



DATE: April 23, 2009

TO: All Members of the Governor's Cabinet, State Agencies, and Employee Organizations

FROM: 
Suzahne M. Ambrose
Executive Officer

SUBJECT: THREE-RANK ELIGIBLE LIST PILOT STUDY

This State Personnel Board (SPB) memorandum (Pinkie) encompasses all guidelines and information pertaining to the Three-Rank Eligible List Pilot Study (Pilot). This Pinkie supersedes and rescinds the two SPB Pinkies released on August 15 and October 29, 2008, in regard to the Pilot.

On June 10, 2008, the five-Member State Personnel Board (Board) approved the use of three rank eligible lists in a two-year pilot study that began July 1, 2008. The Pilot is jointly coordinated by staff of the SPB and the Human Resources Modernization Project (HR Mod). The purpose of this memorandum is to provide information and guidance, and outline the requirements and process that must be followed in order to participate in the Pilot.

Definition

A three-rank eligible list is one in which all applicants who meet the minimum qualifications for a classification and pass the examination are placed into one of three ranks. (The scores that will be assigned to each rank must be identified on the attached Registration/Agreement Form. Applicants who do not pass the examination will always be assigned a score of 65 and will not be ranked or appear on the eligible list.) After allowing for veterans preference and other required adjustments, the resulting list will permit departments to consider a broader pool of eligible candidates than have generally been available for consideration in the past. Departments will then continue the competitive assessment of candidates by further evaluating their qualifications, fitness, and relative strengths during the hiring process and probationary period.

Intent of the Pilot

The intent of the Pilot is to facilitate the appointment of the right persons for the right jobs, consistent with a competitive merit-based process that ranks competitors and is free of patronage. The interview process that is described is an integral component of the Three-Rank Eligible List Pilot. The merit system safeguards associated with the

Pilot will ensure that the competitive process that initially produced a ranked eligible list continues into the hiring process, and that, for all appointments made from a three-rank eligible list, documentation can be provided to demonstrate that the candidate selected represents the best job/person match. In addition, it is expected that during the probationary period the qualifications of the appointee are further assessed and confirmed. Further, it is the intent that, as part of this pilot, the examination and appointment process will be streamlined, modernized, efficient, and automated.

Duration of the Pilot

The duration of the Pilot is two (2) years, concluding on June 30, 2010. During the Pilot, progress reports will be provided to the Board by HR Mod. Should the Pilot be deemed successful by the Board, a proposed policy defining how requests for three-rank eligible lists will be evaluated and approved after the Pilot has concluded will be developed and disseminated.

Examinations Pre-Qualified to Be Included in the Pilot

Initial categories of examinations approved by the Board to be included in the Pilot are:

- Examinations for classifications that require (for all minimum qualification patterns) a professional licensure, certification, registration, or specialized advanced degree. Examples of such classifications include, but are not limited to, Staff Counsel, Physician and Surgeon, and Registered Nurse.
- Examinations for classifications that facilitate the employment of persons with specialized needs and not currently represented in the Limited Employment and Appointment Program (LEAP). An example of one such classification is Office Occupations Clerk.
- Consortium examinations. A consortium examination is one in which multiple departments participate in the administration of an examination, and must include participation by departments that, in total, employ a majority of the positions within the classification.

Examinations for a classification that falls into one of the above three categories are suitable for inclusion in the Pilot, and departments are encouraged to request approval by submitting a completed Registration/Agreement Form. By so doing, each department that participates in the administration of the examination and utilizes the resulting three-rank eligible list agrees to adhere to all reporting and documentation requirements prescribed in this Pinkie. A separate Registration/Agreement Form must be submitted for each examination; however, only one form is required for a series examination.

Inclusion of Additional Examinations in the Pilot

Examinations that do not fall into any of the above pre-qualification categories may still be considered for inclusion in the Pilot. Departments may request the inclusion of an examination by submitting the Registration/Agreement Form and justification to HR Mod.

Examinations That May Not be Included in the Pilot

Examinations for any classification for which the certification rule is anything other than Rule of Three Ranks cannot be considered for inclusion in the Pilot. Therefore, managerial classifications specifically designated by Government Code section 19057.2 as requiring six ranks cannot be considered for inclusion in the Pilot.

