



DEPARTMENT OF HUMAN RESOURCE MANAGEMENT POLICY

POLICY 2.10 - HIRING

APPLICATION: Full-time, Quasi Full-Time, Part-time classified employees. Provisions applicable to wage employees are noted.

PURPOSE:

It is the policy of the Commonwealth of Virginia to attract and employ qualified candidates who are committed to serving and supporting the Commonwealth's public service mission.

POLICY SUMMARY:

This policy sets forth the guidelines for State Agencies to administer efficient and consistent competitive hiring processes that promote equal employment opportunity and result in a highly qualified, effective and diverse workforce.

AUTHORITY & INTERPRETATION:

Title 2.2 of the Code of Virginia

The Director of the Department of Human Resource Management is responsible for official interpretation of this policy, in accordance with §2.2-1201 of the Code of Virginia. The Department of Human Resource Management reserves the right to revise or eliminate this policy.

RELATED POLICIES:

- Policy 1.45 - Probationary Period
- Policy 2.05 - Equal Employment Opportunity
- Policy 3.05 - Compensation
- Policy 6.05 - Personnel Records Disclosure
- Policy 6.10 - Personnel Records Management

POLICY HISTORY:

EFFECTIVE DATE	DESCRIPTION
09-16-1993	Establish policy.
09-25-2000	Revised to incorporate Compensation Reform changes.
05-16-06	Revisions
02-05-2010	Revised

06-01-2011	Revised
07-01-2017	Revised
08-01-2018	Revised
07-01-2019	Revisions, incorporations of policy guides and Talent Acquisition resources
07-01-2020	Policy Amended per code of Virginia § 2.2-3901, 2.2-3903
05-02-2022	Policy revised to incorporate changes in Code of Virginia § 2.2-3901, 2.2-3903, and new legislation § 2.2-1213 addressing the Alternative Hiring Process.
07-01-2023	Policy revised to incorporate amended provisions governing job announcements and to update language.



DEPARTMENT OF HUMAN RESOURCE MANAGEMENT POLICY

POLICY 2.10 - HIRING

ADMINISTRATIVE PROCEDURES

Principles

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Equal Employment Opportunity	Each agency's recruitment and selection actions must be consistent with Policy 2.05 Equal Employment Opportunity .
Persons with Disabilities	<p>When requested, agencies must provide reasonable accommodation throughout the hiring process to applicants with disabilities when such applicants are being considered for employment.</p> <p>Applicants may direct requests for accommodation to the Hiring Manager or Agency Human Resources staff.</p>

Positions to be Filled

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Initial Steps	<p>Before posting, agencies should:</p> <ul style="list-style-type: none">• Analyze the vacant position and determine if any changes have occurred.• Update the Employee Work Profile to reflect current and essential job duties, responsibilities and the physical or mental requirements to perform the job.• Determine if the position is assigned to the proper classification and reclassify as necessary.• Ensure the Hiring Manager is readily available to proceed with the recruitment and selection process.• If applicable, identify any educational qualifications required by law, regulation, or accrediting body for the position.

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	<ul style="list-style-type: none"> • Determine the minimum knowledge, skills, and abilities (KSAs) or competencies for the position and any additional considerations. • Identify any bona fide occupational qualifications (BFOQs). • Determine the appropriate hiring salary range. • Develop the Job posting. • Determine how long the position will be posted and the type of recruitment. • Determine the recruitment sources to be used to ensure a diverse applicant pool. • Determine if recruitment is required for a wage position. • Determine if Dual Incumbency will be needed.
Job Posting Requirements	<p>All job postings must -include:</p> <ul style="list-style-type: none"> • an Equal Employment Opportunity statement; • the position’s state role title and work title; • a summary of essential job duties; • minimum qualifications; • any educational qualifications, occupational certification or licensing required by law, regulation or accrediting body; • any bona fide occupational requirements (BFOQs); • contact information for applicants having disabilities who need assistance in applying for a position; • a statement regarding Alternative Hiring Process, if applicable; • postings must not specify a certain number of years of experience; • hours of work if less than 40 per week, with a note indicating whether health benefits are available; • notification if the position is “restricted” or is funded only for a finite period of time; • notice to applicants that they may be required to demonstrate the skills and abilities necessary for satisfactory performance of the work through a simulated exercise; • number of positions being filled from the same applicant pool, if more than one; and • a hiring salary range. Agencies must make salary offers to selected candidates within the hiring range posted. If agencies wish to offer a salary rate not within the posted

