

# Michigan Civil Service Commission

## Regulation 3.04

<b>Subject:</b> <b>Selection of Employees for Position Vacancies</b>		
<b>SPDOC No.:</b> 21-04	<b>Effective Date:</b> September 5, 2021	<b>Replaces:</b> Reg. 3.04 (SPDOC 18-03, January 1, 2019)

### 1. Purpose

This regulation establishes standards to consider and select candidates for vacant positions through a meritorious, job-related selection process.

### 2. CSC Rule References

#### **3-1 Examinations**

##### **3-1.1 Authority**

*Civil service staff shall prepare or approve examinations for all classified positions. Examinations are referred to as appraisal methods in these rules.*

##### **3-1.2 Content and Method**

*Appraisal methods must assess relevant, job-related knowledge, skills, abilities, and other qualifications necessary for successful job performance. The state personnel director may authorize the use of another organization's appraisal results.*

##### **3-1.3 Application**

*The state personnel director shall establish procedures for persons seeking positions in the classified service.*

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#### **3-2 Recall Lists**

##### **3-2.1 Recall Lists**

*An employee is eligible to be placed on a recall list only if the employee (1) gained status from an indefinite appointment and (2) is laid off, demoted, or otherwise displaced for reasons of administrative efficiency. Recall lists are not created or maintained for statewide recall, or for classifications that are protected from the application of employment preference in rule 2-5 [Employment Preference] or applicable regulations.*

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### **3-3 Appointments and Job Changes**

#### **3-3.1 Process**

*All appointments, promotions, and job changes in the classified service must be made in accordance with the civil service rules and regulations. Any person appointed or promoted must be certified as qualified in accordance with and subject to the civil service rules and regulations. The state personnel director shall administer the certification of all appointments and promotions.*

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## **3. Definitions**

### **A. CSC Rule Definitions.**

1. **Applicant** means a person who applies for consideration for appointment to a classified position.
2. **Candidate** means a qualified person who requested to be considered for appointment to a specific position in the classified service and who was considered by the appointing authority.
3. **Candidate pool** means qualified persons considered for a position.

### **B. Definitions in This Regulation.**

1. **Considered by the appointing authority** means a qualified candidate who (1) met the screening criteria established by the appointing authority and (2) was interviewed or otherwise comparably evaluated by the appointing authority.
2. **NEOGOV** means the automated system used for classified selection and hiring.

## **4. Standards**

### **A. Recall.**

1. The appointing authority must obtain a recall list report (ZP106) from the Human Resources Management Network (HRMN) and satisfy any recall obligations.
2. All recall names must be cleared in accordance with regulation 3.07 using a recall list created within 90 days of the date an offer of employment is made.

### **B. Recruitment.**

1. An appointing authority may use any appropriate method to recruit and contact applicants for a position vacancy that ensures equal employment opportunity for a qualified candidate pool.
  - a. NEOGOV is the primary recruiting method when filling a position from a candidate pool.
  - b. Civil Service shall develop and maintain an overall recruitment strategy and plan to assist agencies in obtaining applicants. In addition to NEOGOV, other

recruitment activities may be used, such as partnerships with schools, community service agencies, trade organizations, and community organizations (e.g., Urban League, NAACP, minority and women's professional or fraternal associations, etc.); premium job boards; and recruitment firms.

- c. For classifications with ongoing hiring needs, appointing authorities may maintain continuous postings that allow standing candidate pools of applicants for consideration as vacancies arise.
2. Appointing authorities shall ensure equal employment opportunity consistent with the rules and regulations.
3. In the recruitment process, consistent job-related information must be provided. Information may include, for example, the following:
  - a. Proper Civil Service position title, classification level, and any working title.
  - b. A brief description of the job duties, responsibilities, and working conditions.
  - c. Qualifications or special requirements for the position.
  - d. Salary.
  - e. Employee status code.
  - f. Job location.
4. A minimum of seven days from the date of posting or contact is recommended for applicants to respond.

#### **C. Applicant Screening.**

1. An agency should reduce the size of the candidate pool to an acceptable number of candidates. The pool size may be reduced randomly or by applying screening criteria (e.g., supplemental questions in NEOGOV).
2. Screening criteria must be job-related and ensure equal employment opportunity.

#### **D. Candidate Credential Reviews.**

1. Designated staff of appointing authorities may conduct authorized credential reviews after receiving Civil Service training and certification, except as noted in § 4.D.2.a.
  - a. The appointing authority may nominate staff to act as agency credential reviewers, but the staff cannot conduct reviews until Civil Service has certified their adequate training. Periodic retraining may be required to ensure quality and accuracy.
  - b. If specifically listed in job specifications, certified agency staff may evaluate (1) education requirements based on degrees, majors, coursework and credit hours and (2) experience or alternate education and experience requirements based on work in state classified positions or specific educational requirements.