Examinations Currently Using a Three-Rank Eligible List

Any department that uses an examination that was approved for three limited rank scoring prior to July 1, 2008, must register at this time as participating in the Pilot. Those departments will be expected to adhere to the reporting and hiring requirements described in this memorandum.

Requirements for Inclusion in the Pilot

Job Analysis: For any examination to be included in the Pilot, there must be a validation study or job analysis on file and available for review. The participating department(s) must administer the examination in accordance with the validation study/job analysis recommendations.

Baseline Statistical Data: For any examination included in the Pilot, the participating department(s) must provide baseline statistical data covering the last examination administered for the classification preceding the Pilot, even if the resulting eligible list has expired. If a department has not previously examined for the classification and does not have baseline data, this should be noted on the Registration/Agreement Form. Baseline data shall include:

- List Information - date the list was established, number of applicants, number of ranks, cutoff score methodology delineating ranks, and the number of reachable eligible candidates.
- List Activity – the duration of time encompassed by the reported baseline data (i.e., life of list, from list establishment to current date, etc.), number of appeals, number of appointments, and number of rejections during probation.

HR Mod Authorization: Any examination included in the Pilot must be administered in accordance with standard SPB policies and be reviewed and authorized by HR Mod. In order to ensure consistent exam administration processes are followed, HR Mod must be consulted on any examination included in the Pilot. Review and authorization will include, but may not be limited to, a review and approval of selection materials and processes associated with the classification's examination development and administration. This review must be completed before an examination can be administered or included in the Pilot.

Reporting Requirements during the Pilot

Hiring Interview Process. Any appointment from a three-rank list included in the Pilot must conform to requirements that ensure that the competition and assessment of candidates continues through the hiring process. The hiring process must be documented to ensure that it is competitive, includes objective assessment of candidates considered for hire, and focuses on relevant job requirements and performance objectives. To that end, to participate in the Pilot, departments must agree to the following minimum standards throughout the hiring process:

- Job-related criteria must be developed in advance and used to review applications, supplemental questionnaires, or any other information used to determine which candidates will be selected to interview.
- Job-related interview questions must be used to assess the fitness and qualifications of each candidate to perform the duties of the position.
- Each candidate must be asked the same set of interview questions. (It is expected and allowed that some candidate responses may require follow up questions for that candidate only.)
- Job-related evaluation criteria must be used to assess the candidates' responses to the interview questions.

Participating department(s) must maintain a summary of the hiring process for each appointment from the three-rank eligible list. The summary must include, but need not be limited to, a discussion of the job-relatedness and structure of the interview process, the interview questions, and a statement of why the individual was selected for appointment. SPB and/or HR Mod will audit the documentation maintained by departments, as necessary, to ensure that departments have complied with the above requirements.

Probationary Period: For any examination included in the Pilot, the participating department(s) must agree to complete all required probationary reports on time for each employee appointed from the three-rank eligible list.

Comparative Statistical Data: For any examination included in the Pilot, the participating department(s) must agree to provide HR Mod ongoing data from the use of the examination comparable to the baseline statistical data, including number of eligible candidates, number of appeals, number of appointments, and number of rejections during probation.

Use of a Three-Rank Eligible List by Other Departments

If a department that did not initially participate in the administration of an examination included in the Pilot requests to use a three-rank eligible list as an appropriate list, or to transfer an eligible from a three-rank eligible list to another list, in accordance with SPB policies, the requesting department must submit a Pilot Registration/Agreement Form. By submitting the Registration/Agreement Form, the department agrees to adhere to all Pilot requirements with respect to any appointment from a three-rank eligible list.

Submission of the Registration/Agreement Form or Justification Memorandum for Inclusion in the Pilot

A Registration/Agreement Form must be completed for each classification or series in order to participate in the Pilot. An automated version of the form can be found on the HR Mod webpage along with other information regarding the Three-Rank Eligible List Pilot Study at dpa.ca.gov/hr-mod/main.htm. The Registration/Agreement Form must be approved prior to examination administration. The Form, as well as requests for any additional examinations not included under the three pre-qualification categories, can be submitted via email to 3RankPilot@dpa.ca.gov.