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	<p>salary hiring range, the position must be re-posted for a minimum of five consecutive workdays to note the revised hiring range.</p> <ul style="list-style-type: none"> • any other information regarding the application process that would be helpful to applicants.
<p>Notification of Requirements and Conditions of Employment</p>	<p>Job postings must notify candidates of legally mandated requirements and conditions of employment to include:</p> <ul style="list-style-type: none"> • Fingerprint-based criminal history check required of the finalist candidate for positions designated as sensitive in accordance with the Code of Virginia § 2.2-1201.1; • Disclosure of conviction information for any positions subject to statutory employment restrictions (e.g., barrier crime convictions for staff providing direct care to residential clients); • Conditions of employment such as <ul style="list-style-type: none"> ○ the completion of a Statement of Personal Economic Interests, if applicable (Code of Virginia § 2.2-3118.2) ○ Shift scheduling, work hours, overtime requirements, drug testing, remote work availability and related requirements, full/part time status, 9-, 10- or 11-month status, etc.
<p>Additional Considerations</p>	<p>Job postings may include additional considerations:</p> <ul style="list-style-type: none"> • Supplemental knowledge, skills and abilities or competencies beneficial to successful job performance; • specialized training that is beneficial to successful performance of essential job duties. • specialized job-related experience, must not specify years of experience; • experience with job relevant software applications.
<p>Exceptions to Job Requirements</p>	<p>Job postings for all classified positions must be listed in the Recruitment Management System (RMS) for a minimum of five consecutive workdays, not counting Saturdays, Sundays, and holidays, except in the following situations:</p> <ul style="list-style-type: none"> • positions to be filled through Agency Internal Recruitment. There should be procedures in place to

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	<p>inform all agency employees of such openings. This information should be included in the Agency Salary Administration Plan.</p> <ul style="list-style-type: none"> ○ Agencies should be mindful of their Employment Opportunities Plans, workforce planning strategies, and initiatives to increase diversity opportunities before using this option. ● vacant positions available as placement or recall opportunities for employees affected by layoff (refer to Policy 1.30 - Layoff). ● positions to be filled by agency-initiated demotions, employee-requested demotions, reassignments within the same Pay Band/Grade, non-competitive voluntary transfers or temporary assignments. <ul style="list-style-type: none"> ○ Approval of employees' requests for non-competitive voluntary demotions or non-competitive voluntary transfers is at the discretion of the agency and should ensure diversity opportunities. ● positions similar to a position that has been advertised (same classification, duties/work title, organizational unit, and geographic area/location) that become vacant or funded during the recruitment period or within 90 calendar days of the original position's closing date. <ul style="list-style-type: none"> ○ For positions not listed in the RMS under this exception, agencies may consider only applications in the original applicant pool. ● Wage employees: refer to Wage Employee section in this policy.
Type of Recruitment	<p>Agencies may use one of the following three options for posting their positions:</p> <ul style="list-style-type: none"> ● Fixed recruitment period ● Open Until Filled or ● Continuous Recruitment. <p>The choice should be based on factors such as the availability of qualified applicants, the number of positions to be filled, review of the agency's work force and diversity plans, and agency business needs.</p>
Fixed Recruitment Period	<p>Agencies may announce positions for a fixed period of time, such as one week, two weeks, etc. There is a five consecutive</p>

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	<p>workdays minimum posting requirement. If this option is selected:</p> <ul style="list-style-type: none"> • a closing date must be specified in the posting; • all applications received by the closing date must be considered; and • applications received after the closing date must not be considered.
<p>Open Until Filled Recruitment</p>	<p>Positions may be posted with an “open until filled” statement. If this method is used, a statement must be included in postings indicating the date a position opened and that there is a five consecutive workdays minimum posting requirement.</p> <ul style="list-style-type: none"> • Agencies may close positions after the five consecutive workdays when a suitable pool of applicants has been generated. • All applications received before the position has been closed in the RMS must be considered according to the same criteria. • Applications received after the position recruitment has been closed must not be considered. These applicants should be notified that the position closed before their applications were received.
<p>Continuous Recruitment</p>	<p>Agencies may use continuous recruitment for jobs with:</p> <ul style="list-style-type: none"> • a large number of vacancies • a high turnover or significant growth in the number of positions; or • a history of lengthy or repeated recruitments due to difficulty in attracting qualified applicants. • Agencies must establish a time period for applications to remain active for the jobs for which continuous recruitment applies. Agencies must take action in the RMS to deactivate the application and notify applicants accordingly. • All applicants with active applications must be considered for each opening. • Agencies may terminate continuous recruitment at any time but must notify all applicants with active applications.