- c. Agency staff should ensure that special requirements, licenses, and certifications for a position are satisfied.
  - d. The appointing authority shall document their candidate credential reviews.
  - e. Failure to comply with established standards may result in cancellation of the credential review authorization.
2. Civil Service shall conduct credential reviews in the following circumstances:
  - a. To evaluate experience outside the classified service; experience working out of class; coursework, related fields, and majors not specifically listed on a job specification; and potential equivalent combinations of education and experience.
  - b. When the appointing authority requests assistance conducting credential reviews for classifications when they have preauthorized authority.
  - c. When the appointing authority does not have approval from Civil Service to conduct preauthorized credential reviews.
3. For a Civil Service credential review under § 4.D.2, the appointing authority must provide credential information (résumés, transcripts, etc.) through NEOGOV for applicants that the agency has pre-screened and considers potential candidates that the agency intends to include in the candidate pool for further consideration if Civil Service determines that they are qualified. Civil Service approval signifies only that an individual candidate meets the minimum qualification requirements.
4. If an appointing authority does not believe an applicant or candidate qualifies for a classification after conducting a credential review and the applicant requests, an appointing authority shall request from Civil Service an official determination. If Civil Service staff determine conclusively in a credential review that an applicant does not satisfy the minimum requirements for the classification, a denial letter will be sent to the applicant, which may be appealed under regulation 8.02.
5. To properly evaluate degree majors, the required education must be obtained from an institution accredited by an accrediting body of the Council on Higher Education Accreditation, unless otherwise indicated on the job specification.
6. Credential-review determinations on documented applicant qualifications must be completed before the agency makes a job offer.

#### **E. Evaluating Candidates.**

1. An appointing authority may evaluate and verify candidates' qualifications using any appropriate selection methods permitted by law. Examples of appropriate methods include: job/person fit measures; background investigations; assessment of applicants' education, training, and experience; formal job performance evaluations from current

- and previous jobs; structured interviews; job simulations; performance tests; physical agility tests; reference checks; and supplemental written or electronic tests.
2. An appointing authority cannot hire an applicant with a sanction issued by Civil Service and shall confirm that candidates do not have active sanctions by checking sanctions information for employees in HRMN Self-Service, HR Statewide, Employee Info or for non-state employees in the PA 31.1 in HRMN.
  3. Evaluation methods and criteria must be job-related. To the extent practical, an agency shall use the same, or substantially similar, selection methods and criteria, and elicit the same, or substantially similar, pertinent, job-related information for all candidates. Civil Service staff may assist in developing additional evaluation methods, if requested.
  4. At the end of the selection process, the appointing authority must give notice to any non-selected qualified candidates considered by the appointing authority that they are not selected or that a particular vacancy will not be filled.
- F. Participation by Current Students.** A student who has not yet received an academic degree necessary for appointment to a classified position, may be treated as qualified to participate in a selection process, subject to the following conditions:
1. The position must be entry-level.
  2. The applicant must be enrolled and scheduled to receive the required degree by the end of the current academic term.
  3. A conditional offer may be extended to the applicant before receipt of the required degree to allow pre-employment drug testing and any other background checks.
  4. Any selection is contingent upon receiving the required degree. The applicant cannot fill the vacancy until the educational requirement is met. Failure to receive the required degree on schedule results in the revocation of any conditional offer.
- G. Selection of Noncareer Employees.** The selection of noncareer employees does not require a full evaluation process. Documentation for the selection of noncareer employees should include a current approved position description and evaluation of selected candidates compared to the rating criteria used.
- H. Certification of Appointment.** A requisition using PA42.1 in HRMN must be created when NEOGOV is not the selection process used.
- I. Documentation.**
1. An appointing authority shall maintain accurate documentation for all steps of the selection process for at least three years from the end of the process. If used, retained documentation must include:

- a. A current approved position description, including any approved special requirements (e.g., selective position requirements).
  - b. Methods used to notify applicants of a vacancy, selection, or decision not to fill.
  - c. Verification that recall obligations were met.
  - d. Verification that the selected candidate is not sanctioned.
  - e. Applications or résumés of candidates evaluated.
  - f. Interview questions, final completed rating forms, or other selection documentation.
  - g. Results of other selection methods (e.g., performance tests, reference checks, job simulations).
  - h. Evaluation of the selected candidate compared to the selection criteria.
  - i. Documentation verifying that the selected candidate meets educational and experience qualifications and any special requirements for the job. Verification must be completed before appointment. Appointing authorities shall notify Civil Service if it appears a candidate may have misrepresented credentials.
  - j. Documentation verifying that all non-selected candidates who were contacted for any evaluation were notified that they were not selected or that the vacancy was not filled.
- J. Compliance.** The three-year documentation retention period begins once all candidates who were contacted for an interview or other assessment are notified of the outcome of the selection process. The selection process is subject to audit. Appointing authorities shall cooperate in the investigation and participate in the defense of their selection methods.

## CONTACT

Questions on this regulation may be directed to Classifications and Selections, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; 517-284-0103; or [MCSC-OCSC@mi.gov](mailto:MCSC-OCSC@mi.gov).