.

Yes _____ No _____ If yes, describe:

Applicant Name: _____

Applicant Signature: _____

Date: _____