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Recruitment Options	<p>Agencies may use one of these three options when conducting a recruitment:</p> <ul style="list-style-type: none"> • Agency Employee Only: Only the agency’s current employees (i.e., classified, hourly/wage, university, and non-classified) may apply; • State Employees Only: Only current state employees (i.e., classified, wage, university, and non-classified) may apply; or • General Public: All state employees and the general public may apply. <p>Agencies should select the recruitment option that best fits their needs before posting a vacancy. The decision should be based on factors such as the diversity of the agency’s workforce and the availability of qualified applicants.</p> <p>If initial recruitment does not result in an adequate applicant pool, agencies may reopen the recruitment, and choose another option, as necessary.</p>
Applications for Employment	<ul style="list-style-type: none"> • Individuals desiring to be considered for advertised positions must submit a completed employment application or resume before the job posting closing date. • Applications/resumes received after the closing date cannot be accepted.
People with Disabilities	<p>As directed by § 2.2-203.2:3 Code of Virginia it is the policy of the Commonwealth to promote and increase the employment of individuals with disabilities directly employed at all levels and occupations by state agencies, institutions, boards, and authorities of the Commonwealth. Refer to the DHRM Hiring People with Disabilities page for additional information.</p>
Alternative Hiring Process (AHP)	<p>As directed by § 2.2-1213 Code of Virginia, the Alternative Hiring Process is established as a non-competitive path to state employment for people with disabilities. See Alternative Hiring Process Guide.</p>
Wage Employees	<p>Agencies are not required to use a competitive process when filling wage positions, however, a competitive process is strongly recommended to foster diversity and inclusion.</p>

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Other Recruitment Sources	Agencies may use other recruitment sources, including internet job posting services and employment agencies; however, they are not authorized to pay related placement fees.

Selection Process

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Agency Responsibilities	Agencies should provide training, instruction or guidance in lawful selection and employment practices to employees and others who participate in the selection process.
Steps in the Selection Process	<ul style="list-style-type: none"> • Develop interview questions. • Establish if an interview panel will be used. • Agencies may either interview all applicants for a position or reduce the applicant pool by screening applications/resumes. • Apply Veterans' Preference if applicable. • Apply AHP priority consideration if applicable.
Screen Applications/ Resumes	<ul style="list-style-type: none"> • The agency must screen applications according to the minimum qualifications, relevant work experience, excluding specific number of years, veterans' preference and other additional considerations established for the position. • Candidates must also be screened for preferential placement consideration via their submission of a Yellow or Blue Card as outlined in DHRM Policy 1.30, Layoff. • Screening criteria must be clearly defined and must be applied consistently to all applicants. • As an additional screening, AHP candidates can receive priority consideration. <p>Agencies may request clarification and follow-up information from an applicant at any point in the hiring process.</p>
Veterans	As directed by § 2.2-2903 Code of Virginia , a veteran's military service shall be taken into consideration by the Commonwealth during the selection process, provided that such veteran meets all the knowledge, skill, and ability minimum qualifications for the available position. Additional consideration shall also be

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	<p>given to veterans who have a service-connected disability rating fixed by the United States Veterans Administration.</p> <p>Additionally, if the position is filled using a validated scored test or examination, the grade or rating of an honorably discharged veteran must be increased by 5% or by 10% if the veteran has a service-connected disability rating fixed by the U.S. Veterans Administration.</p> <p>Validated scored tests are not used for most jobs. Refer to the appropriate policy guide to ensure that preferred qualifications are appropriately credited and documented during the screening process.</p> <p>Refer to Policy Guide Veteran's Preference.</p>
<p>Members of the Virginia National Guard</p>	<p>As directed by § 2.2-2903 Code of Virginia, a member of the Virginia National Guard's service shall be taken into consideration by the Commonwealth during the selection process, provided that such veteran meets all the knowledge, skill, and ability minimum qualifications for the available position. A member of the National Guard applying for a position or job classification and possessing the necessary qualifications for such position or job classification shall be entitled to a separate preference as provided by the Code.</p> <p>When a member of the National Guard or a veteran has applied for a position or job classification that requires an assessment using numerical ratings, points equal to 5% of the total points available from the assessment device or devices shall be added to the passing score of the applicant member of the National Guard or veteran. In an assessment not using numerical ratings, consideration shall be afforded to a member of the National Guard if member meets all of the knowledge, skill, and ability requirements for the available position.</p> <p>Validated scored tests are not used for most jobs. Refer to the appropriate policy guide to ensure that preferred qualifications are appropriately credited and documented during the screening process.</p> <p>Refer to Policy Guide Preference for Members of the National Guard.</p>

