



# Virginia Department of Corrections

## Human Resources

### Operating Procedure 102.2

### *Recruitment, Selection, and Appointment*

#### **Authority:**

Directive 102, *Talent Acquisition and Records*

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### **REVIEW**

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

*The content owner reviewed this operating procedure in June 2024 and determined that no changes are needed.*

### **COMPLIANCE**

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

## Table of Contents

DEFINITIONS .....	3
PURPOSE .....	6
PROCEDURE.....	6
I.    Recruitment, Selection, and Appointment .....	6
II.   Notification of Vacancies (NOV) .....	7
III.  Review of Duties, Essential Functions and Qualifications of Vacant Positions Prior to Recruitment ...	7
IV.  Filling Vacancies through Administrative or Non-Competitive Processes.....	9
V.    Posting and Recruitment .....	10
VI.  Applications .....	11
VII. Screening and Referral by Human Resources .....	12
VIII. Interview and Selection Process.....	13
IX.  Appointment to Positions .....	15
X.   Employment of Ex-Inmates/Probationers/Parolees.....	18
XI.  Notification of Applicants .....	20
XII. Voiding the Selection Process.....	20
XIII. Record Keeping and Documentation .....	21
REFERENCES.....	21
ATTACHMENTS .....	21
FORM CITATIONS .....	21



## DEFINITIONS

**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 capability 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.

**Additional Considerations** - Specific components of a position's qualification requirements that should positively affect the initial level of job performance if possessed by an applicant prior to coming into the position. These may include supplemental knowledge, skills and abilities or competencies beneficial to successful job performance. Considerations may also include specialized training or job-related experience or experience with relevant software applications.

**Administrative Non-Competitive Process** - A non-competitive action reassigning a person to a different job role within the same agency and within the same pay band/sub-band.

**Alternative Hiring Process (AHP)** - Part of the Commonwealth of Virginia's strategy to increase employment of individuals with disabilities within state government by providing a pathway to state employment.

**Appointing Authority** - The Organizational Unit Head or the next level of supervision above the Organizational Unit Head, if the Organizational Unit Head position is vacant; this is the person who must give final approval for the selection. This authority may be delegated down the chain of command to the immediate supervisor.

**Bona Fide Occupational Qualification ("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.

**Certificate of Disability (COD)** - A letter from the Virginia Department for Aging & Rehabilitative Services (DARS) or Department for the Blind and Vision Impaired (DBVI) stating the applicant has a documented disability and qualifies for hiring consideration under COV §2.2-1213, *Alternative application for employment for persons with a disability, report*. The letter must be on official letterhead from DARS and include a signature from the DARS Certified Rehabilitation Counselor.

**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.

**Competitive Voluntary Transfer** - Movement within the same role or to a different role in the same pay band as a result of a competitive process.

**Demotion** - Movement to a different role in a lower pay band.

**Department of Human Resource Management (DHRM)** - The central human resource agency for Virginia state government.

**Disability** - An actual physical or mental impairment that substantially limits one or more major life activities; or a record of such impairment; or being regarded as having such an impairment.

**Eligible** - Qualified to participate or to be chosen by having complied with or not violated specific requirements or precedent conditions, e.g., supplemental questions noted in the application process.

**Employee Work Profile (EWP)** - The form used to complete the annual performance evaluation that includes a brief work description, performance plan, core responsibilities, performance measures, core competencies, and employee development goals. See Operating Procedure 145.2 *Employee Work Performance* and forms *Employee Work Profile (EWP) Non-Supervisory 145\_F2* and *Employee Work Profile (EWP) Supervisory 145 F2a*.

**Essential Job Functions** - The basic and fundamental job duties of a position that an employee must be able to perform, with or without a reasonable accommodation, as determined by the supervisor of the position and the Human Resources Officer for the Organizational Unit. Essential job functions may include, but are not limited to, the knowledge, skills, abilities, education, and training noted in the Employee Work Profile (EWP), physical



and mental job requirements; expertise or skill needed to perform the job; and time required to perform a task or function. The term “essential job functions” does not include marginal functions of the position.

**Ex-Inmate** - For purposes of this operating procedure, a person who was convicted as an adult of a felony that was adjudicated in a Circuit Court (or equivalent in another state or federal jurisdiction).

**Executive Staff** - For purposes of this operating procedure, Executive Staff includes the Director, the Chief of Corrections Operations, the Deputy Director for Administration, and the Deputy Director of Programs, Education, and Reentry.

**Geographic Area** - The area that is no more than 50 miles longer than the employee’s current commuting distance, i.e., home to work, but does not exceed a total of 60 miles. If the employee is on leave without pay layoff, the geographic area is the area that is no more than 50 miles longer than the former commuting distance, but no greater than 60 miles.

**Hiring Manager** - The immediate supervisor/manager responsible for the hiring process in their unit or for their team; designation of Hiring Manager status is determined by the Organizational Unit Head.

**Human Resources** - Department of Corrections Human Resources Office located at DOC Headquarters unless the context clearly indicates otherwise.

**Immediate Supervisor** - The person who conducts the performance evaluation of the employee (the first management resolution step for grievances).

**Inmate and Probationer/Parolee** - A person who is serving a state responsible sentence or under community supervision with the Virginia Department of Corrections or other release authority.

**Interview Panel** - A diverse group of at least three but not more than five persons selected by the appointing authority to assist with interviewing applicants for a position.

**Job Card** - The job posting in the PageUp Recruitment System that solicits candidates to fill a vacant position.

**Job Related Criteria** - The knowledge, skills, and abilities (KSAs) needed to perform the duties of the position; occupationally regulated educational requirements related experience both in quality and quantity, interview performance, references, performance evaluations, active disciplinary actions, commendations, and other similar documentation are utilized to determine if the applicant has the required KSAs.

**KSAs** - Knowledge, skills, and abilities which are a component of a position’s qualification requirements, based in part on definitions in the federal “Uniform Guidelines on Employee Selection Procedures,” found in the Code of Federal Regulations at 29 CFR Part 1607, Section 16.

**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.

**Lateral Transfer** - The competitive or noncompetitive transfer of an employee from one position to another position in the same pay band; the work titles of the two positions do not have to be the same.

**Minimum Knowledge, Skills, and Abilities** - The critical components of a position’s qualification requirements that an applicant must have to perform the core responsibilities outlined in the Employee Work Profile.

**Non-Competitive Transfer** - Movement to another position in the same pay band and sub-band without posting the vacancy.

