




STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
OFFICE OF THE CABINET SECRETARY

JOE MANCHIN III
GOVERNOR

ROBERT W. FERGUSON, JR.
CABINET SECRETARY

Memo

TO: All Cabinet Secretaries, Bureau Chiefs, and Agency Heads

FROM: Robert W. Ferguson, Jr., Cabinet Secretary 
WV Department of Administration

DATE: September 29, 2006

RE: Revisions to Requirements for Appointments within the Classified Service

By memorandum dated August 7, 2006, I communicated to all Appointing Authorities a new standard regarding employment selection to be applied to all appointments to positions in the classified service for agencies covered by the Division of Personnel *Administrative Rule* (143 CSR 1). This standard was based on merit principles and scientific methods and is consistent with the Division of Personnel *Administrative Rule* and Federal Merit System Principles.

We were pleased with the positive response of employees, however, a variety of agency operational questions were raised. In response to questions and in order to clarify my intent, the Operational Standards-Best Practices are being revised and simplified to reduce the processing burden on agency staff and maintain efficiency in the hiring process.

I also wish to clarify that an agency is not required to submit the applicant tracking document to the Division of Personnel with the employment authorization approval packet, and it will be left to the discretion of the employing agency which credentials should be authenticated prior to employment, however, it is highly recommended that each agency make reasonable attempts to verify all required training directly with the educational institution.

Agencies are cautioned that employee selection procedures represent an area of significant potential litigation. Agencies should review their current standards and procedures and consult with their attorneys to ensure that internal employment/hiring practices are clearly defensible.

The Best Practices Regarding Appointments in the Classified Service will be posted on the Division of Personnel's website (www.state.wv.us/admin/personnel) along with the optional Applicant Tracking document which will be placed in the Forms Section. Any questions concerning these Best Practices should be directed to a member of the Employee Relations Section staff at 558-3950, extension 511.

RWF:BJSA

Attachments: DOP Best Practices Regarding Appointments in the Classified Service, Revised 9/29/06

WEST VIRGINIA DIVISION OF PERSONNEL
Best Practices Regarding Appointments in the Classified Service
Effective September 1, 2006, Revised September 29, 2006

A. The following standards should be applied to all merit system posted vacancies in the recruitment and selection processes:

1. Applicant eligibility determinations shall be limited to the criteria defined in the Official Job Posting and based on a review of the applicant's official Division of Personnel (DOP) Application for Examination, qualifications verification, eligibility assessment, and may include inquiries with the applicant or the DOP, if needed.
2. Due Consideration is comprised of **reviewing** the official applicant-completed DOP Application for Examination and **interviewing** qualified current or former merit system employees and all eligibles ranked above an applicant selected for employment as further explained in B. 2.

B. The following standards should be applied to all merit system posted vacancies in the selection and employment approval processes:

1. Interviewers should give Due Consideration to at least five (5) qualified applicants for each posted vacancy (or all eligible applicants when less than five (5) qualified persons are available).
2. When recommending employment of a person from a Certification of Eligibles, every available eligible ranked above the person selected for employment should receive Due Consideration. Contact and Due Consideration results should be completed for each eligible considered on the certification.
3. Certification of Eligibles contact results should be returned with the employment authorization request packet regardless of the method of employment.
4. The DOP may, at its discretion, verify reported contact results with agency staff, applicants and/or eligibles. DOP will notify every certified eligible reported by an agency as unavailable that they are being removed from the register based on the agency's report.
5. All eligibles on a provisional certification should be afforded Due Consideration. These Best Practices should be applied when the register is created and a Certification of Eligibles is made for the subsequent Original Appointment.

This document is intended to represent best practices regarding appointments in the classified service.
This document is not a policy promulgated by the State Personnel Board.
The information it contains should not be construed to supercede any law, rule, or policy.