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<p>Surviving Spouse or Child of a Veteran Killed in the Line of Duty</p>	<p>In a manner consistent with federal and state law, if any surviving spouse or child (under the age of 27 years) of a Veteran killed in the line of duty applies for employment with the Commonwealth that is based on the passing of any written examination, the grade or rating of the surviving spouse or child on such examination shall be increased by 5%.</p> <p>Validated scored tests are not used for most jobs. Refer to the appropriate policy guide to ensure that preferred qualifications are appropriately credited and documented during the screening process.</p> <p>Refer to Policy Guide Preference for the Surviving Spouse or Child of a Veteran Killed in the Line of Duty.</p>
<p>Interviews Required</p>	<p>No person may be hired into a classified position without having been interviewed for the position.</p> <p>All scheduled interviews must be completed before a final selection decision and job offer are made. However, agencies are not required to reschedule interviews with applicants who are unable to attend a scheduled interview.</p> <p>Interviews may be conducted by:</p> <ul style="list-style-type: none"> • the hiring manager, or • a person or panel of individuals designated by the hiring manager.
<p>Selection Panels</p>	<p>When a selection panel is used, panel members must:</p> <ul style="list-style-type: none"> • represent a diverse population; • become familiar with the basic responsibilities of the position for which they will interview applicants; • receive appropriate training, instruction or guidance on lawful selection before participation in the interview and selection process; and • hold confidential all information related to the interviewed applicants and the recommendation or selection. <p>Normally classified employees panel members should be in the same or a higher role or job class title than the position being filled (unless they are participating as human resource</p>

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	professionals or individuals with a particular expertise required for the position.)
Interview Questions	<p>A set of interview questions must be developed and asked of each applicant.</p> <ul style="list-style-type: none"> • Questions should seek information related to the applicant’s knowledge, skills, and ability to perform the job. • Questions that are not job related or that violate EEO standards are not permissible. • Interview may not include questions about past criminal convictions. <p>Interviewers must document, either written or electronically, applicants’ responses to questions to assist with their evaluation of each candidate’s qualifications. This information should be retained with other documentation of the selection process. Documentation by interviewers is subject to disclosure to the applicant/interviewee.</p>

Reference Checks, Background Checks, Sensitive Positions

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Reference Checks	<p>Agencies should check references with the current and at least one former supervisor of the applicant who is the final candidate for the position. Reference checks should be completed before an offer of employment is extended. Reference information must be documented and retained with other recruitment and selection documents.</p> <p>Those identified as references should have familiarity with the applicant’s past or current work experience.</p> <p>The reference check should attempt to obtain information such as the following:</p> <ul style="list-style-type: none"> • name and title of person giving reference; • verification of employment dates; • verification of position title;

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	<ul style="list-style-type: none"> • verification of role title/job class if applicant is currently a state employee; • verification of position duties; • relevant training completed; • performance (work experience, KSAs, competencies); • whether the employer would rehire the applicant; and • verification of any license, certification or degree the applicant claims to possess that is needed to perform the job. <p>There may be occasions when an employment offer needs to be withdrawn. Refer to the Policy Guide Withdrawing an Employment Offer for additional information.</p> <p>Agencies should obtain separate releases from applicants before requesting reference information. Executive Branch agencies shall provide a reference upon the request of another Executive Branch agency.</p>
Use of Candidates' Social Media for References or Background Checks	<p>In accordance with § 40.1-28.7:5, agencies shall not require candidates to:</p> <ul style="list-style-type: none"> • Disclose the username and password to the current or prospective employee's social media account; or • Add an employee, supervisor, or administrator to the list of contacts associated with the current or prospective employee's social media account. <p>Hiring agencies shall not fail or refuse to hire a prospective employee for exercising his rights under this section.</p> <p>This section does not prohibit an employer from viewing information about a current or prospective employee that is publicly available.</p>
Background Checks	<p>Agencies may require financial, credit, criminal, driving, or other background checks prior to employment for certain positions based on the nature of the positions and relevance of the checks.</p> <p>A separate release form is required for applicants subject to a fingerprint-based criminal history check.</p>