**Organizational Unit** - A DOC unit, such as a correctional facility, Regional Office, Probation and Parole Office, Virginia Correctional Enterprises, Academy for Staff Development, Infrastructure and Environmental Management Unit, Agribusiness Unit, and individual headquarters units, e.g., Human Resources, Offender Management, Internal Audit.

**Organizational Unit Head** - The person occupying the highest position in a DOC organizational unit, such as a correctional facility, Regional Office, Probation and Parole Office, Virginia Correctional Enterprises, Academy for Staff Development, Infrastructure and Environmental Management Unit, Agribusiness Unit, and individual Headquarters units, e.g., Human Resources, Offender Management, Internal Audit.

**Pay Band** - Nine pay ranges established by DHRM to set a minimum and maximum salary for all classified positions in each band.



**Person with a Disability** - A "person with a disability" is defined on COV §51.5-40.1 *Definitions* to mean any person who has a physical or mental impairment that substantially limits one or more of his major life activities or who has a record of such impairment. "Physical impairment" means any physical condition, anatomic loss, or cosmetic disfigurement that is caused by bodily injury, birth defect, or illness. "Mental impairment" means (i) a disability attributable to intellectual disability, autism, or any other neurologically handicapping condition closely related to intellectual disability and requiring treatment similar to that required by individuals with intellectual disability or (ii) an organic or mental impairment that has substantial adverse effects on an individual's cognitive or volitional functions, including central nervous system disorders or significant discrepancies among mental functions of an individual.

**Position Description** - The job description in the PageUp Recruitment System that summarizes the important functions and aspects of a specific job.

**Pre-Employment Testing** - Objective, standardized tests and selection procedures that help determine the most qualified candidates; examples including writing samples, written responses to questions, sample job tasks, computer exercises, etc.

**Promotion** - Employee initiated pay action that advances an employee to a different position in a higher Pay Band through a Competitive Selection Process.

**Qualifications for Position** - An applicant or employee may meet all or some of the qualifications of a position. Qualifications may be minimum qualifications (or requirements) and additional considerations. An applicant or employee may demonstrate evidence of highly proficient experience (meets all minimum and additional considerations), proficient experience (meets all minimum and some additional considerations), or no experience (meets minimum qualifications only). This determination is made and documented as appropriate, depending on the nature of the pay practice affecting the applicant or the employee.

**Recruitment Management System (PageUp)** - The automated recruitment system that identifies, publicizes, and accepts applications for positions for which the Commonwealth is actively recruiting.

**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.

**Rehire** - An employee who previously worked in a classified position for the Commonwealth of Virginia.

**Screening (HR)** - The process of evaluating the qualifications of individuals in an applicant pool against established qualifications to determine which applicants meet the minimum qualifications and which of the qualified applicants the agency plans to interview.

**Selection** - The result of the hiring process that identifies the applicant best suited for a specific position.

**Selection Panel** - A group of individuals that interviews job applicants for selection or for referral to the hiring authority for selection.

**Skill** - A present, observable competence to perform a learned psychomotor act; a skill embodies observable, quantifiable, and measurable rates of performance for a specific act.

**Sub-band** - A tool used to manage salaries within a pay band; reflects a portion of an existing pay band that has a defined minimum and maximum salary within that pay band.

**Transfer** - The movement of an employee from one position to another position in the same pay band; the positions do not have to be the same.

**Vacant Position** - A position that is not currently occupied by an employee.

**Veteran (HR)** - Any person who has received an honorable discharge and has (i) 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 (ii) has a service-connected disability rating fixed by the United States Department of Veterans Affairs. See COV § 2.2-2903 [D].



## PURPOSE

This operating procedure establishes uniform guidance for the recruitment, selection, and appointment of Department of Corrections (DOC) employees that ensures compliance with the Virginia Personnel Act, State and Federal mandates, and Department of Human Resources Management (DHRM) policies, while allowing flexibility to make decisions in selection that support the mission and vision of the Department. (4-APPFS-3E-08)

## PROCEDURE

- I. Recruitment, Selection, and Appointment
  - A. The DOC makes employment decisions based on an individual's merits, qualifications, eligibility, and suitability and specifically prohibits discrimination on the basis of race (including traits historically associated with race to include hair texture, hair type, and protective hairstyles such as braids, locks, and twists), sex (including sexual harassment, pregnancy, lactation or expression of breastmilk, and marital status), color, national origin, religion, sexual orientation, gender identity, age, political affiliation, genetics, veteran status, or against otherwise qualified persons with disabilities except when age or sex is a bona fide occupational qualification (BFOQ). (5-ACI-1C-10; 4-ACRS-7B-04, 4-APPFS-3E-09; 2-CO-1C-13; 1-CTA-1C-04)
  - B. Employment decisions as addressed in this operating procedure include initial employment, lateral transfer, retention, and promotion. (5-ACI-1C-11; 4-APPFS-3E-09; 2-CO-1C-13; 1-CTA-1C-05)
  - C. The Department of Corrections complies with Executive Order One (2018), *Equal Opportunity*.
  - D. Organizational Unit Heads, Human Resources, Human Resource Officers (HROs), and all employees in a supervisory capacity are responsible for the consistent application of this operating procedure.
  - E. To ensure the recruitment process is consistent, fair, and transparent, Human Resource Officers or other designated HR staff must review all EWP, position descriptions, job cards, interview types and methods, the composition of interview panels, interview questions, and other related recruitment and selection materials.
  - F. HROs or other designated HR staff must maintain recruitment documentation and files that contains but are not limited to the following information for a period of three years:
    1. *Employee Work Profile* (EWP) 145\_F2 and 145\_F2a.
    2. Job Posting from Recruitment Management System (PageUp).
    3. Completed Screening Sheet.
    4. *Interview Panel Composition* 102\_F31.
    5. Approved Panel Selection and Appointing Authority interview questions.
    6. Panel Interview and/or Appointing Authority Interview *Applicant Interview Notes and Evaluation* 102\_F4.
    7. Interview Panel Recommendations in Alphabetical Order (if applicable).
    8. Applications/Resumes of candidates selected for hire.
    9. Applicant Flow Sheet (AFS).
    10. Any additional recruitment and selection documentation supporting the hiring decision.
    11. Signed offer letter of hired candidates.
    12. Completed Employment Reference and Verification form.



