



Recruitment Additions to the HR Procedures Manual

Merit System Posting Options (Ref. Merit Rule 6.1)

Three options are provided for when posting a vacancy as detailed below:

1. **In-House:** within the same department which is referred to as in-house or intra-agency. This option provides for all merit system employees within a department to apply. Employees in the department who are not merit system employees are not eligible to be considered for these types of job postings unless they have return to merit system rights for this specific agency. Non-merit employees are initial probationary employees in a merit position, casual/seasonal employees, non-classified or exempt (non-merit) employees. Initial appointments to state employment with limited term status (no merit status) are not eligible for in-house postings.
2. **Merit Only:** within state merit system agencies which is referred to as inter-agency and shows on the job posting as Merit Only. This option provides for all merit system employees from any merit system agency to apply. Employees in state agencies who are not merit system employees are not eligible to be considered for these types of postings unless they have return to merit rights. Non-merit system employees are initial probationary employees in a merit position, casual/seasonal employees, non-classified or exempt (non-merit) employees. Initial appointments to state employment with limited term status (no merit status) are not eligible for merit only postings.
3. **Open Competitive:** allows any individual to apply whether or not a current state employee. In order for initial probationary employees in a merit position, casual/seasonal, non-classified or exempt employees without return rights to be considered for a vacancy, the posting must be done as open competitive.

Note: Merit system employee means an employee who is covered by the Merit System and has completed the initial probationary period.

Once a job posting is initiated using one of the posting options for merit vacancies, the hiring process must be completed. (Ref. M.R. Chapter 8)

Specialized Posting Options

Exempt (non-merit): vacancies for positions that are exempt from the merit system and comparable to a merit class will be posted using the merit class specification information.

Merit class job requirements will be used to screen applicants unless the agency requests the applications not be screened. If a request has been made not to screen applications, vacancies will be posted using an HRM approved job description developed by the agency.

- **Exempt** positions do not have to be posted.
- **Exempt** positions, if posted, are done as open competitive.

Limited Term: in accordance with Merit Rule 10.1 “Limited term appointments are permitted when a merit vacancy exists that is not of a continuing nature, but is projected to exceed 90 days. Such vacancies may be filled for a period of up to 1 year. The Director may approve a longer time period. Established selection procedures shall be followed for filling the vacancy.” The job posting will reflect language specific for the limited term vacancy.

- Limited Term vacancies can be posted as in-house, merit only or open competitive. If posted in-house or merit only, only merit system employees can be considered.

Casual/Seasonal: vacancies for casual/seasonal positions, if posted, that are comparable to a merit class will be posted using the class specification information and, merit class job requirements will be used to screen applicants unless the agency requests the applications not be screened.

- Casual/seasonal positions do not have to be posted. If casual/seasonal positions are posted, any qualified applicant can be selected from the entire applicant pool without a referral list.

Classifications in Pay Grades 1-5 (per the Delaware Code): Note that this section does not apply to positions that receive federal funds and are required by law to be filled competitively.

- Positions in pay grades 1-5 can be filled without a job posting.
- If a job posting is used, any applicant who passes screening of the job requirements can be offered the job without using a referral list.

Additional Screening Devices:

Any screening devices that would be used as a factor in the hiring decision require approval by HRM. Examples include written tests, writing exercises, functional capability evaluations, typing or proficiency tests, or any other types of screening that are not covered by the HRM guidelines or have not been pre-approved by HRM. Please refer to the *User’s Guide for Merit System Hiring* for the procedures to request approval prior to posting the vacancy for a writing exercise or a functional capability evaluation to screen applicants.

Posting Rules

Vacancies to be filled through the competitive process are posted as individual position vacancies. Only one job posting per budget position number is normally permitted. Exceptions are permitted if they meet the following criteria:

- Jobs have the same class code.
- Jobs have similar or same job duties.
- Jobs are located in the same county or in the City of Wilmington.

The examples which follow show how posting and referral lists will be handled in different situations for multiple vacancies:

1. Same location, same/similar job duties and same hiring manager. There will be one job posting and one referral list.
 - Manager Smith has 3 vacancies for Administrative Specialist I and all three positions do essentially the same type of work or require essentially the same competencies or knowledge, skills, and abilities.
 - All vacancies are located at the Haslet Building.
2. Same location, same/similar job duties but different hiring managers. There will be one job posting and one referral list.
 - Manager Smith, Manager Jones and Manager Lane each have a vacancy.
 - Each manager has at least one vacancy for a Social Worker.
 - All vacancies are located at Herman Holloway Campus.
 - All three managers have agreed to sharing the referral list and conducting joint interviews.
3. Different locations within same county or City of Wilmington (not to exceed 5 locations), same/similar job duties and same hiring manager. There will be one posting and separate referral lists filtered according to the locations in which applicants have expressed an interest.
 - Manager Smith has 3 Administrative Specialist II vacancies, each one at a different location in New Castle County.
 - One vacancy is located at the Herman Holloway Campus; one vacancy is at Emily Bissell and one at Cambridge.
4. Different locations in the same county or City of Wilmington (not to exceed 5 locations), same/similar job duties, and different hiring managers. There will be one posting and separate referral lists filtered according to the locations in which applicants have expressed an interest.
 - Manager Smith, Manager Jones and Manager Lane each have at least one vacancy for Administrative Specialist I.

- Manager Smith’s vacancy is located at the Haslet Armory, Manager Jones’ vacancy is located at the Duncan Center and Manager Lane’s vacancy is located at Silver Lake Plaza.
5. Different locations in different counties or City of Wilmington (not to exceed 5 locations), same or similar job duties and different managers. There will be one posting for the Kent County locations and a referral list filtered according to the locations in which applicants have expressed interest in Kent County. There will also be one posting for the Carvel location with a corresponding referral list.
- Manager Smith, Manager Jones and Manager Lane each have a vacancy for Administrative Specialist I.
 - Manager Smith’s vacancy is at the Carvel State Office building in the City of Wilmington.
 - Manager Jones’ vacancy is at the Haslet Building in Kent County.
 - Manager Lane’s vacancy is at the McCardle Building in Kent County.
6. Different locations in the same county or City of Wilmington (not to exceed 5 locations), different specialty areas and different hiring managers. There will be one posting and separate referral lists filtered according to the locations in which applicants have expressed an interest. Note that the separate locations will correlate with the different functional areas for which applicants have expressed an interest.
- Manager Smith, Manager Jones and Manager Lane each have at least one vacancy for Human Resources Specialist I.
 - Manager Smith’s vacancy is located at the Haslet Armory, Manager Jones’ vacancy is located at the Duncan Center and Manager Lane’s vacancy is located at Silver Lake Plaza.
 - Each vacancy is for a different functional area, e.g., Manager Smith’s vacancy is for benefits administration, Manager Jones’ vacancy is for classification analysis, and Manager Lane’s vacancy is for employment services.

Posting Career Ladders

Criteria for posting multiple levels on one job posting:

- Posting multiple levels of a career ladder will require that the career ladder be classified as hard to fill, defined as receiving Selective Market Variation (SMV).

For career ladders not covered by SMV, HRM approval is required to post for multiple levels in the career ladder. There must be a clear operational need for such a posting based on past recruitment experience or related recruitment experience. For example, past recruitment indicates few if any applications are received and found qualified for the higher level while the lower level attracts more qualified applicants although the number of applicants tends to be low.

Posting Time Frames (Ref. Merit Rule 6.2 as currently amended to reflect posting for a minimum of seven calendar days.)