Notification to Departments and Employee Organizations

If an exam clearly meets the pre-qualification criteria, the SPB Executive Officer will notify the appropriate employee organization and appointing power(s) within ten business days of the approval.

If an exam does not clearly meet the pre-qualification criteria, HR Mod and SPB will review the request. If the determination is not favorable, HR Mod will notify the department within ten business days of the disapproval. The department will have ten business days from the date of HR Mod's notification to respond.

If the determination is then favorable, the SPB Executive Officer will notify the appropriate employee organization and appointing power(s) within 10 business days of the approval. The employee organization will have ten business days from the date of

the SPB notification to respond to the inclusion of the examination in the Pilot. If no response is received within ten business days, then the matter will be approved by SPB without further review by the Board.

In instances when the employee organization responds within the timeframes and does not agree that it is appropriate to include the examination in the Pilot, the appropriate parties will discuss the matter. If an agreement is reached to include the examination in the Pilot, then the examination will be approved without further review by the Board. If agreement cannot be reached, the matter will be calendared for a regularly scheduled Board meeting, during which the affected parties will be afforded an opportunity to present their argument to the Board concerning the appropriateness of including the examination in the Pilot.

Questions regarding this memorandum may be directed to HR Mod, Donna Luallin, at (916) 651-2811, or e-mail at donnalualin@dpa.ca.gov.

Attachment



Three-Rank Eligible List Two-Year Pilot Study



A Three-Rank Eligible List is one in which all applicants who meet the minimum qualifications for a classification and pass the examination are placed into one of three ranks.

The five-Member State Personnel Board approved a two-year pilot study on the use of the Three-Rank Eligible List. Eligibility to participate in the Three-Rank Eligible List Pilot Study (Pilot) is determined based on specific criteria and requirements outlined in this document. This document serves as an agreement between the department named in Section A, the State Personnel Board (SPB), and Human Resources Modernization Project (HR Mod).

Section A: Registration Information

(A separate form must be submitted for each classification.)

Examination Title/Classification(s) and Class Code(s): (Series classifications can be submitted on one form)

Department:

Departmental Contact Information

Name:

Email:

Phone:

Date of this Classification's Most Recent
Validation Study/Job Analysis:

Consortium Exam? No Yes (If yes, please provide the name and contact information of the coordinating department. All participating departments must submit a separate Registration/Agreement Form)

Coordinating Department/Contact Information: _____

Departments Participating in Consortium:

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Section B: Eligibility Criteria

Please place an "X" over the box of the category that applies to the named examination:

- Examination requires professional licensure, certification, registration, or a specialized advanced degree for all minimum qualification patterns.
- Examination is being administered to facilitate the employment of persons with specialized needs and is NOT currently represented in the Limited Employment and Appointment Program (LEAP).
- Examination is being administered as a consortium examination.
(A consortium examination is one in which multiple departments participate in the administration of an examination, and must include participation by departments that, in total, employ a majority of the positions within the classification.)
- Examination falls outside the three pre-qualification criteria, but is being submitted to be included in the Pilot Study on an exceptional basis. (Justification must accompany this form.)
- Examination was approved for three-rank scoring prior to July 1, 2008, and is being registered for inclusion in the Pilot Study.

Section C: Participation Requirements

1. **Baseline Statistical Data.** Baseline statistical data from the prior examination administration for this classification preceding the Pilot must be provided to the SPB and HR Mod in the space provided below (if data not available, please provide an explanation at the end of this section).
 - a. List Information:
 - 1) Date list established _____
 - 2) Number of applicants _____
 - 3) Number of ranks _____
 - 4) Number of reachable eligibles _____
 - 5) Cut-off score methodology delineating ranks: _____
 - b. List Activity:
 - 1) Duration of time encompassed by reported data (i.e, life of list, from list establishment to current date, etc.) _____
 - 2) Number of appeals _____
 - 3) Number of appointments _____
 - 4) Number of rejections during probation _____

If data not available, please provide an explanation:

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2. **Current Job Analysis.** The examination must have a current validation study or job analysis on file and must be administered in accordance with its recommendations. The validation study/job analysis must be available for review by SPB and HR Mod.