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	<p>NOTE: Certain types of background checks may require agencies to comply with the provisions of the Federal Credit Reporting Act.</p>
<p>Sensitive Positions</p>	<p>The Code of Virginia § 2.2-1201.1 requires that finalist applicants for positions identified as “sensitive” must undergo a fingerprint-based criminal history check.</p> <p>Sensitive positions shall include those positions:</p> <ul style="list-style-type: none"> • Responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures • That have access to sensitive information, including access to federal tax information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and • That are otherwise required by state or federal law to be designated as sensitive. <p>Positions should be designated in the human resource information system of record as “sensitive” or “not sensitive” according to that definition.</p> <p>Agencies with positions identified as sensitive must establish procedures for submitting the final candidate’s fingerprints and personal descriptive information to the Virginia State Police.</p> <p>Finalist candidates for these positions must:</p> <ul style="list-style-type: none"> • complete a release form authorizing the agency to obtain the required information; • submit to fingerprinting; and • supply requested personal information to be used by the Virginia State Police and the Federal Bureau of Investigation (FBI) in conducting the records checks. <p>Refer to the Policy Guide – What is a Sensitive Position? for additional information.</p>
<p>Conditional Hiring</p>	<p>Agencies should determine whether selected candidates for their sensitive positions may be permitted to begin work before the results of the fingerprint-based criminal check are received. If this practice is adopted, agencies should:</p> <ul style="list-style-type: none"> • issue offer letters specifying that the offer is contingent on receipt of an acceptable criminal history report and

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	<p>that the employee may be immediately terminated based on information obtained from that report; and</p> <ul style="list-style-type: none"> • restrict employees from performing the sensitive portions of the job and/or provide additional supervision during this time.
Current Employees	<p>Current employees, including current wage employees, who transfer or are promoted into sensitive positions, will be subject to a fingerprint-based criminal history check. Information obtained through that check may or may not affect the employee's ability to remain in the current position, depending on the relevance of the information to the position.</p> <p>If information obtained through a valid fingerprint- based criminal history check would disqualify the employee from his/her current position, the agency is obligated to take appropriate action, up to and including termination.</p> <p>If the employee in question works for another state agency, the agency with the information should contact the Office of the Attorney General for advice.</p>

Difficult to Fill Positions

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Positions that are difficult to fill	<p>Several Exceptional Recruitment and Incentive Options are available to assist agencies in their recruitment efforts when Roles and/or Career Groups are deemed critical to the agency's mission and ongoing operations and extremely difficult to fill. These practices apply to new hires to state government (recruitment) and current employees (retention). Refer to Policy 3.05 - Compensation.</p>

Hiring

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	<p>Individuals are employed according to the provisions of the Virginia Personnel Act and/or applicable personnel policies and not according to any contract, either expressed or implied, or for a particular period of time.</p>

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	Refer to the ACA Guidance “New” vs. “Ongoing” Employees for additional clarification on hiring former salaried employees into wage positions.
Employment Offer Letters	<p>Employment offer letters should:</p> <ul style="list-style-type: none"> • avoid implying a contract or guarantee of employment for a particular period of time (e.g., use term “classified” rather than “permanent” or “continuing”); • state the salary as a pay period amount, from which an annual amount can be computed; • describe any conditions of employment, including restricted status or provisional period (for the Alternative Hiring Process); • state the probationary period, if appropriate (see Policy 1.45 - Probationary Period); • explain any required certification or training period that might apply; and • include notification of the I-9 and E-Verify requirements.
Reporting Filled Positions in RMS and the human resource information system of record	Agencies must immediately report the filling of all positions to the RMS and the human resource information system of record.
Dual Incumbency	<p>Agencies may hire an individual into a position that currently is filled by another employee in cases when:</p> <ul style="list-style-type: none"> • the current employee is separating and submitted a written resignation letter, and a period of time is needed for orientation of the new employee, or • the current employee is on leave and a separation date has been established. <p>Agencies are encouraged to limit dual incumbency in the same position to 30 days. However, if agency needs require, the period may be extended with approval of the Agency Head or designee for up to 180 days.</p> <p>NOTE: The purpose of dual incumbency is to prepare the new incumbent for the role through knowledge transfer and not for the exiting employees to use their leave balances.</p>
I-9/ Employment Eligibility	As required by the Immigration Reform and Control Act of 1986, agencies must verify the employment eligibility status of all persons hired. Form I-9 must be completed for each newly hired employee, including agency transfers, within three days of hire. I-9 forms must be retained in a file separate from the personnel file and in accordance with I-9 retention schedules.
E-Verify	Agencies must comply with requirements of the E-Verify system in confirming the eligibility of new hires and rehires to work in the U.S. New hires and rehires must present the appropriate

