CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE

HUMAN RESOURCES BRANCH
BEST HIRING PRACTICES

The State's Hiring Principals ensure appointments to positions in the State Civil Service are made on the basis of merit and fitness, defined exclusively as the consideration of each individual's job-related qualifications for a position, including his/her knowledge, skills, abilities, experience, education, and training. Selection procedures include but are not limited to: hiring interviews, reference checks, background checks, and/or any other procedures which assess job-related qualifications and are designed and administered to select those individuals who best meet the selection need.

Rule 250 Requirement that Selection be based on Merit and Fitness

Best hiring practices have been designed to ensure that hiring supervisors select the most qualified candidates following a fair and rigorous hiring process. This guidance provides an overview of the hiring process with links to informational resources and tools to assist hiring supervisors in every phase of the process.

Throughout the hiring process, supervisors should work closely with Human Resources Branch (HRB) to ensure compliance with applicable laws and rules, CDFA policies, and provisions of relevant bargaining contracts.

Best Practice: Hiring supervisors are responsible for assessing candidate's qualifications for vacant positions on a competitive basis.

I. Create a Duty Statement

Creating the duty statement is the first critical step of any hiring process. The hiring supervisor must prepare a detailed and accurate duty statement for the vacant position for which they are hiring. An accurate and thorough duty statement provides potential candidates with a clear description of the position and identifies essential and non-essential tasks and duties that are consistent with and appropriate for the Classification Specification. The California Department of Human Resources (CalHR) has developed the Virtual Help Desk for Supervisors and Managers, which provides detailed guidance about how to create an accurate duty statement.

Duty statements identify the required qualifications, duties to be performed, working conditions, and reporting relationships. Even after the hiring process is complete, supervisors are responsible for maintaining accurate and up-to-date duty statements for each position. Your duty statement is your contract with the employee. A signed copy of the duty statement must be sent to the HRB where it will be filed in the employee's Official Personnel File (OPF).

Best Practice**:** *Create a duty statement which provides a clear description of the position and identifies essential and non-essential tasks consistent with and appropriate for the classification. The Task Statement Matrix is a great tool to develop well written Essential Functions by breaking it down by Action Verb, Purpose, Why a task is performed and the tools and work aids used etc. A link to the Task Statement Matrix can be found Here. Re-evaluate the duty statement annually during the annual Performance Appraisal period and update it if needed.*

II. Advertise True Vacancies

Positions are required to be advertised for a minimum of 10 working days on CalHR's CalCareers website, the Department's SharePoint Portal, and through an all-employee e-mail announcement. In addition, most seasonal positions must be advertised on the CalJOBS website. The vacancy announcement should include a description of the duties, working conditions, desirable qualifications, and any other job-related information such as special requirements, necessary licenses, or a Statement of Qualifications (SOQ). Providing all the relevant information regarding the position in the vacancy announcement will assist candidates in determining whether they meet the minimum qualifications, and if they are able to perform the duties with or without reasonable accommodation.

In order to find the candidates who are truly interested in the job and have the knowledge, skills, abilities (KSAs), and characteristics required to be successful in that job, consider requiring a SOQ. The SOQ is made up of additional job-related questions (created by the hiring supervisor and/or their subject matter experts) that give potential candidates the opportunity to tell about experiences that demonstrate how they have previously applied their knowledge, skills, and abilities needed for the job. Your Classifications Analysis Unit (CAU) Analyst can assist you in creating a SOQ for your job announcements.

Programs are recommended to draft their SharePoint Portal and all-employee email announcement prior to the submission of the drafted vacancy announcement and in preparation for the job to be published to CalCareers. Once a job control link is received from HRB, the SharePoint Portal and all-employee email announcement must be released that same day. Per California Code of Regulations 249.1 (b), departments must post internal postings the same day it is posted on CalCareers. In the event that the individual responsible to publish the postings will be out of the office, they should coordinate with their CAU Analyst so that the job control link can be sent to a back-up and/or supervisor to ensure that Programs are complying with CDFA policy 9.2.1 Advertising Vacant Positions.