**II. Notification of Vacancies (NOV)**

- A. Executive management may establish procedures to review and approve requests to recruit or fill vacant positions for their area of responsibility prior to submission to Human Resources.
- B. Organizational Unit Heads should request approval to recruit for a vacant position through their appropriate chain of command unless otherwise directed. The Organizational Unit Head should use the *Notification of Vacancy* 102\_F3 or other approved form. NOV's for positions designated to fill under blanket approval can be submitted directly in PageUp or to the Recruitment mailbox electronically without additional approvals. NOV's for all other positions will require Unit Head and Regional review as appropriate for approval to post and/or fill the vacancy.
- C. The DOC may be required to comply with additional reviews to obtain approval before a vacancy is posted before interviews are scheduled or before written employment offers are made.
  1. These requirements may be imposed by the Director, the Secretary of Public Safety and Homeland Security, or the Governor's Office.
  2. The Director, Chief of Corrections Operations, Deputy Director for Administration, Deputy Director of Programs, Education, and Reentry, or Director of Human Resources will issue written instructions to Organizational Unit Heads if additional approvals or reviews are required.

**III. Review of Duties, Essential Functions and Qualifications of Vacant Positions Prior to Recruitment (4-ACRS-7E-08)****A. Duties**

1. When a vacancy occurs, the Organizational Unit Head or designee should determine whether a generic *Employee Work Profile* 145\_F2 (EWP) template exists for the vacant position.
2. The applicable EWP template must be utilized if one exists.
3. If no generic EWP template exists for the vacant position, the Organizational Unit Head or designee should review the existing EWP and determine what, if any, changes are needed. The EWP should be updated to reflect the current duties and responsibilities.
4. If an EWP does not exist, the Organization Unit Head or designee should work with their HRO to develop the EWP prior to the NOV being submitted. If assistance is needed with this process, the Compensation Unit at Headquarters should be consulted.
5. If the duties of the position have changed significantly or new core responsibilities and measures will be developed, the position should be reviewed to confirm the correct assignment of the role title and working title. This review should be coordinated with the Compensation Unit at Headquarters.
6. EWPs should include the essential functions and job-related knowledge, skills, abilities, and other important competencies and characteristics of the job. If driving is not an essential function but the position requires on- the- job travel, this responsibility should be included in the EWP.

**B. Essential Functions**

1. Prior to posting or recruiting for a vacancy, the Organizational Unit Head or designee should confirm or identify the essential functions of the position.
2. A valid driver's license is considered an essential function for Security positions, Probation Officers, and Surveillance Officers, Building and Ground/Trades positions, Special Agents, Truck Drivers, Plant Operators and Agribusiness positions.

**C. Qualifications**

1. Qualification requirements identified for recruiting or selection purposes must be job-related and based on the EWP for the vacant position. Human Resources should review these qualifications prior to the posting of the vacancy.



2. Knowledge, Skills, and Abilities
    - a. The Organizational Unit Head or designee should determine the minimum Knowledge, Skills, and Abilities (KSAs) necessary to perform the duties of the vacant position.
    - b. Minimum KSAs should be identified that are required for the employee to satisfactorily perform the job duties. Minimum KSAs must not include those that can be routinely learned during a reasonable period on the job.
    - c. Supplemental knowledge, skills, abilities, and competencies should also be identified that are clearly related to the duties of the position. Additional considerations must not include those that can routinely be learned during a reasonable period on the job.
  3. Experience (2-CO-1C-07)
    - a. Both quality, as well as length of experience should be key factors in qualifications and employment decisions.
    - b. Requirements for specific years of experience, such as two years or four years, is not permitted as a minimum qualification for job postings unless required by Code of Virginia for licensure.
    - c. Applicable or related experience may be required may be given additional consideration during the selection process.
  4. Education
    - a. Education may be reflected as a minimum requirement only if a specific certifying body, regulation, or law requires it.
    - b. Requirements should not be so absolutely stated or used as to preclude consideration of applicants who possess equivalent or sufficient applicable experience or training that would reasonably predict an applicant's ability to perform the job satisfactorily. (5-ACI-1C-10; 4-ACRS-7B-04; 2-CO-1C-07; 1-CTA-1C-04)
  5. Qualifications listed in the position description and job card must be consistent with those listed in the EWP.
- D. Position Review - The recruitment process may commence as soon as the EWP is updated and confirmed. This review includes confirmation of current core responsibilities and measures, role and work title, minimum and additional considerations, and essential functions of the position. Any required updates to position classification must be made in the Cardinal System prior to a position being posted in the Recruitment Management System (PageUp).
- E. Human Resources or the local HRO should identify the screening criteria to be used prior to the position being posted.
- F. Supplemental Questions
1. Prior to recruiting for a vacancy, the Organizational Unit Head in consultation with Human Resources or their HRO may establish questions that may assist with screening an individual for the position.
  2. These questions must be based on essential functions and KSAs as established in the EWP.
  3. Supplemental questions will not be used as disqualifiers in the screening process of applications.
- G. Job Cards will be created using standard "job or role" position descriptions templates when available.
1. Changes to position description templates to indicate unique aspects of a position can be made by Compensation and Recruitment Staff at Headquarters.
  2. Additional information may be added to the EWP template by the HRO or other designated HR staff only if another duty or KSA is needed to perform that specific job.
  3. The Compensation Unit at Headquarters should be consulted if significant changes are required to be made to a template EWP or Position Description.



## H. Eligibility

1. The DOC will not hire or promote anyone for a position that may have contact with inmates, probationers, or parolees who has been: (§115.17[a], §115.217[a])
  - a. Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. §1997, *Civil Rights of Institutionalized Persons*).
  - b. Convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
  - c. Civilly or administratively adjudicated to have engaged in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse.
2. The DOC must consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates (§115.17[b], §115.217[b])
3. The DOC must ask all applicants and employees who may have contact with inmates, probationers, or parolees directly about previous misconduct described in paragraph a., of this section in written applications or interviews for hiring or promotions. (§115.17[f], §115.217[f])

## IV. Filling Vacancies through Administrative or Non-Competitive Processes

- A. Positions may be filled on a non-competitive basis through an administrative process, management-initiated process, or an employee-initiated process. Applicable pay factors will be considered when determining compensation because of these actions, see Operating Procedure 102.4, *Compensation*, for more information.
- B. Administrative Placement - This determination will be made by the Director of Human Resources or designee in consultation, if needed, with the appropriate senior manager.
  1. Within the DOC for placement in lieu of layoff or for recall from layoff.
  2. By demotion or transfer for disciplinary or performance reasons.
- C. Management Initiated Placement - This determination will be made by the appropriate member of the Executive Team, in consultation with the Director of Human Resources or designee, based on DOC operational needs necessitated by a non-competitive transfer:
  1. Employees transferring from one position to another where the job title is the same.
  2. Transferring employees to a position in the same band based on DOC operational needs.
- D. Employee Initiated Cases - This determination is made by the Organizational Unit Head in consultation with the appropriate Regional Operations Chief or Regional Administrator or Executive Team member when a position that otherwise would be filled on a competitive basis has been requested by a current employee.
  1. Employees transferring to a position in the same pay band and sub-band or to the same pay band and lower sub-band because of the employee's request.
  2. Employee initiated case request and review process:
    - a. An employee who desires to transfer within the same pay band, in the same or lower sub-band, or voluntarily demote to a position in the same or another organizational unit must make a written request to that Organizational Unit Head and should copy their own Organizational Unit Head. This may be done at any time but must be submitted prior to the position being posted in the Recruitment Management System (PageUp).
    - b. The Organizational Unit Head may fill the vacant position by accepting the written request for transfer or voluntary demotion in consultation with their HRO or other designated HR staff. The Compensation action must be approved in accordance with Operating Procedure 102.4,