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	<p>documentation in a timely manner to comport with requirements of the E-Verify system.</p> <p>The Code of Virginia § 40.1-11.2 establishes that all agencies of the Commonwealth shall be enrolled and use the E-Verify program for each newly hired employee who is to perform work within the Commonwealth.</p> <p>To access up to date information regarding E-Verify program enrollment, compliance procedures and case determinations regarding an individual's authorization to work in the United States, visit the E-Verify webpage at the U.S. Citizenship and Immigration Services.</p>
Child Support Inquiries	<p>Pursuant to the Code of Virginia § 20-79.1 and § 63.2-1900, agencies must ask each new employee to disclose whether they have an income withholding order to pay child support. If the employee discloses that they owe child support that is required to be withheld, the agency shall report to the Department of Social Services and begin withholding according to the terms of such order. If the agency's payroll office routinely reports new hires in accordance with Code, this is not a requirement.</p>
Selective Service	<p>Pursuant to the Code of Virginia § 2.2-2804, any person who has failed to meet the federal requirement to register for the Selective Service shall be ineligible for employment by or service for the Commonwealth, or a political subdivision of the Commonwealth, including all boards and commissions, departments, agencies, institutions, and instrumentalities. A person shall not be denied employment under this section by reason of failure to present himself for and submit to the federal registration requirement if: (1) the requirement for the person to so register has terminated or become inapplicable to the person and (2) the person shows by a preponderance of the evidence that the failure of the person to register was not a knowing and willful failure to register.</p> <p>Applicants who have not registered as required by the Code of Virginia § 2.2-2804 must present verification from the Selective Service System that they have met the requirements of the Code Section.</p>
Domestic Violence Conviction	<p>Pursuant to US Code Title 18, § 922(g)(9), anyone who has been convicted of a misdemeanor crime of domestic violence may not possess any firearm or ammunition. Agencies must ensure that they ascertain information about applicants' convictions for domestic violence before they are employed in positions that require or authorize carrying a firearm.</p>

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Statements of Personal Economic Interests	<p>Certain employees of the Commonwealth must submit statements of economic interests in accordance with the Code of Virginia § 2.2-3118.2.</p> <p>Agencies must inform newly hired employees of this requirement and submit forms for new employees as required.</p>

Onboarding

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	<p>Once a candidate has accepted an employment offer and a start date has been set, the agency should provide information such as:</p> <ul style="list-style-type: none"> • where, when (date and time) and to whom to report; • parking and building access data; • materials or information needed on the first day, such as a list of acceptable documents needed to complete the I-9 form; • benefits information; and • information concerning decisions that will need to be made shortly after beginning employment.
Orientation Program	<p>Agencies are encouraged to provide an orientation program for all new and rehired employees within a reasonable time of their employment dates. This orientation should include:</p> <ul style="list-style-type: none"> • a complete explanation of employee benefits, including leave types, payroll options, and insurance choices; • This explanation must note that new hires/rehires are ineligible for disability benefits under the Virginia Sickness and Disability Program (VSDP) during their first year of service. Agencies should encourage employees to consider options for acquiring personal disability insurance during this period; • Information about the agency and its mission; • agency practices regarding telework and alternate work schedules; • policies and requirements governing employee rights and behaviors; and • other features of employment with the Commonwealth and with that agency.
Compensation and Benefits	<p>Employees' compensation upon hire will be established according to the provisions of Policy 3.05 - Compensation and the agency Salary Administration Plan and must be appropriately documented.</p>

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	Each agency should provide information about the employment benefits to prospective employees and present complete information about these benefits to new employees.
Original Appointments – New Full-time, Quasi Full-Time, and Part-Time Classified employees	Refer to the Quick Reference Guide Status and Eligibility for Benefits – Classified Employees for more detailed information.
Re-Employed Full-time, Quasi Full-Time, and Part-Time Classified employees	<p>Re-employed classified employees are eligible to receive the benefits as described above, based on their full or part-time status. They will receive credit for past service based on the Return to State Service Guidelines</p> <p>EXCEPTION: Former employees of the Commonwealth will not incur a break in service if:</p> <ul style="list-style-type: none"> • they are hired following a period of separation from state service that does not exceed 30 calendar days; and • the separating agency agrees to amend the record to reflect a leave without pay instead of a separation (see Policy 1.70 - Termination/Separation from State Service).
Other Employment Requirements	To ensure an applicant is eligible for employment with the Commonwealth, several records must be reviewed or verified within days of beginning employment. This information is considered part of the application process and, as with information contained on the application form, if it is later discovered that an applicant falsified any information related to their employment, the employee may be terminated. These forms/records include the I-9; E-Verify; Child Support Inquiries; Selective Service; Domestic Violence Convictions; and Statement of Personal Economic Interests.

Selection

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Retaining Records Refer to Policy 6.10 Personnel Records Management	In accordance with the Library of Virginia’s Records the following records must be maintained confidentially for a period of at least three (3) years from the date the position is filled: <ul style="list-style-type: none"> • Employment applications/resumes • Race and gender data on all applicants (NOTE: If information is not provided by applicant, record race and gender data as “unknown.”) • Screening and selection criteria applied • Interview questions and notes on applicant responses • References

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	<ul style="list-style-type: none"> • Any documentation supporting selection or addressing non-selection • Documentation supporting the salary determination (retain indefinitely).
Destroying Records	Records must be retained and/or destroyed in accordance with the guidelines established by the Library of Virginia Records Retention and Disposition Schedule. Agencies that are uncertain about the procedures or guidelines should contact the Library of Virginia.
Retaining or Destroying Fingerprint-Based Criminal History Information Refer to Policy Guide – Criminal History Records for additional clarification.	<p>Agencies should develop practices for retaining or destroying fingerprint-based criminal history data appropriately. FBI regulations require that once a purpose for which it was obtained, it must be destroyed by shredding or pulping. Criminal history reports should not be kept in an employee's personnel file.</p> <p>Agencies are advised to retain the fingerprint-based criminal history report in a locked, separate file during the hiring process, to destroy the report after a hiring decision is made, and to retain a brief note regarding the outcome in a confidential portion of the recruitment file.</p> <p>For the applicant rejected because of background information, the note should indicate that this applicant was the preferred choice based on qualifications, interview, etc., but did not receive an offer (or had a conditional offer retracted) because of information obtained through a criminal records check.</p> <p>For the person hired, the note should indicate that as of mm/dd/yyyy, a criminal records check revealed no problem areas related to this employment. Agencies may elect to keep a copy of this brief note also in a confidential section of the personnel file.</p>
Applicants Access to Information	<p>Applicants have access to certain information about the selection process, including:</p> <ul style="list-style-type: none"> • position descriptions for advertised positions • results of the screening of their own applications • reference data or recommendation letters, (except that confidential letters and statements of recommendations in the records of educational institutions may be withheld); and • notes interviewers make during their interviews, which agencies may choose to provide in a way that protects the identity of the individual who made the notes. <p>Applicants DO NOT have access to information related to the selection process that identifies other applicants.</p>

General Provisions	Application

GLOSSARY

Active Application Period	The period of time during which an application for a specific position under recruitment by an agency may be considered.
Additional Considerations	Supplemental knowledge, skills and abilities or competencies that may enhance successful job performance.
Alternative Hiring Process	A process for the employment of persons with a disability, which is non-competitive in nature, and includes an option for state agencies to convert a position filled through the non- competitive process into a position that is normally filled through a competitive process.
Application Closing Date	The last date that a state application can be received by the recruiting agency in order for the applicant to be considered for the recruited position. The application must be received on the date and time specified by the agency in the posting notice.
Applicant Pool	All persons who apply by the application closing date for a specific position for which an agency is recruiting.
Background Check	Review of an individual’s work and personal history to determine if a candidate is suitable for certain positions. Depending upon the nature of the position for which the candidate is being considered, types of background checks that may be conducted include: <ul style="list-style-type: none"> • academic record and verification of licenses and certifications • employment history, including references • financial history • credit reports • criminal history • driving record • a fingerprint-based criminal history report; and/or • other records or information related to the candidate’s suitability for the position.
Bona Fide Occupational Qualifications (BFOQ)	An exception to the restrictions of Title VII of the Civil Rights Act (1964) regarding discrimination on the basis of sex, religion, and national origin that, under certain conditions, legitimately may require an employer to require an individual of a specific sex, national origin or religious affiliation to staff a certain job.
Competencies	The knowledge, skills and underlying behaviors that correlate with successful job performance and positively impact the success of the employee and the organization. Competencies emphasize the attributes and activities that are required for an organization to be successful. Competencies may be behavioral or technical.

Continuous Recruitment	A method of recruiting that allows agencies to receive and consider applications on an ongoing basis for those positions for which vacancies constantly exist or frequently recur.
Critical Infrastructure	As defined by the Department of Homeland Security, "critical infrastructures" normally refers to public utility, communication, water, emergency management, law enforcement, public health, transportation, agribusiness, financial and government systems that are essential to ensuring public safety, national security and the economic stability of the state or nation.
Disability	An individual is considered to have a disability if that individual either (1) has a physical or mental impairment which substantially limits one or more of their major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.
E-Verify	<p>E-Verify is an Internet-based system that compares information from an employee's Form I-9 (Employment Eligibility Verification) to data from U.S Department of Homeland Security and Social Security Administration records to confirm that an employee is eligible to work in the United States.</p> <p>E-Verify is administered by the U.S. Department of Homeland Security, USCIS - Verification Division, and the Social Security Administration.</p>
Fair Credit Reporting Act	A federal law that protects the privacy rights of individuals. Information obtained through certain background checks or investigations may be subject to the Fair Credit Reporting Act (FCRA).
I-9	Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States. All U.S. employers must ensure proper completion of Form I-9 for each individual they hire for employment in the United States.
Knowledge, Skill, Ability (KSA)	<p>A component of a position's qualification requirements, based in part on definitions in the Federal Uniform Guidelines on Employee Selection Procedures, Title 29, Volume 14, Part § 1607.16 of the Code of Federal Regulations.</p> <ul style="list-style-type: none"> • Knowledge: A body of information applied directly to the performance of a function. It usually is information of a factual or procedural nature that makes possible adequate performance of the work. • Skill: A present, observable competence to perform a learned psychomotor act. • Ability: A demonstrated competence to perform observable behavior, or a behavior that results in an observable product. Ability denotes current competence in doing specific job content actions; it does not denote a person's capacity to acquire this competence, nor can it be inferred from years of experience. Those involved in the hiring process should take

care not to confuse an ability, which is currently demonstrable, with an aptitude, which is the potential for acquiring an ability.

Member of the National Guard	A person who (1) is presently serving as a member of the Virginia National Guard and (2) has satisfactorily completed required initial active-duty service.
Minimum Qualifications	The knowledge, skills, abilities (KSAs), and competencies that are required to successfully perform the critical job functions. Education, licensing, or certification is considered a minimum qualification if it is required by law, regulation, or accrediting body.
Open Until Filled Recruitment	A method of recruiting for hard-to-fill positions that allows agencies to receive and consider applications without deadline until the position has been filled.
Provisional Period	Employees hired through the Alternative Hiring Process may have a six month provisional period established to observe the employee on the job to confirm that the employee is able or ready to perform the essential duties of the position with or without reasonable accommodation. At the end of the six- month period, an interim wage performance evaluation should be completed.
Reasonable Accommodation	Modifications or adjustments in a work site, program or job that make it possible for a qualified employee with a disability to perform the tasks or duties required by the position or for an applicant to progress through the hiring process.
Recruitment Management System (RMS)	The automated system that identifies, publicizes, and accepts applications for positions covered under the Virginia Personnel Act for which the Commonwealth is actively recruiting.
Recruitment	The process by which an agency seeks qualified candidates by posting or advertising a position that the agency intends to fill through a competitive selection process.
References	Information obtained from former employers, supervisors, co- workers or others regarding a candidate's work performance or behavior. This information is used by the hiring agency along with other information collected during the hiring process to determine the candidate's suitability for the advertised position and, ultimately, to determine which candidate is best suited for employment.
Screening	The process of evaluating the qualifications of individuals in an applicant pool against established position qualifications to determine: <ul style="list-style-type: none">• which applicants in the pool meet minimum qualifications; and• which of the qualified applicants an agency wishes to interview based on consistent criteria.
Selection	The result of the hiring process that identifies the applicant best suited for a specific position.

Selection Panel	The group of individuals (two or more) that interviews job applicants for selection or for referral to the hiring authority for selection.
Sensitive Position	A position designated by the agency as directly (1) responsible for the health, safety and welfare of the general populace or protection of critical infrastructures, (2) that have access to sensitive information, including access to Federal Tax Information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and (3) that are otherwise required by state or federal law to be designated as sensitive for which a criminal history, including fingerprinting, must be obtained for the final candidate from the Federal Bureau of Investigation through the Department of State Police (Va. Code § 2.2-1201.1).
Veteran	As defined in the Code of Virginia § 2.2-2903, any person who has received an honorable discharge and has (1) provided more than 180 consecutive days of full-time, active-duty service in the armed forces of the United States or reserve components thereof, including the National Guard, or (2) has a service-connected disability rating fixed by the United States Department of Veterans Affairs.