Best Practice: *Advertise vacant positions for a minimum of 10 working days and include a description of the duties, working conditions, desirable qualifications, necessary licenses, and any other job-related information. If appropriate, create a Statement of Qualifications (SOQ) to further screen and assess interested candidates. Post SharePoint Portal and send all-employee email announcement same day as receipt of job control link.*

III. Develop Application Screening Criteria

Before applications are reviewed in the Examination and Certification Online System (ECOS), the hiring supervisor must develop job-related screening criteria that directly relates to the minimum qualifications and the duties of the position as outlined in the class specifications. Hiring supervisors should identify and document job-related KSAs and use them as a basis for developing the screening criteria. For example, if the position requires editing skills and attention to details, the hiring supervisor might consider making the existence of significant typographical errors or missing information on the application or the cover letter one of the screening criteria. In contrast, it would not be appropriate to establish screening criteria requiring an applicant to have knowledge of accounting if the essential functions of the position do not involve accounting duties. Screening criteria must be based on job qualifications that relate to the vacant position. Once the screening criteria are developed, the hiring supervisor should use the criteria to identify the most qualified candidates to interview. A sample candidate screening matrix can be found here.

Screening criteria may be modified after the initial review of the applications if the hiring supervisor determines that none of the applicants possess the initial desirable qualifications. For example, if a supervisor is looking for a candidate who possesses specialized technology experience and none of the candidates has this background, it would be appropriate to modify the screening criteria to include a comparable job-related area of expertise. If the supervisor is not satisfied with the candidate pool, he/she may want to consider re-advertising the vacant position.

Finally, hiring supervisors shall maintain a copy of the screening criteria used to evaluate each candidate for their records. This record verifies that you conducted a fair and impartial process using screening criteria directly related to the KSAs for the position. It is also a critical record if you are later required to defend your hiring process. Your screening criteria, interview questions, and rating criteria must be included with Part II of the SO-12 along with the Report of Hiring Interview, Form SO-194.

After screening the applications, the hiring supervisor will select the top candidates (up to a maximum of 10) to verify eligibility. Verification of the candidate's eligibility using the Eligibility Verification Form SO-207 process should occur prior to interview and ***must*** occur prior to a job offer. Follow the SO-207/SO-208 instructions and send it to: Cdfa.ASD_Eligibility_Verification@cdfa.ca.gov. HRB will review the applications to ensure the candidates meet the minimum qualifications and have eligibility to be appointed to the position. Program/District Agricultural Association (DAA) staff must ensure all candidates submitted on the SO-207 have complete application packages.

Candidates with SROA/Surplus status must be given preference when filling a vacancy; however, they must comply with all of the selection activities associated with the vacancy. Click here for the California State Restriction of Appointments (SROA) Policy and Procedures.

The hiring supervisor is responsible for reviewing applicable bargaining unit contracts to ensure compliance with any provisions that may govern the hiring process such as post and bid, seniority, or other terms that relate to filling vacancies.

Best Practice: *Develop job-related screening criteria that directly relates to the minimum qualifications, duties of the position, and job-related KSAs, which have a nexus to the duties of the vacant position. Apply those criteria throughout the application screening process and keep a record. Prior to interview, submit the Eligibility Verification Form SO-207 to* Cdfa.ASD_Eligibility_Verification@cdfa.ca.gov *to determine if the candidates meet the minimum qualifications for the position and have eligibility for the appointment.*

IV. Interviewing Candidates

The interview is the hiring supervisor's primary opportunity to assess a candidate's qualifications and potential for success on the job. It is important to ask candidates open-ended, job-related questions, and good practice to use your screening criteria and duty statement to help come up with your questions. It is also important to ask each candidate the same set of questions during the interview. You may ask a candidate follow-up questions to clarify specific experience that is listed on his or her application. If you are interviewing both internal and external candidates, it is inappropriate to develop questions that solely require internal knowledge gained only from working at the hiring department. Such questions are not permissible because they create an unfair advantage for internal candidates.

Evaluation and rating criteria need to be established when you develop your interview questions. Similar to the application screening criteria, evaluation and rating criteria must be based on job-related qualifications. The evaluation and rating criteria should assess the candidate's responses to the interview questions relative to education, experience, communication skills, and other job-related qualifications. The interview notes and evaluation for each candidate shall be maintained by the hiring program/DAA. Your hiring interview questions, rating criteria, and screening criteria must be included with Part II of the SO-12 along with the Report of Hiring Interview, Form SO-194.

It is recommended the interview panel be comprised of two to three panel members. You should try to create a diverse panel that includes individuals who are at the same level or above the classification for which you are recruiting. The final hiring decision should be made by the hiring supervisor or manager. All hiring documentation must be kept for a minimum of 5-years per the California Code of Regulations, Section 26, and Record Retention Requirements.

You must be able to substantiate your final candidate was selected based upon a fair and impartial assessment of job-related qualifications. This is an integral part of the merit-based, competitive selection process.

The following describes a variety of interview methods, interviews and exercises that can be used:

A. Patterned/Structured Interview

Candidates appear before a panel of two or more evaluators who ask each candidate the same predetermined questions, evaluate candidates' responses, and assign ratings based on pre-established rating criteria. The questions usually have appropriate answers with a correlating points system that is used to score the candidate for every correct element covered by the candidate in response to the question.

B. Behavioral-Based Interview

Behavioral-based interviewing is premised on the concept that the best predictor of a candidate's future performance is past performance. Interview questions are predetermined and built around specific job-related activities previously performed by the candidate. The interviewer asks the candidate to describe what they have done rather than what they would do in a 'what if' situation.

To find more information on behavioral-based interviews, see Page 3 of the Selection Process Module in the Virtual Help Desk for Supervisors and Managers or the Leadership Competency Model Behavioral Interview Guides Presentation.

C. Written Exercise

Candidates are given a topic and asked to prepare a written narrative response. Generally, 15 to 30 minutes of the interview is set aside for this purpose. The written product is then subsequently evaluated to assess both the candidate's writing ability and the ability to organize and integrate information and ideas. A written exercise is typically given along with a hiring interview and can be part of the overall rating.

D. In-Box Exercise

The in-box exercise evaluates the candidate's ability to prioritize and/or identify the appropriate action to take to complete job-related tasks. Candidates sometimes perform a job-related mock assignment. An in-box exercise is typically used in conjunction with a hiring interview.

Sample interview guides and questions can be found here.

Helpful Interview Tips for Before, During, and After the Interview Process

Before the Interview - Contacting Candidates

- When scheduling interviews, inform each candidate of the type of interview, i.e., written or in-box exercises, so that he or she can request and receive reasonable accommodation, if needed.
- Candidates should be contacted via email and telephone number(s) listed on their STD 678 State Application and/or resume.
- Candidates should be contacted at least two times with each method of contact.
- When possible, the person making contact should leave a message regarding the nature of the call and provide a return phone number.
- The person making contact should record the date and time the contact was made.
- Contact your CAU Analyst, if you have any issues or questions about contacting the applicant.
- Request each candidate bring a list of references to the interview.

During the Interview

- Ask each candidate if you may contact their current supervisor for a reference. Some candidates may not have informed their supervisor they are seeking other job opportunities.
- Provide each candidate with a current duty statement either before or during the interview. You may also provide an organizational chart or other information. Retrieve these when the interview ends.

- If candidates are provided a copy of the questions during the interview, remember to retrieve the questions at the conclusion of the interview.
- During the interview, ask each candidate if he or she has any questions.
- Advise candidates if a second round of interviews will be conducted.
- Inform candidates when you expect to reach a final decision.
- Ask each candidate to complete the Authorization to Review Personnel Records and Contact References, Form SO-125.
- Have candidates sign their application.

After the Interview

- Contact the Human Resources (HR) Office at their current agency to schedule an Official Personnel File (OPF) review. This will give you information on past performance (probationary reports, performance evaluations, etc). The HR Office will request a copy of the signed SO-125.
- Check references by contacting current and past supervisors; as well as the list of references the candidate provided.
- If your hiring process becomes delayed, keep in touch with all candidates to let them know you are still completing the process. Remember, they are waiting to hear from you, and keeping candidates updated will have a positive reflection on your organization.
- Submit Alternate Range and Salary Determination Worksheet, Form SO-208, for the candidate you want to hire to CDFA.ASD_Eligibility_Verification@cdfa.ca.gov. HRB will have two (2) business days to complete the form and return it to you.
- Follow up with letters in ECOS to let the candidates that were not selected for interviews and the candidates that were interviewed but were not selected, that you have hired someone for the position.

Best Practice: *Select the most appropriate interview method for the position. Use the same interview method for all candidates for the same position. Ask open-ended, job-related questions. Always apply consistent evaluation and rating criteria to each candidate. Retain all hiring documentation for five years.*

V. Check Official Personnel File (OPF) and Prior Job References

Another critical component of the hiring process is reviewing the top candidates' Official Personnel File (OPF) and checking references.

A. Official Personnel File Review

If the candidate is already a state employee, you may request authorization to access his or her OPF by asking the candidate to complete and sign an Authorization to Review Personnel Records and Contact References, Form SO-125. Once the candidate has signed the SO-125, contact the candidate's current employers Human Resources Office to request an appointment to review the file and a printout of the candidate's state employment history (PIMS HIST). The California Personnel Office Directory can be found here. Information for reviewing an OPF can be found on

Page 6 of the Selection Process Module from the Virtual Help Desk for Supervisors and Managers. A list of transaction codes that you may find helpful when reviewing PIMS HIST (Employment History) can be found here. It is important to base your hiring decisions solely on information that is job-related and appropriate for consideration. For instance, you should not make an adverse hiring decision based on low leave balances. Do not assume that a low leave balance indicates an attendance problem. Employees are entitled to use all leave balances as approved by their supervisor. Low leave balances could be related to a reasonable accommodation or other appropriate use of approved leave. Your CAU Analyst can help you determine the types of information you are permitted to consider in reaching your final decision.

B. References

One of the most valuable means of gathering information about candidates is conducting reference checks. This step should never be skipped, regardless of how quickly the position must be filled. As a prospective employer you must seek job-related information regarding your candidates in order to make an informed hiring decision. As part of this process, it is important to speak with current and former supervisor(s). Private sector employers are sometimes reluctant to provide a detailed reference; however, they will almost always verify employment dates. Check all the information you receive against the information provided by the candidate.

If the candidate failed to provide the name or phone number of a prior supervisor or indicated a supervisor was 'retired' or 'unavailable,' you should call the prior appointing authority to find out if there is anyone who will provide a reference for the candidate. Failure to provide this information may be unintentional, but it does not relieve you of the duty to complete as thorough a reference check as possible. A hiring supervisor may also call additional references listed on the candidate's reference list such as current or former Managers/Supervisors.

Remember you may only consider information that is relevant and directly related to the candidate's ability to perform the duties of the position. If information you obtain from a reference check is not related, you may not rely on it in rendering your final hiring decision. If you are uncertain about whether you can rely on extraneous information provided by a hiring reference, consult with your CAU Analyst.

The following are some helpful resources regarding conducting reference checks:
Selection Process Module from the Virtual Help Desk for Supervisors and Managers

Sample Employment Reference Questions

C. Social Media

As more and more information become publicly available on the internet and social media sites, you may be tempted to search the internet for information about your candidate at some point during the hiring process. There are some potential pitfalls you should consider prior to accessing social media to search for information about your candidate. Labor Code section 980 prohibits an employer from requiring or requesting an employee or candidate to (1) disclose a username or password for the purpose of accessing the employee's or candidate's personal social media, (2) access personal social media in the presence of the employer, or (3) divulge personal social media use (with limited exceptions for the investigation of employee misconduct). The law currently does not prohibit an employer from accessing public information not protected by a password.

However, although it is not illegal to access public, or non-password protected information, there are risks in checking social media sites. For example, if you check the internet and discover information that reflects that the candidate is a member of a protected class, and then you subsequently hire a different candidate, you could inadvertently bring into question whether you improperly considered that protected status in reaching your hiring decision. This is another reason why all hiring decisions should be well documented and based solely on legitimate job-related considerations.

Best Practice: *Get a signed Authorization to Review Personnel Records and Contact References, Form SO-125 from each candidate interviewed in order to review their Official Personnel File (OPF) and contact references. Compare all the information provided by the candidate with the information contained in the OPF. Call references provided by the candidate to make an informed evaluation. Consider only information that is job-related.*

VI. Select the Candidate/Job Offer

After you have completed the steps above, consult with HRB before extending an offer to your proposed candidate. An offer can be made after you have completed your interviews, checked references, reviewed the OPF, and verified eligibility for appointment. Once you have selected your candidate you must obtain a salary and/or range determination (if necessary) for the candidate you have selected. Complete the SO-208 and send to Cdfa.ASD_Eligibility_Verification@cdfa.ca.gov. HRB will complete and return the form within two (2) business days. This form must be included in Part II of the SO-12 package. When you are ready to extend a tentative job offer, you are required to provide a Job Offer Letter to the candidate. The job offer letter provides an explanation of benefits to the candidate and obtains acknowledgement that they understand and were made aware of these benefits. After an offer is made you will provide the prospective employee with the duty statement for review and signature. The candidate must initial the appropriate Reasonable Accommodation (RA) statement. If a RA is requested, the hiring supervisor must work with the Equal Employment Opportunity Office to resolve the request before the employee can start work. If no RA is requested a start date can be negotiated. Prospective employees usually ask to give their current employer at least two weeks' notice when accepting a new position. Per California Code of Regulations 249.8 Holds on Employees when hiring current State employees, the hiring supervisor is required to provide written notice to the employee's current supervisor (including inter- and intra-departmental movement). After receiving written notice from the hiring department, the candidate's current department may choose to retain the employee for up to 30 calendar days if the position is considered a lateral transfer (a position with equal or similar pay) and no more than 14 calendar days for a promotion. Also note that if the classification for which you are hiring requires a medical clearance, you must ensure the employee completes the required physical and has received approval by the state medical doctor before the new employee starts work. Please review the CDFA Health Questionnaires, Medical Clearances, and Physical Examinations Policy and the list of classifications that require a medical clearance.

Best Practice: *You are ready to make a job offer after you have completed your interviews, scored your candidates using the rating criteria you developed, verified eligibility (SO-207) from HRB, checked references, reviewed the OPF (if applicable), and have a complete Form SO-208 from HRB. Any request for RA must be resolved before a start date is negotiated. Formally extend a job offer to the candidate by using the Job Offer Letter. If the candidate is currently employed by the State, contact the candidate's current supervisor and send a written notice to agree upon a start date. If applicable, medical clearance must be approved before the new employee starts.*

VII. Follow-up Letter

It is important to follow-up timely with each candidate who was not selected for interview and who participated in the hiring process but was not selected for the position. A follow-up letter notifies the candidate the status of the position and expresses gratitude for their interest in the position. A sample can be found here on the SharePoint portal. You should consider meeting privately with internal candidates to provide constructive feedback that will aid them in future employment opportunities.

VIII. Maintain Hiring Documentation

California Code of Regulations, Section 26, Record of Retention Requirements states that appointing powers shall retain hiring documents for a minimum of five years. The documentation required to be retained includes but is not limited to the following: duty statement of the position being filled, all job announcements and bulletins, all applications received for the job opening, pre-employment reference checks, minimum qualification verifications, application screening criteria, interview rating criteria, interview questions, and records documenting the reasons why the selected candidate was hired for the position.

Best Practice: *Your hiring documentation should be carefully collected and retained for a minimum of 5-years and stored in a secured area. Should there be a question regarding your hiring practice, this documentation will be part of your defense if your process is challenged.*

IX. Make Good Use of Probationary Period

Selection of the candidate does not end with the offer and acceptance of the position. Government Code Section 19171 requires that a probationary period be completed: (a) when an employee enters or is promoted in the state civil service by permanent appointment from an employment list, (b) upon reinstatement after a break in continuity of service resulting from a permanent separation, or (c) after any other type of appointment situation not specifically excepted from the probationary period requirement by statute or by board rule (i.e. employee transferring from one department to another where a probationary period has not been served). The probationary period is considered part of the selection process. Government Code Section 19172 requires a supervisor to regularly evaluate the work and efficiency of the probationer. It is important that this evaluation be in writing. If a supervisor determines that a probationer must be rejected on probation, the supervisor must be able to demonstrate that the probationer was provided both notice of his or her performance deficiencies and an opportunity to correct them. Consult with your CAU Analyst if your probationary employee has performance deficiencies and is not meeting job expectations. California Government Code Section 19173 (a) states it is the supervisor's responsibility to reject a probationary employee if they are not meeting expectations for the job. California Code of Regulations Section 321 states that in the event a probationer has not, during the prescribed calendar length of the probationary period, worked the hours set forth; the probation will automatically be extended until the probationer has worked the required number of hours. You must work with your CAU Analyst if you suspect your probationary employee will need to have their probation extended.

Best practice: *Evaluate and document the probationer's work and efficiency through the probationary period. In order for you to effectively evaluate your new employee's performance, it is important to give them a full range of duties. Also ensure they are evaluated at least three times during the probation period. It is your duty to reject a new employee if he/she is not meeting expectations. It is also your responsibility to ensure your probationary employee works the prescribed calendar length as well as the number of hours required. Contact your CAU Analyst if your employee is not meeting job expectations or if you need to extend the probation period due to absence.*

X. Unlawful Appointments

If your hiring process is challenged through the Merit Issue Complaint Process, the State Personnel Board will investigate. All hiring documentation will be examined. If the hiring process was not proven to be a fair and competitive process, the appointment of the candidate hired may be unlawful and could be voided. To evaluate the actions of the hiring authority under rule 249, "good faith" is presumed to exist in the following circumstances:

In order to make an appointment in "good faith," an appointing power and all officers or employees to whom an appointing power delegates appointment authority must:

- Intend to observe the spirit and intent of the law
- Make a reasonable and serious attempt to determine how the law should be applied
- Assure that positions are properly classified
- Assure that appointees have appropriate civil service appointment eligibility
- Intend to employ the appointee in the class, tenure and location to which appointed under the conditions reflected by the appointment document
- Make a reasonable and serious attempt to provide the relevant reference materials, training, and supervision necessary to avoid any mistakes of law or fact to the persons responsible for the pertinent personnel transactions
- Act in a manner that does not improperly diminish the rights and privileges of other persons affected by the appointment, including other eligible candidates

For questions regarding Best Hiring Practices, contact your CAU Analyst.