*Compensation*, prior to offering the position. If more than one lateral transfer/demotion request is received, the Organizational Unit Head or designee should interview the internal candidates interested in transferring to determine the employee best suited for the position.

- c. The Organizational Unit Head has discretion to accept or reject requests for transfer or voluntary demotion and may post a vacant position, even if there are written requests for transfer. If the position is posted, those requesting transfer must submit an application/resume through the Recruitment Management System (PageUp) by the closing date to be considered in the competitive process.
- d. The Organizational Unit Head from which the employee is transferring should not refuse to allow the employee to transfer to another organizational unit or delay the date for the transfer without concurrence from the receiving Organizational Unit Head. If a transfer delay is necessary, 45 days should normally be the time limit. Exceptions should be discussed with the appropriate Regional Administrator.
- e. The appropriate Regional Administrator or senior manager may disapprove or delay an intra-divisional transfer or demotion based upon Agency need.
- f. Corrections Officers may not transfer, to include a transfer through the competitive process, during the first two years of employment unless an exception for hardship is approved by the Regional Administrator or both Regional Administrators if the transfer request is across regions.
- g. The Director of the Department of Corrections may disapprove any transfer or demotion.

#### V. Posting and Recruitment

- A. Determining Recruitment Options – Organizational Unit Heads should consider 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 unit’s workforce and the availability of qualified applicants. One of these three options must be used when conducting recruitment:
  1. Agency Internal Recruitment – Only current DOC employees (i.e., classified, restricted, wage, and excepted positions) may apply. These positions are initially posted for at least five business days.
  2. State Employees Only – Only current employees of the Commonwealth of Virginia (i.e., classified, restricted, wage, and excepted state employees) may apply. These positions are initially posted for at least five business days.
  3. General Public – All state employees and the general public may apply.
- B. If initial recruitment does not result in an acceptable applicant pool, recruitment can be continued as necessary. Re-posting may proceed after consultation with the appropriate Human Resources designee.
- C. Vacancy postings cannot be changed once published unless approved by the Recruitment Manager or designee.
- D. Recruitment
  1. Field HROs or other designated HR staff will create a position description in PageUp for all positions, attaching the NOV and EWP for approval, to initiate the recruitment process for all positions unless specified below.
  2. Community Corrections Unit Heads (767), Headquarters (701&742), and Division of Operations (756) Hiring Managers will submit NOVs and EWPs to the appropriate recruitment mailbox electronically to initiate the recruitment process.
  3. The Health Services Talent Acquisition Team at Headquarters is responsible for all aspects of the recruitment for Health Services and Mental Health and Wellness Services vacancies once the NOV and EWP have been submitted by the HRO in PageUp.
  4. Vacant classified positions that are to be filled on a competitive basis will be listed in PageUp and will reflect the recruitment option chosen except as noted below: **(4-APPFS-3D-19)**



- a. A position with the same role/work title, duties, and functions within the same organizational unit and geographical area/location becomes vacant or funded during the recruitment period or within 90 calendar days of the original position's closing date and needs to be filled as promptly as possible.
- b. An applicant pool for a Corrections Officer or Probation Officer within the same organizational unit and geographic area/location can be posted as Continuous Recruitment without a position closing date with approval from the Recruitment Manager. Applicant pool for continuous recruitment can be utilized for 180 days from the application submission date.
- c. Organizational Unit Heads have the option to post the new vacancy in PageUp or use the applicant pool from the original recruitment.
- d. Requests to fill a position from a previous pool should be submitted in PageUp or via NOV electronically using the appropriate approval process.

E. Time Requirements - Announcements for all positions must be listed in the PageUp for a minimum of five consecutive business days, not counting Saturdays, Sundays, and holidays.

F. Paid Advertising - Consideration to available labor pools should be given prior to deciding on paid advertising. Consultation with the Recruitment Unit at Headquarters is encouraged to identify resources, budget, and needs. Advertising and sourcing efforts should include a diverse sourcing strategy.

1. The Recruitment Manager or designee in consultation with the Organizational Unit Head, will determine use of paid advertising and sourcing strategy.
2. Organizational units, with appropriate approvals, may place ads in consultation with Human Resources. The organizational unit will be responsible for the cost of ads and for placing their own advertisements in newspapers and electronic media consistent with the information listed in the PageUp job posting for that position. Posting periods must be consistent with closing dates listed in the job posting. Requests to post jobs and recruitment events on the VADOC Social Media outlets should be sent to [Recruitment@vadoc.virginia.gov](mailto:Recruitment@vadoc.virginia.gov) for review and approval. The Recruitment Manager must review and approve external advertisements and campaigns prior to their placement.

G. Re-posting

1. An organizational unit may re-post a vacant position if additional qualified applicants are desired.
2. A position must be re-posted, or the closing date extended if the initial job posting did not produce three qualified applicants, unless an exception to re-post is approved by the Recruitment Manager.
3. Re-posted positions must be listed for a minimum of five consecutive business days.

H. "Open Until Filled" Postings

1. "Open until filled" postings are used for certain recruitment situations without the restriction of closing dates with approval by the Recruitment Manager. The posting period must last at least five business days and must be closely monitored not to exceed a 180-day open period.
2. Organizational units with roles approved for "open until filled" status must ensure that equal employment opportunity efforts are maintained in the attempt to achieve agency EEO objectives.
3. Human Resources staff must consider all applications received up to a determined date when filling a vacancy from an "open until filled" pool.

VI. Applications

- A. Only employment applications and resumes submitted using PageUp by the closing date will be considered in the competitive process.
- B. Organizational Units, HROs, or other designated HR staff will process employment applications for positions below band 5/sub-band 14 (unless agreement to process has been made with Recruitment Staff at Headquarters).



1. Correctional field unit employment applications will be processed by their designated major institution.
  2. All Health Services and Mental Health applications will be processed by the Health Services Talent Acquisition Team at Headquarters.
  3. It is the responsibility of the applicant to submit an employment application/resume using PageUp for each position posting.
  4. Recruitment Human Resource Staff at Headquarters will process applications for all positions band 5/sub-band 14 and above.
- C. For applicants with disabilities, appropriate accommodations will be made to allow them to participate in the application process i.e., to complete application and to be interviewed, if referred. Such persons should be directed to receive assistance from the HRO at the organizational unit where they are seeking employment or from Human Resources to engage in the interactive process. HROs should document their efforts and consult with the Benefits Manager in the Office of Human Resources at Headquarters as required in Operating Procedure 150.3, *Reasonable Accommodations*. (5-ACI-1C-07; 4-ACRS-7E-03; 2-CO-1C-09-1)
- D. For screening purposes, the application and resume are used to assess education and experience qualifications.
- E. A fully completed application is one with all questions answered and with relevant positions and duties listed. Resumes are encouraged but not required.
- F. If a vacant position is re-posted prior to interviews, all applications and resumes for both posting periods will be considered so long as there is no change in the job duties or qualifications.
1. If such changes are made, applicants who responded to the original posting must be notified that they must re-apply to be considered.
  2. If a position is re-posted following interviews, applicants from the previous posting may be considered or may be required to reapply.

## VII. Screening and Referral by Human Resources

- A. Screening is based on duties, requirements, and minimum qualifications as stated in the vacancy posting.
1. Screening criteria should be established prior to posting.
  2. Screening criteria should be based on the minimum qualifications for the position.
  3. Any additional considerations for a position may be considered for specialized positions or highly competitive pools.
  4. No one should attempt to influence the screening of applicant pools.
- B. Organizational Unit Heads or their designees may be involved in the screening process with Human Resources.
- C. HROs or Recruiters are responsible for documenting the screening results of all candidates. Documentation of applicant screening must clearly identify the screening process used and must be maintained for three years from the closing date of the posting in the recruitment file.
- D. The HRO or other designated HR staff will be responsible for updating PageUp timely to reflect the appropriate status of each applicant status throughout the recruitment process. Mandatory statuses for use are:
1. Hiring Manager Review
  2. Screening Unsuccessful
  3. Panel/Search Committee Unsuccessful



4. Interview Declined
  5. Second Interview Scheduling Unsuccessful
  6. Second Interview Declined
  7. Interview Unsuccessful
  8. Reference Check Unsuccessful
  9. Finalist
  10. Offer Accepted
  11. Offer Declined
  12. Offer Rescinded
  13. Background Check Unsuccessful
  14. Hired
  15. Position Cancelled
- E. Any questions regarding screening of pools should be directed to the HRO, Recruitment Manager or designee.
- F. All referred applicants must be interviewed unless the Director of Human Resources or designee approves an exception. With approval, applicants may be rejected based on the following documented reasons:
1. Not attending multiple, scheduled interviews without advance notice.
  2. Documented derogatory information.
  3. Poor performance in previous interviews which is documented.
  4. In excessively large candidate pools, interviews may be limited to a subset of the applicants referred where a clear distinction in the applicant pool is evident and documented on the screening sheet.
- G. Once applicants are screened and referred, the Organizational Unit Head should make a timely hiring decision. In normal circumstances, the DOC is expected to fill vacant positions within 50 days from the date the position is posted in PageUp.
- H. Veterans' Preference
1. During the initial screening, veteran status should be noted on the screening sheet.
  2. A veteran's military service will be taken into consideration during the selection process provided they meet all the minimum qualifications for the position. Additional consideration will be given during the selection process if the veteran applicant also has a service-connected disability rating by treating the veteran's disabled status and has met the minimum qualifications for the position.

#### VIII. Interview and Selection Process

- A. All interviews must be focused on job and organization-relevant knowledge, skills, abilities, and competencies.
- B. The appointing authority may delegate the interviewing responsibility to someone in the same or higher level as the position being filled.
- C. Hiring authorities are not required to interview applicants who are not available at the time of the scheduled interview.
- D. At least three candidates must be interviewed for a vacant position unless the Director of Human Resources or designee approves an exception.
- E. A standard set of interview questions must be developed by the appointing authority, HRO or other



designated HR staff, or the interview panel members.

1. The HRO or other designated HR staff must review and approve all interview questions prior to the interview.
  2. All candidates must be asked the same questions.
    - a. Interview questions should seek information concerning the applicant's ability to perform the essential functions of the job as outlined in the posting in PageUp.
    - b. Interview questions should be phrased in a manner to determine the applicant's ability to perform the essential functions of the position and to demonstrate needed competencies or suitability for the position.
    - c. Interview questions must be job-related as outlined in the posting on PageUp and cannot violate EEO guidelines or state policy and procedure.
    - d. Candidates should be asked both situational and behavioral interview questions to assess past experience and how they would respond in hypothetical situations.
  3. Additional job-related or follow-up questions of a single candidate may be asked in response to the applicant's answers, statements, and questions; or to clarify information on the application/resume.
- F. Pre-employment testing may be used as one factor (along with references, related experience, education, and specialized KSAs) to determine the candidate best suited for the position.
1. The Director of Human Resources or designee must approve all pre-employment testing in advance, and the test and answer key must on file in Human Resources prior to use.
  2. All pre-employment testing must meet the following conditions:
    - a. A standard format must be used for all applicants. Work exercises (i.e., demonstrating writing skills, skills in PC functions, appropriate techniques for lifting objects, etc.) are also acceptable.
    - b. All applicants referred for a final interview for a position must be administered the same test or work exercise(s) if one is used.
    - c. The test location environment must be the same for all applicants.
    - d. Test administrators may be required to complete special training to administer certain tests consistently and fairly.
- G. The DOC *Applicant Interview Notes and Evaluation 102\_F4* must be used for all interviews. The form should document the reason for the assessment. The *Evaluation* will be used as a guide and not as the final assessment device to select the recommended or final candidate(s).
- H. It is the responsibility of the appointing authority or designee to conduct timely, effective interviews of qualified candidates. Hiring Managers should consult with the HRO or other designated HR staff on interview techniques and the selection process.
- I. Video or telephonic interviews may be used for initial interviews if approved by the appointing authority if arrangements are made with candidates in advance of their scheduled interviews. No final offer of employment will be made without a face-to-face interview with the appointing authority or designee.
- J. The use of at least one diverse interview panel is required when filling all full-time positions and strongly recommended when filling wage positions. If two rounds of interviews are used when filling a position, then the first interview should be a panel interview followed by the appointing authority interview. When only one interview is held, a panel interview process must be utilized.
1. The panel must be diverse and comprised of at least three, but not more than five, members selected by the appointing authority or designee.
  2. All members must have knowledge of at least one important aspect of the responsibilities of the position being filled.
  3. Employees who are members of the panel must be of the same or higher level as the vacancy. The



Director of Human Resources or designee may grant an exception for positions of a technical nature. Panel members may not be subordinates of the position being filled.