3. **Proposed Scoring.** The scores that will be assigned to each rank must be identified. Applicants who do not pass the examination will always be assigned a score of 65 and will not be ranked or appear on the eligible list. Please indicate the set of scores you will assign for the examination(s) indicated in Section A of this Form. If assigning scores other than 95, 85, 75, please provide the rationale below.

Scores of: Rank 1 = 95, Rank 2 = 85, Rank 3 = 75

Scores of: Rank 1 = , Rank 2 = , Rank 3 =

Rationale:

4. **HR Mod Authorization.** Any examination included in the Pilot must be administered in accordance with standard SPB policies. In order to ensure consistent exam administration processes are followed for this pilot, HR Mod is to be consulted on any examination included in the Pilot. In addition, HR Mod is to review and give authorization for exams to be included in the pilot. Review and authorization will include but may not be limited to, a review and approval of selection materials and processes associated with the classification's examination development and administration. This review will ensure consistent exam administration procedures are followed and must be completed before an examination can be administered.

Section D: Reporting Requirements

(During the two-year Pilot, periodic reports providing the information described below must be submitted to HR Mod.)

1. **Ongoing Three-Rank Eligible List Examination Statistical Data.** This information must include, but need not be limited to:

- a. Total number of applicants (to date).
- b. Total number of reachable eligibles (to date).
- c. Total number of appeals (to date).
- d. Total number of appointments (to date).

2. **Probationary Reports.** All probationary reports must be completed on time, as required, for each appointment from the Three-Rank Eligible List. A summary of the probationary report information must be submitted and include, but need not be limited to:

- a. Number of probationary reports required (to date).
- b. Number of probationary reports completed on schedule.
- c. Number of appointees rated overall as "Outstanding."
- d. Number of appointees rated overall as "Standard."
- e. Number of appointees rated overall as "Improvement Needed."
- f. Number of appointees rated overall as "Unacceptable."
- g. Total number of rejections during probation (to date).

Section E: Documentation Requirements

(During the two-year Pilot, a summary of the hiring process for each appointment from the Three-Rank Eligible List shall be maintained.)

Documentation of Hiring Interview Process. Hiring interviews are an integral component of the competitive examination process. Therefore, in order to ensure that the hiring process is fair and competitive, the hiring interviews must use a job-related, structured interview process that must conform to the following minimum standards:

- Job-related criteria must be developed in advance and used to review applications, supplemental questionnaires, or any other information used to determine which candidates will be selected to interview.
- Job-related interview questions must be used to assess the fitness and qualifications of each candidate to perform the duties of the position.
- Each candidate must be asked the same set of interview questions. (It is expected and allowed that some candidate responses may require follow up questions for that candidate only.)
- Job-related evaluation criteria must be used to assess the candidates' responses to the interview questions.

A summary of the hiring process utilized for each appointment from the Three-Rank Eligible List must be maintained. SPB and/or HR Mod will audit the documentation maintained by departments, as necessary, to ensure that departments have complied with the above requirements. This summary must include, but need not be limited to:

1. The position's vacancy announcement.
2. Total number of applications received.
3. Supplemental information requested prior to scheduling interviews, if any.
4. Relevant job-related criteria for determining which candidates were selected for interview.
5. A discussion of the job-relatedness and structure of the interview process, along with a listing of the interview questions.
6. Number of applicants interviewed.
7. A statement of why the individual was selected for appointment.

Section F: Department Certification

Date:

Department:

As a designee for the Director's Office, I certify by submission of this Registration/Agreement Form to the Human Resources Modernization Project, that the above named department agrees to adhere to the requirements set forth by the Board for participation in the Pilot, as outlined in Sections C, D, & E of this document.

Name:

Title:

Phone:

Email:

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Note: A separate Registration/Agreement Form must be submitted by each department participating in a consortium examination.

Section G: Approval Signatures

Human Resources Modernization Project

Date:

Printed name and title: **Raye Zentner, Executive Project Director**

Signature:

State Personnel Board

Date:

Printed name and title: **Suzanne M. Ambrose, Executive Officer**

Signature: