

Idaho Department of Correction	Standard Operating Procedure	Title: Hiring	Page: 1 of 11
		Control Number: 211.07.01.001	Version: 1.0

**Sharla Means, human resources manager, approved this document on
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Open to the public: Yes

SCOPE

This standard operating procedure (SOP) gives specific guidance to employees, supervisors, and managers in recruitment, screening, and hiring for all staff positions within the Idaho Department of Correction (IDOC) such as advertising new positions, background and reference checks, selecting eligible candidates, and processing new employee appointments.

Revision History

Revision date (09/23/2016) version 1.0: Procedural content from policy 211 Hiring and Probation was moved from the policy to this SOP. Related forms were also migrated to the SOP.

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BOARD OF CORRECTION IDAPA RULE NUMBER

None

POLICY CONTROL NUMBER 211

Hiring and Probation

PURPOSE

It is the policy of the Board of Correction that the IDOC fills all positions based on merit and in accordance with applicable federal and state laws.

In order to maintain and protect the security of the department and its facilities, it is the policy of the board that IDOC performs thorough and careful screening of the applicants before hiring.

RESPONSIBILITY

Human Resource Manager

The human resource (HR) manager or designee is responsible for:

- Developing and administering a hiring process, which identifies qualified applicants and assures applicants are selected for positions based on merit and in accordance with applicable federal and state laws.
- Providing consultation and HR services to supervisors and managers on the hiring process to facilitate the recruitment, screening, selection, orientation, and management of new staff.

Hiring Managers

Hiring managers are responsible for:

- Specifying and clarifying, for approval by the HR manager, changes to minimum qualifications, specialty areas, or desirable qualifications for a position.
- Working with HR and supervisors to assure compliance with each stage of the hiring process.
- Determining and recommending to the approving authority the individual best suited for the position. The approving authority (e.g., a division chief or designee) makes the final hiring decision.

STANDARD PROCEDURES

1. Equal Opportunity

Hiring decisions and appointments are to be made without regard to race, national origin, color, sex, age, religion, disability, or veteran status (unless under other than honorable conditions).

2. Confidentiality

All applications, placement on eligibility registers and hiring lists, names of subject matter specialists involved in reviewing and scoring applications, answers to interview questions,

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and background investigation findings must be kept confidential and not divulged to unauthorized personnel who are not directly involved in the hiring process. All requests for confidential information must be referred to HR.

3. Recruitment

HR recruits and advertises for department positions in cooperation with the Division of Human Resources (DHR) and Department of Labor (DOL). Employees may be required to represent the department at external recruitment activities. Advertisements for openings and recruitment materials must include a statement indicating IDOC is an equal opportunity employer (EOE). Recruitment is performed in conjunction with veteran's preference goals.

Announcement

Hiring managers must contact HR whenever there is a job vacancy, to determine recruitment strategies. When necessary, HR publishes an announcement.

The hiring manager may submit a request to HR if there are any necessary changes to the announcement before it is published.

Announcements to the public are published and distributed by HR to statewide job service offices and online at the DHR website. HR disseminates department announcements to, as relevant, employees of the department, Correctional Industries (CI) and Commission of Pardons and Parole.

Announcements must include the following information:

- Title of the class
- Location of opening
- Type of announcement
- Instructions for applying
- Typical duties and responsibilities
- Salary
- Minimum qualifications
- Nature of the examination and qualifying score
- Veterans preference notice
- Closing date, and any other pertinent information

Hiring Lists

Applications are submitted to DHR, which coordinates the scoring of examinations for classified positions and prepares an eligibility register. A "hiring list" of the top 25 individuals is then pulled from the eligibility register for the department's use. Depending upon the pool of applicants, a hiring list can have less than 25 names on it.

A manager may consider the top 25 names and anyone tied for twenty-fifth place on a hiring list. If, when calling for interviews, an applicant declines or cannot be contacted after a reasonable attempt (such as documented phone message, letter, e-mail, at least two calls at different times of day if no answer), the applicant must be coded correctly by the hiring manager and need not be counted in the top 25.

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The hiring list has symbols and notes to identify veterans who must receive offers to interview, current and former state employees, and candidates who have been laid off from the department and have reemployment preference or who have been laid off from other state agencies and must be offered an interview. For more information regarding laid off employees who apply for reemployment, see the section entitled "Layoff" below.

All hires must be made from the top 25 available names on the hiring list.

Removal from Hiring List

With proper justification (such as falsifying an application), a manager may request an applicant be removed from a hiring list. The removal must be documented in writing and submitted to HR. HR submits the request to DHR for approval. Names are not removed before receiving approval.

4. Non-Classified Appointments

Most employment with the department is in the state's classified service. Requirements for the recruitment and hiring of classified employees are described in chapter 53, title 67, of the Idaho Code, and in the Rules of the Division of Human Resources and Idaho Personnel Commission, at IDAPA 15.04.01 (the DHR Rules).

In accordance with Idaho Code, section 67-5303 (q), (r), (s), and (t), employees of CI, the public information officer, division administrators, deputy administrators, and wardens are considered non-classified, at will employees.

Temporary employees are non-classified, at-will employees.

5. Double Filling a Position

A manager may double fill a position for training purposes or to staff a position for an employee who is on short-term disability or an extended leave of absence. This is to be on a short-term basis only considering availability of funding. Written approval by the division chief is required. When the incumbent who is on an authorized leave timely returns to work, the employee hired to double fill the position must be moved to a vacant position or assignment, unless otherwise approved by the HR manager.

6. Types of Appointments Used to Fill Classified Positions

Acting Appointment

A classified, permanent employee may be appointed to a position in a higher pay grade in an acting capacity when: (1) the incumbent of the position in the higher classification is on an authorized leave of absence, or (2) a vacancy exists and there is no department layoff or adequate register (five eligible candidates) for the classification, and (3) the employee meets the minimum qualifications. Approval from the HR Manager is required for any acting appointment.

Upon appointment of the employee, an *Acting Appointment Agreement* (see eDOC Supervisory Forms), signed with the appointee's signature, must be sent to HR. Such appointments are limited to the time necessary to fill the vacancy or until the incumbent returns from leave. The appointment should not continue beyond 1,040 hours unless specifically extended by the HR manager.

When the incumbent returns from leave, or the vacant position is filled, the acting appointment expires. The acting appointee will be returned to the class, pay grade and

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rate held immediately preceding the acting appointment, unless the acting appointee is promoted to the higher position. All time served in an acting capacity immediately preceding an employee's promotion counts toward the probationary period provided the employee is hired from the top 25 available on an eligibility register.

Layoff

If a candidate is listed as "layoff" on a hiring list and the candidate's most recent position was with this agency, the manager must offer the position to that candidate when filling a vacant position.

If the candidate was from another state agency, the manager must offer an interview to that candidate for the opening.

For more information regarding layoffs please refer to *Reduction in Force*, SOP 231.07.01.001.

Limited Service Appointments

Limited service appointments are an appointment of a person to a classified position of limited duration, to which the person has become qualified by examination. These appointments are restricted to the duration indicated in the grant, limited funding, or duration of the project. Employees appointed under limited-service appointments have permanent classified status after successful completion of probation. These employees have the same rights and responsibilities as other permanent employees but may be subject to expedited layoff pursuant to IDAPA 15.04.01.140.01c (DHR).

Employees appointed to a limited service position must sign a [Limited Service Memorandum of Agreement](#) (LSMA) describing the non-career nature and duration of the appointment. A new LSMA must be signed every two years from the date of appointment and forwarded to HR for placement in the personnel file.

Initial Appointments

Initial appointments are an appointment of a person to a position for which it has been determined the person meets the qualifications for the position and has no previous state service.

For an appointment to a classified position, the person must qualify by examination and serve a probationary period as a condition to permanent appointment.

Reappointments

A reappointment is when a current employee on entrance probation is appointed into a new classification with a new probationary period or appoint of a classified employee into a non-classified position within the agency.

Reinstatements

A manager may reinstate a current or former state employee to a class in which he held permanent status or to another class of an equal or lower pay grade for which he meets the minimum qualifications.

Reinstatement is not a right. The employee must have separated from the class without prejudice and must meet the current minimum qualifications of the class as approved in advance through HR. The employee is required to complete the background process and pass a drug test. Fingerprints are required for those whose break in service is greater than five years. The manager must obtain the background investigation results before final selection.

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An employee is eligible for reinstatement for a period equal to the length of the employee's probationary and permanent state employment, combined.

The manager may negotiate a voluntary probationary period. The [Voluntary Probation Agreement](#) must be written, submitted, and approved in advance by the HR Manager or designee. For more information regarding probation please refer to *Probation*, SOP 211.07.01.002.

Temporary Appointments

Individuals appointed to temporary positions must meet the minimum qualifications for the position. Temporary appointments are limited to 1,385 hours of work in any 12-month period for any one state agency. Both calculations begin on the date of the original temporary appointment.

Employees appointed to a temporary position must sign a *Temporary Employment Agreement with Benefits* or *Temporary Employment Agreement without Benefits* depending on benefit eligibility of the position.

Time served on temporary appointment may count toward any probationary period if:

- The individual is selected from a hiring list;
- There was no break in service;
- The time was immediately preceding the appointment to a classified position; and
- The responsibilities were substantially the same as the regular permanent appointment.

If such an individual is hired from a hiring list and has worked 1,040 or more hours in temporary status, he may also be hired into classified service in the same classification as an entrance probationary employee without further examination. The announcement for the position must indicate that the temporary position has the potential of becoming a permanent classified position.

Employee must successfully complete a background, fingerprint check, and drug test.

Transfers

Intradepartmental Transfers

Transfers are made by the hiring manager, following consultation with HR.

Employees must notify their current supervisor in writing upon acceptance of an offer to transfer to another division/facility within the department. The manager coordinates the effective date of the transfer with the employee's current supervisor.

A manager may recommend or require transfers of permanent employees to different shifts or positions within the same classification or another classification in the same pay grade at any time in order to meet organizational needs, work requirements, or for special personnel needs. The employee must meet the minimum qualifications for the position to which he is being transferred.