4. The chairperson, if an employee of the DOC, must be in the same or higher level as the position being filled.
  5. If more than one interview is held, the appointing authority, immediate supervisor, or anyone in the direct line of supervision must not be members of the initial interview panel.
  6. Concerted efforts should be made to have members of protected classes on interview panels and efforts should be made to include panel members from other units or divisions.
  7. An employee serving on an interview panel must have completed *Lawful Interviewing Training*, available on-line through the *Virginia Learning Center*, (and/or refresher) or equivalent approved by Human Resources or receive written approval from the Director of Human Resources.
  8. Individuals present in the interview, who are not the candidate are considered panel members and must carry out those responsibilities associated with being a panel member. Only panel members and the candidate to be interviewed are allowed in the room for the interview.
  9. It is the responsibility of the interview panel to interview the applicants referred.
- K. For a two-round interview process, e.g., panel interview and appointing authority interview, the initial interview should provide a written recommendation in alphabetical order of three applicants or less to the appointing authority after the interviews are concluded.
1. There may be exceptional cases when it is appropriate to recommend a fourth applicant due to the competitiveness of the process, e.g., large applicant pool, difficulty in selecting among highly qualified candidates, and/or multiple positions to be filled.
  2. If the interview panel cannot recommend any applicants, then the position must be re-posted or filled through another option approved by the Director of Human Resources or designee.
  3. The chairperson of the interview panel will be responsible for returning all records and material of the interview panel to the appointing authority, HRO, or other designated HR staff in a timely manner. This includes all applications, resumes, supporting documents, interview notes, *Evaluation* forms, and other materials used by any panel member during the interview or deliberation.
  4. The appointing authority or designee, upon receiving the recommended names, will interview all the recommended candidates and decide either to select one of the recommended candidates or not to proceed with that applicant pool. The appointing authority may wish to utilize a second panel for the finalist interview and accept their recommendation.

## IX. Appointment to Positions

### A. Selecting Finalist

1. The appointing authority or designee must select the applicant recommended for hire (finalist) based on the eligibility, interviews, related education, and experience, related KSAs, panel recommendation, if applicable, references, and, if available for DOC employees, performance evaluations, active disciplinary actions, and recommendations.
2. For any position physically located at a facility that have two reporting lines - to the Facility Unit Head and other units and divisions, including Health Services, Agribusiness, Environmental Services, and Correctional Education - the Facility Unit Head should approve finalists before a verbal or written offer is extended.

- B. Reference Checks - A documented reference check is required for new hires and rehires. References from the current or former supervisor of the applicant who is the finalist for a position is recommended. Reference checks are recommended but not required for transfers and promotions. Reference information must be documented and retained with other recruitment and selection documentation.



- C. Background investigations must be completed for all applicants recommended for hire (finalists) in accordance with Operating Procedure 102.3, *Background Investigation Program*.
1. The Organizational Unit Head should review the *Background Investigation Questionnaire (BIQ)* 102\_F2 and VCIN report for information that would require further inquiry including but not limited to the following: gang affiliation, criminal convictions, inmate visitation, driving convictions, tattoos, etc. This information and potential impact of selection should be evaluated on a case-by-case basis in consultation with Human Resources and appropriate Regional Operations Chief.
  2. Once the Organizational Unit Head reviews and approves the information from the BIQ and VCIN, a conditional offer of employment may be made.
- D. Employees who are selected for transfer, promotion or for advancement to a higher position in a pay band will be subject to a criminal records check. Transfer or promotion may be denied based on information obtained during this records check.
- E. A conditional offer of employment may be extended prior to receiving the results of the full and complete background investigation. The conditional offer is a bona fide offer of employment, contingent upon approval of the full and complete background.
- F. Drug tests are required on all potential new hires or rehires being considered for a designated safety sensitive position. A conditional offer of employment may be extended prior to receiving the drug test results. The conditional offer is a bona fide offer of employment, contingent upon the employee's negative drug test. A negative drug test result is required before an applicant begins working.
- G. Employment physicals, for those positions requiring physicals as part of the selection process, must be given to all potential employees, and may only be done after a conditional offer of employment is extended. The conditional offer is a bona fide offer of employment, contingent upon the employee's ability to perform the essential functions of the job.
- H. Appropriate communications should be made to those interviewed but not selected. Internal candidates currently employed at the same VADOC work location should be notified verbally or in writing by the Hiring Manager. All other candidates can be notified utilizing PageUp or written communication.
- I. Approvals
1. The appropriate member of the Director of Correction's Executive Staff must approve the appointment of all Organizational Unit Heads, Regional Managers, and Regional Administrators.
  2. The appropriate Regional Operations Chief or a member of the Executive Staff must approve all appointments to the following positions: Corrections Major, Chief of Housing and Programs, Assistant Warden, Institutional Program Manager, Operations Manager, and Deputy Chief Probation and Parole Officer.
  3. The appropriate Regional Administrator or a member of the Executive Staff must approve the appointment of an applicant who was previously employed by the DOC. The Superintendent for Education must approve the appointment of educational professional staff previously employed by the DOC.
  4. The Facility Unit Head must conduct a face-to-face interview with Corrections Officer applicants who are under 21 years old before an employment offer can be made.
  5. Additional approvals for appointment to other positions include:
    - a. Chief Financial Officer must approve Business Managers.
    - b. Director of Human Resources must approve Human Resource Officers.
    - c. Chief of Mental Health and Wellness Services must approve Psychologist Seniors.
    - d. Chief Dentist must approve Dentists.
    - e. Chief Medical Officer must approve Physicians.



f. Superintendent of Education must approve Teachers.

- J. Full time employees, reemployed as wage employees, must have a separation period of at least 13 weeks from the effective date of retirement or separation a full-time or a quasi-full-time position and return to work for the same employer, i.e., the same State agency, into a wage position. There can be no pre-determined agreement or date for a retired employee to return to part-time employment, nor can an employee have the exact duties or work hours assigned before retirement.

K. Alternative Hiring Process (AHP)

1. The DOC is committed to providing equal employment opportunities for all, including persons with disabilities. COV §2.2-1213, *Alternative application for employment for persons with a disability*; mandated the establishment of an Alternative Hiring Process (AHP) for the employment of persons with disabilities. The AHP process is part of a comprehensive strategy to increase employment of individuals with disabilities within state government, which offers a path to state employment.
2. In support of the Commonwealth's commitment to inclusion, the DOC encourages individuals with disabilities to apply through the AHP.
3. A person with a documented disability as defined in COV §51.5-40.1, *Definitions* is eligible for participation in the AHP.
  - a. An AHP applicant must be certified as an individual with a documented disability resulting in a barrier to employment as determined by a Certified Rehabilitation Counselor with the Department of Aging and Rehabilitation (DARS). If approved, the DARS Rehabilitation Counselor will be requested to provide a Certificate of Disability (COD) to the individual who can then submit their COD with their application/resume. COD's must be dated within three years of the application date to be valid. The COD can be used multiple times for priority consideration until the applicant secures a state position.
  - b. Current classified employees are not eligible as AHP was established to create an alternate path to state employment for individuals with disabilities.
4. AHP applicants may competitively apply for wage or classified positions through the PageUp. The applicant must designate certification for AHP and submit a copy of their COD with their employment application/resume.
  - a. Priority consideration may be provided in the screening process for COD certified applicants that meet minimum qualifications.
  - b. This priority consideration does not supersede mandated layoff rights for placement or for preferential consideration for veterans. Selection through priority consideration can only be used for placement in the applicant's initial classified role with the Commonwealth.
  - c. Applications will be screened to identify those who meet the qualifications for the position. Interviews considered under this are offered to the best-qualified candidates; therefore, interviews are not guaranteed for all AHP certified participants.
5. AHP applicants will only be considered for classified positions through the competitive process, posting in PageUp.
  - a. To ensure enhanced opportunity for wage AHP employees to acquire full time classified or salaried positions, agencies may elect to post a classified position internally to the agency. This provides an opportunity for wage AHP employees to submit their application for the internal consideration along with other candidates who are employed by the agency.
  - b. Agency HR/Hiring Managers will screen only for the minimum qualifications and select candidates to be interviewed.
6. AHP applicants may be considered for wage positions non-competitively. Agency Human Resources and Hiring Managers will assess the applicant's knowledge, skills, and abilities to determine whether they are likely to succeed in the performance of the duties of the position for which they are being

considered.

- a. The Director of Human Resources or their authorized designee must provide approval before extending an offer.
  - b. Although DOC Organizational Units are not required to use a competitive process when filling wage positions, diversity and inclusion in all hiring decisions must be considered.
7. Individuals selected under the AHP process will be required to serve a provisional period of six months to observe the applicant on the job to confirm that the applicant is able or ready to perform the essential duties of the position with or without reasonable accommodations.
- a. For classified employees, the provisional period is considered part of the 12-month probationary period. Although the provisional period will allow agencies to assess performance, the *Standards of Conduct* and non-performance measures are applicable during this period.
  - b. For wage employees, an interim wage-performance evaluation should be completed at the end of the 6-month period.
  - c. Successful completion of the provisional period prepares the AHP employee for successful employment and enhances their qualifications and experience for future job opportunities.
8. Offer letters should include information regarding the provisional and probationary periods as appropriate for the position.

#### L. Authorization of P&P Officers

1. Upon selection and appointment, all newly hired P&P Officers must have an initial authorization from the judge or judges of the Judicial Circuit where the P&P Officer is initially assigned.
  - a. Pursuant to COV §53.1-143, *How officers authorized*, the Director or designee will submit, using Attachment 1, *Cover Letter Sample- Authorization Order* the names of eligible P&P Officers to the judge or judges of the Judicial Circuit where the P&P Officer is initially assigned to be authorized to act as a P&P Officer of the Court.
  - b. Pursuant to COV §53.1-144, *Term of officers* each P&P Officer will be authorized initially for a term of one year. Subsequent authorizations will be for indefinite periods. Initial appointments will be requested using Attachment 2, *One Year Authorization Order Template* and Attachment 3, *Indefinite Authorization Order Template* will be used subsequently.
2. The authorization of a P&P Officer by the Judicial Circuit to which the P&P Officer is initially assigned is valid in all Judicial Circuits in the Commonwealth regardless of subsequent assignments unless the jurisdiction is specified in the Order.
3. Upon an employee's transfer, if a jurisdiction is specified in the original *Authorization Order*, a new *Authorization Order* should be requested. The P&P Officer will still be required to perform their duties regardless of *Order* status.
4. The Use of the Authorization Order Attachments, Attachment 1, *Cover Letter Sample - Authorization Order*, Attachment 2, *One Year Authorization Order Template*, and Attachment 3, *Indefinite Authorization Order - Template*, are encouraged to limit the need for an updated *Order* when a P&P Officer transfers between Judicial Circuits.

#### X. Employment of Ex-Inmates/Probationers/Parolees

- A. The DOC is committed to the successful re-entry and integration of ex-inmates/probationers/parolees into society. As such, the DOC is a strong advocate for the employment of ex-inmates/probationers/parolees and recognizes its responsibility to set an example for other employers to hire ex-inmates/probationers/parolees.
- B. It is the policy of the DOC to support and encourage all other employers to hire eligible, qualified ex-inmates/probationers/parolees and to set an example by hiring ex-inmates/probationers/parolees into positions in for which they are among the best-suited applicants. (5-ACI-1C-08, 4-ACRS-7E-06, 4-



**APPFS-3E-07; 2-CO-1C-10)**

1. *Title VII of the Civil Rights Act, 1964*, prohibits discrimination or elimination of applicants by reason of past criminal behavior alone, and requires each employer to evaluate each applicant and the applicant's past record against the job to be performed.
2. Ex-inmates/probationers/parolees will go through the normal employment process to be considered for salaried positions.
3. Employment can be denied to any person whose past conviction is either recent or related to the type of position for which the person is applying.
4. See the *Eligibility* section of this operating procedure for limitations relating to employees who may have contact with incarcerated inmates.

**C. DOC strategies for hiring ex-inmates/probationers/parolees**

1. Each Organizational Unit Head will evaluate salaried, wage, volunteer, and internship opportunities that may exist within that unit. The list of positions that may be offered to ex-inmates/probationers/parolees will be forwarded to the Regional Operations Chief for field positions or the appropriate Deputy Director for Headquarters positions.
2. Each Organizational Unit Head and Region will evaluate potential candidates who are ex-inmates/probationers/parolees and may encourage employees to suggest ex-inmates/probationers/parolees who they have supervised for consideration.

**D. Employment offers to any persons with misdemeanor convictions for any field position require prior approval from the appropriate Regional Administrator and notification to the Regional Operations Chief. Employment offers to ex-inmates/probationers/parolee for any field position or Headquarters position require the prior approval of the Director, the Chief of Corrections Operations, or a Deputy Director. This management authority must make each hiring decision on a case-by-case basis, taking into consideration the following factors:**

1. Nature of the offense in relation to the duties of the position including eligibility for employment based on criminal convictions or adjudications while incarcerated.
2. Length of time since conviction, and indicators of stability and reliability.
3. Relationship of position to the security of persons committed to DOC care.
4. Relationship of the ex-inmates/probationers/parolees to other inmates/probationers/parolees with whom the ex-inmates/probationers/parolees might have contact during work.
5. Relationship of the ex-inmates/probationers/parolees to employees by whom the ex-inmates/probationers/parolees may have been supervised while in the care of the DOC.
6. Behavior of the ex-inmates/probationers/parolees toward the DOC during any period of incarceration.
7. Confidential and sensitive records and information to which the ex-inmates/probationers/parolees may have access if employed.
8. Potential results if an ex-inmates/probationers/parolee commits another crime or takes advantage of their position, while employed by the DOC.
9. Restrictions or conditions imposed on the ex-inmates/probationers/parolees that would interfere with proper performance of duty (e.g., restrictions on carrying firearms).
10. If the ex-inmate/probationer/parolee is currently on supervision, the Chief of Corrections Operations and the Deputy Director for Administration must approve employment of ex-inmates or probationers/parolees currently on supervision.

**E. After receiving approval from the appropriate management authority, the Unit Head and HRO must conduct a face-to-face interview with applicants who are ex-inmates/probationers/parolees before an**

employment offer can be made.

#### XI. Notification of Applicants

A. The Hiring Manager must report required information concerning applicants interviewed to the applicable HRO or other designated HR staff to be entered into PageUp timely. HROs or other designated HR staff must update workflows in PageUp indicating the applicants interviewed and the person selected for the position.

1. This includes consideration of final candidates and the candidate selected to fill the position.
2. The final PageUp entry concerning the status of all applicants represents written notification to the applicants.
3. Applicants who are not selected should be informed verbally (if internal) or through PageUp (if external) prior to a formal announcement of the selected candidate.

#### B. Offer-of-Employment Letters

1. Employment offers should be made in writing and follow the guidelines outlined by DOC and DHRM policies and procedures.
2. Classified state employees are not employed by contracts either expressed or implied but employed pursuant to the Code of Virginia and applicable personnel policies and regulations.
  - a. Letters offering employment should therefore avoid implying a contract or guarantee of employment for a particular period.
  - b. Salary must be listed as a pay period amount figure which may then be converted to an annual salary.
  - c. Employees hired into restricted positions must be informed of the status of the position.
3. A statement explaining the probationary period must be included in all offer letters for individuals entering the classified system.
4. For those persons in positions exempted from the DHRM policies and procedures under COV §2.2-2905, *Certain officers and employees exempt from chapter*, units must include in offer letters a statement reiterating the statutory provision that such persons will serve at the will and pleasure of the Director of the Agency.
5. No employment offer or salary offer should be made orally or in writing until written approval has been received from the Compensation Unit in the Office of Human Resources at Headquarters. This may include authority to fill a vacant position as required in the *Notification of Vacancies* Section of this operating procedure and determination of starting pay level if the salary requested is above the minimum of the salary range stated in the PageUp vacancy posting; see Operating Procedure 102.4, *Compensation*.
6. If the offer of employment is conditional, the offer letter must identify the condition(s) to be met by the employee.
7. If candidates accept the position and agree to the terms of employment, they must sign and date a letter of offer that is a binding agreement.

C. The Director of Human Resources may grant waivers to the provisions of this operating procedure as necessary for agency business needs.

#### XII. Voiding the Selection Process

A. Prior to a formal offer being extended to a candidate, the incumbent or former incumbent may request to withdraw their resignation, provided it is within 30 days of the separation.

B. The Organizational Unit Head may either deny the request for withdrawal or grant the request for withdrawal.



- C. If the request for withdrawal is granted, the selection process must be voided at its current stage and all candidates will be informed.

### XIII. Record Keeping and Documentation

- A. It is the responsibility of the HRO, other designated HR staff, or appointing authority to maintain all selection process records for the organizational unit for a period of three years from the closing date of the posting in PageUp.
- B. Records involved with any lawsuit or discrimination complaint must be maintained until final disposition is received, including the exhaustion of all appeals. This includes: a copy of the EWP, copies of the posting and any advertisement for the position, a list of applicants, all employment applications, minimum qualifications and additional considerations, screening criteria and results, list of applicants interviewed including EEO data listing sex and race data for each applicant or a notation of “unknown” if the information is not available, questions asked in interview, interview Applicant Evaluations and notes, all background material considered, and all other material which influenced the selection decision.
- C. Recruitment and selection records may be purged in accordance with written guidelines established by the Library of Virginia.
- D. The Warden/Superintendent can document that the overall vacancy rate among the staff positions authorized for working directly with inmates does not exceed 10 percent for any 18-month period. (5-ACI-1C-05)

## REFERENCES

Executive Order Number One (2018) *Equal Opportunity*  
Title VII of the Civil Rights Act of 1964  
42 U.S. Code §1997, *Civil Rights of Institutionalized Persons*  
COV §2.2-1213, *Alternative application for employment for persons with a disability*  
COV §2.2-2905, *Certain officers and employees exempt from chapter*  
COV §16.1-228, *Definitions*  
COV §38.2-508, *Unfair discrimination*  
COV §51.5-40.1, *Definitions*  
COV §53.1-143, *How officers authorized*  
COV §53.1-144, *Term of officers*  
Operating Procedure 102.3, *Background Investigation Program*  
Operating Procedure 102.4, *Compensation*  
Operating Procedure 150.3, *Reasonable Accommodations*

## ATTACHMENTS

Attachment 1, *Cover Letter Sample - Authorization Order*  
Attachment 2, *One Year Authorization Order Template*  
Attachment 3, *Indefinite Authorization Order - Template*

## FORM CITATIONS

*Background Investigation Questionnaire (BIQ) 102\_F2*  
*Notification of Vacancy 102\_F3*  
*Applicant Interview Notes and Evaluation 102\_F4*



*Interview Panel Composition* 102\_F31

*Employee Work Profile* 145\_F2

*Employee Work Profile (Supervisory)* 145\_F2a