Opening/Closing Dates:

- Opening and closing dates must capture a minimum of 7 calendar days and may include holidays and weekends.
- You cannot shorten the amount of time a posting is announced once it has been placed on DEL. However, for the purposes of placing employees for administrative reasons in accordance with legal mandates, the Director can close a posting prior to the closing date. All applicants will be notified that the posting has closed.
- You can cancel a posting if the position will not be filled. Applicants must be notified of the action taken with the posting.
- You cannot change substantive job posting information while a posting is open that would have the effect of altering the applicant pool. If the job posting is changed in any way for any substantive information (except extending the closing date), the posting will be closed. Applicants should be notified of the specific change and directed to reapply to an updated posting if still interested in the position. Applicants who signed up for interest cards will receive notification of the new job posting and may apply based on the updated information.
- Jobs will not be posted before the opening date.
- The maximum time frame for postings is 180 days. The maximum posting is only to be utilized for hard to fill positions. These are defined as on Selective Market Variation (SMV) or have HRM approval to post. The maximum time frame of postings cannot be extended, but they can be reposted in DEL for another 180 days. For Direct Hire and Hard to Recruit job postings, the posting can be closed once you have received acceptance of a job offer to fill the position. Applicants must be notified of the action taken with the posting.
- Closing dates can be extended prior to the posting closing date. Once a posting has closed, the date cannot be extended, and the selection process must be completed with the referral list generated from the posting. Applicants are notified of extended job posting closing dates via the job status board in DEL.
- Extensions of postings are appropriate when the number of qualified applicants that have applied is insufficient. There is no limit to the amount of times you can extend a closing date as long as the posting does not exceed 180 days.
Note: Please keep in mind that HRM Compensation Guidelines define a critical shortage of applicants as less than five qualified applicants on an open competitive referral list. For hard to fill positions, when critical shortage may be a consideration for a leveling-up salary request, the position must be posted for a minimum of 15 days in a variety of media sources.

Determining the Posting Time Frame:

All jobs should be posted for seven days unless:

- The job code is classified as Hard to Fill.
- Past recruitment efforts clearly indicate that posting for seven days did not provide a sufficient applicant pool for this job class.
- The job is being advertised through other media and the timing of the opening/closing dates needs to correspond with the advertisement.

Remember that extending closing dates may result in receiving more than 30 qualified applicants. This then requires the development and/or rating of all applications for scoring and ranking purposes. Even though more than 30 applicants may qualify, only 30 can be placed on the referral list (in addition to any with scores tied to the 30th score). To prevent slowing down the hiring process, the extension of closing dates should be done judiciously.

Selectives (Ref. Merit Rule 6.2.3)

- A selective requirement is defined as “any education, training and/or experience not specifically indicated in the job requirements of a class specification that are required as they are considered job related and essential for effective performance in a specific position at time of hire.”
- The purpose of a selective requirement is to account for requirements that are essential for job performance in a particular position within a class but not required for all positions within that class.

Selective requirements must meet the same legal and professional standards as other job requirements and must meet the following standards:

- Valid. In order to determine validity, the selective requirement must be job related and absolutely essential for successful job performance.
- Needed at Entry. Requirements that cover knowledge, skills and abilities that can be acquired or learned on the job in the customary period of training or a reasonable period of time should not be included as a selective.
- Essential to Job. Significant core, essential functions of the job that are directly linked to the primary purpose of the position. They are usually indicated by a majority or significant amount of the time spent on them or they are of a critical nature to operations.
- Operationally Needed. Operational need is based on current staffing resources. The lack of staffing resources with the particular knowledge and skills to perform the work can be justification for adding selective requirements for a position at a particular point in time.
- Discernable from Applications. The selective requirement must be clearly written and a factor that can be screened from an application.

A selective must be a requirement not covered by an HRM approved screening device for that classification. It must be non-specific to Delaware, an agency, system or program. There may be exceptions in some cases for in-house or merit-only job postings. They

must be consistent with the class specification and the level of work described for the class/position for which you are recruiting.

Requests for HRM approval of selective requirements need to include the following justification/documentation:

- A brief summary or list of job duties not already included in the job specification.
- Explanation of how the selective requirement is justified based on the job duties and operational need.

Applications for Employment (Ref. Merit Rule 6.3)

- Online applications received require applicants to read and agree to a statement detailing their responsibility for providing accurate and honest information. The consequences of any misrepresentation are indicated. The online application constitutes an application signed by the applicant.
- Upon receipt of an on-line application, DEL will send an email to the applicant confirming receipt of their application.
- Applicants are notified of the results of screening for the job requirements.
- Applicants are notified of the results of screening for the job requirements after the posting closes and before issuance of the referral list. For 180 day job postings, the applicants will be notified before his/her name is issued on a referral list.

Screening and Ranking Applicants (Ref. Merit Rule Chapter 7)

- HRM approval is required for administering a writing exercise prior to posting for the vacancy. Writing exercises are appropriate for jobs involving a significant amount of narrative writing. The writing exercise is used to assess writing skills. Please see the *User's Guide for Merit System Hiring* for the writing exercise template. <http://www.delawarepersonnel.com/policies/>
- All applicants who pass screening of job requirements are placed on an eligibility list from which the referral list will be generated. If there are less than 31 candidates and a written examination is not required, candidates are listed on the referral list in alphabetical order.
- If there are more than 30 qualified candidates and a written examination is not required, a rating of training and experience is required to score and rank candidates.
- Written test scores are valid for the life of the test.
- Applicants requesting to retest are eligible to take the test 120 days from the date the test was last taken unless it is for Correctional Officer in which case the applicant can retest after 60 days.

- Exempt from Written Tests:
 - Employees reclassified to a classification requiring a written test.
 - Applicants eligible for reinstatement applying for positions in the same class which they last held.
 - Transfers applying for the same class as the job class they hold.
 - Employees applying for reassignment from one classification to another in the same pay grade or lower which uses the same test.
- The score from a written examination is used to determine rank order unless the exam is pass/fail only.
- A previous state employee may request reinstatement within two years from leaving the classified state service in good standing. When an agency receives such a request, the reinstatement candidate shall apply for the class they previously held via Free Names in DEL. The agency then has the discretion to fill a vacancy with the reinstatement or post to obtain additional names.
- When reinstatements and transfers apply to a job posting for the same classification and do not pass screening, the screening results will be reviewed by HRM to ensure accuracy of the screening. (Ref M.R. 10.6 and 10.6.1)
- Voluntary Demotions that apply to job postings are screened for meeting job requirements. (Ref. 10.5) Voluntary demotions in the same class series will be considered additional names to the 30 candidates on a referral list.
- Selective Placement candidates submit applications via Free Names. Agency HR should check under the Free Names section prior to processing a request to post to determine if there are Selective Placement candidates available. The hiring manager should review those applications prior to posting. If they wish to hire a Selective Placement candidate, no further posting or interviewing is required.

Referral Lists (Ref. Merit Rule Chapter 8 as currently amended to reflect limit of 30 candidates on a list and the elimination of tie breakers)

- Prior to filling a vacancy, a Requisition approved by the agency must be submitted to HRM. HRM will review and approve requisitions and post jobs through DEL.
- No merit vacancy can be filled without an approved Requisition unless it otherwise meets one of the exceptions defined elsewhere in this document.
- Coordinate with HRM for posting opening/closing dates when you will be placing advertisements.
- Applicants who pass screening will appear on an eligibility list.
- The referral list is generated from the eligibility list and distributed to the hiring manager electronically by the agency HR Office.

The job posting dictates the type of referral list. Specifically,

- A merit only job posting will result in a referral list of applicants who are merit system employees.
 - An in-house posting will result in a referral list of applicants who are merit employees of that agency.
 - An open competitive job posting will result in a referral list of all possible types of applicants.
-
- A referral list will not be issued until after the posting closes including any extensions of that posting.
 - Only the qualified applicants who applied to the specific job posting will appear on the referral list. For example, if a job was posted in-house and reposted open competitive, the names from the in-house posting cannot be added to the open competitive posting (unless the applicant reapplies to the open competitive posting).
 - Lateral transfers, reinstatements and voluntary demotions will be screened and placed on the referral list in accordance with the merit rules and are considered additional names to the 30 candidates on a referral list. Transfers and voluntary demotions are required to be merit employees for the purposes of this procedure.
 - A referral list will not contain names of applicants who applied to a posting for a different vacancy (different budget position number) for a different hiring manager. For example, if hiring manager Smith has a vacancy and hiring manager Hill has a referral list from which Smith wants to hire, this is not permitted. An exception applies when there was an agreement between or among managers to use one job posting for multiple vacancies according to the job posting rules for multiple vacancies.
 - The same referral list can be used to fill a subsequent vacancy for the same class title, for the same hiring manager, for the same location as long as the list was issued within the previous 90 days. Referral lists cannot be used to fill subsequent vacancies if the job posting contained information that would not be true and accurate for the subsequent vacancy.
 - Hiring can be done without referral lists for pay grades 1-5 (per Delaware Code unless federal funding requires competition), Direct Hires, casual/seasonal hires, and selective placements.
 - A referral list is active until the position is filled, the referral list is rejected in its entirety (position not filled or unable to be filled) or 90 days have passed, whichever occurs first. Extensions are granted for referral lists through the agency HR Office. The referral list will need to be canvassed and rejected in its entirety prior to reposting or receiving another referral list from the original job posting.
 - If a referral list is rejected, a reason for rejecting each and all of the names on the list is required.
 - All candidates on a referral list, regardless of the number of candidates, will be considered for filling the vacancy prior to rejecting the entire list even if there is only one candidate on the referral list.

- A reason must be provided for rejecting all names on the list even if the position is not filled.
- Reasons for rejecting a candidate are captured in DEL such as “Declined Job Offer”, “Unable to Contact” and so forth.
- Where there is no requirement to interview everyone on the list, a reason for not interviewing a candidate can be based on a review of the application alone.
- Job Related Reasons are defined as:
 - The candidate’s education, training and employment history are not sufficient for the candidate to meet the requirements of the position upon entry. The reasons must be stated in specific terms, i.e., what the job requires and what the candidates lack. Please refer to the *User’s Guide for Merit System Hiring*.
<http://www.delawarepersonnel.com/policies/>
- The interview indicates that the candidate is not a good fit with the organization based on work assignments. This must be stated in specific terms and be documented based on behaviors that would preclude the candidate from being able to perform the job successfully. For example, when a candidate exhibits particular interpersonal skills that are not suitable for working with the public on a daily basis, note those behaviors in relation to what is required on the job. Once the agency HR office reviews and approves the rejection of the referral list, the job can be posted if there are no candidates remaining on the eligibility list to place on a referral list. The type of posting can be the same or for an expanded recruitment field. For example, if a job was posted as Merit Only, the referral list needs to be rejected in its entirety prior to receiving approval to post Open Competitive.
- If there is one or more candidates on the eligibility list that were not on previous referral lists, a new referral list of the same type will be issued to the hiring manager. In no case will a job be reposted until all applicants have been placed on a referral list and considered for the vacancy. For example, if a job was posted as Open Competitive, the referral list needs to be rejected in its entirety prior to receiving another referral list from the eligibility list.
- For jobs allowed to be posted for the maximum timeframe (Ref. posting time frame), a referral list does not have to be rejected prior to issuing subsequent referral lists.
- All referral lists will be closed out within 90 days after issuance unless an extension is approved through the agency HR Office.

Veterans

- Applicants who are veterans and have not yet obtained a merit system position will be awarded additional points as follows:
 - Five additional points will be given upon proof of honorable discharge as indicated by a legible copy of Form DD214.
 - Ten additional points, rather than five, will be given if there is evidence of disability (VA letter indicating percentage of disability).
 - Preference shall be granted only in the form of points to be added to earned ratings in examinations.

- Upon initial hire, HRM must be notified to update the system in order to prohibit the use of the additional points beyond the initial hire.
- The DD214 form(s) must be received at HRM offices by the close of business the next work day after the closing date on the posting in order to receive the points.
- HRM will record verification of such information in the system where it will remain and can be used to verify the requirement for future applications from the applicant until the applicant is hired by the state.
- Veterans requiring additional information regarding DD214's or eligibility should be directed to contact Veterans Affairs at www.va.gov or to contact their office toll free at 1-800-827-1000.