Interdepartmental Transfers

A manager may transfer an employee from another state agency to an IDOC position, following consultation with HR. A classified employee is eligible for a transfer between agencies only in the same classification in which he holds permanent status, or to

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another classification within the same pay grade or lower pay grade for which the employee meets the minimum qualifications.

The manager or designee must review the employee's personnel file maintained or obtain an employment reference from the employing state agency before interviewing or hiring.

A voluntary probationary period may be negotiated with the employee when the transfer is from another agency. The *Voluntary Probation Agreement* must be written and submitted in advance to HR manager or designee for approval. For more information and the form regarding voluntary probation please refer to *Probation*, SOP 211.07.01.002.

Employee must successfully complete a background, fingerprint check, and drug test.

Under Filling a Position

A manager or designee may under fill an authorized position with an employee in a lower pay grade to accommodate a training period. The under fill and training plan must be approved in advance by the HR manager and DHR administrator.

Voluntary Demotions

A manager may fill a position with a permanent status employee who occupies one classification but requests to move to another classification in a lower pay grade for which the employee meets minimum qualifications.

7. Employment Interview

Interview Questions

Interviews will be conducted for a job vacancy unless otherwise approved by the HR Manager. A hiring authority must ask valid questions to evaluate the qualifications of applicants. There are two elements involved in determining the validity of the interview questions: (1) applicability of the questions to the position applied for, and (2) the questions must be job-related, based on valid job requirements, and related to the competencies necessary for the position. HR must approve interview questions. The same questions must be asked of each applicant. Relevant follow-up questions may be asked in order to obtain sufficient information to evaluate job qualifications.

No questions which would likely lead an applicant to reveal a disability, medical condition, or any protected class status (such as race, religion, national origin, or age) are allowed during a hiring interview or before a conditional offer of employment is made.

Selecting an Interview Panel

The hiring manager makes the decision of whether to use an interview panel; following consultation with HR. An interview panel is comprised of at least two individuals. One member must be a supervisor of the classification being interviewed.

8. Employment References

The manager or designee may review the candidate's personnel file or obtain an employment reference from the candidate's current employer prior to interviewing or hiring. If the candidate is a current or former classified employee of the department or another state agency, the hiring manager may ask HR for assistance in obtaining available service and performance records.

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Before hiring a new employee who will have direct contact with offenders, best efforts must be made to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse to comply with PREA Standards, PREANS 115.17.b.

9. Hiring Restrictions

In compliance with PREA Standards, PREANS 115.17.a, Idaho Department of Correction does not hire or promote anyone who may have contact with offenders who:

- A. Has 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;
- B. Has been 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. Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (B) of this section.

The department must consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates. For more information on hiring restrictions, see *Background Checks and Fingerprints*, SOP 150.01.01.003

10. Hiring Process

Background Investigation

When a top candidate or candidates have been identified, a background investigation must be conducted and approved before a job offer based on the standards set forth in *Background Checks and Fingerprints*, SOP 150.01.01.003.

Compensation

For more information on compensation, see *Compensation Plan*, SOP 202.07.01.001.

Conditional Offer of Employment

The hiring authority may make a conditional offer of employment to the candidate upon obtaining approval of the candidate's *Background Investigation Questionnaire* (BIQ) and employment references. The candidate must be provided the *Conditional Offer of Employment* and sign indicating his agreement to noted conditions. The signed form must be included in the *Personnel Action Request* (PAR) packet for processing.

Certain positions responsible for the supervision, control, or training of offenders are required to submit a medical history and receive a medical screening to determine that they are capable of physically training for and performing the essential functions of their position with or without reasonable accommodations.

All candidates interviewed but not selected should be notified before announcing the selection within the department.

Reasonable Accommodations

Reasonable accommodations to qualified individuals with disabilities who are employees or applicants for employment are available upon request, unless to do so would cause

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the IDOC undue hardship. In general, an accommodation is any reasonable change in the applicant process or the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. It is the obligation of the applicant to advise the department if they are requesting reasonable accommodation for a disability.

If any accommodations needed to perform the job are identified or requested by the applicant at this time, the information must be forwarded to HR and the division chief or designee in order to determine if they can feasibly provide the accommodation without undue hardship.

A reasonable accommodation does not require the elimination of essential job functions. Thus, an individual with a disability who cannot, with reasonable accommodation, perform essential job duties is not a qualified individual with a disability.

Fingerprinting

For information, see *Background Checks and Fingerprints*, SOP 150.01.01.003

Pre-Employment Drug Screening

After a conditional offer of employment, all selected applicants for initial appointment, rehire, interdepartmental transfer, or reinstatement to an IDOC position must complete pre-employment drug screening. For more information on drug screenings, see Drug-Free Workplace, Policy 228.

False Statements

False statements, significant omissions, or any misrepresentation in application forms, including the BIQ or hiring interviews are grounds for withdrawing a conditional offer of employment or otherwise ceasing the hiring process.

Failure to Meet Hiring Standards

If subsequent information gathered from the background investigation screening or fingerprint results substantiates that the employee's background is unacceptable, the offer is revoked and the employee is separated in accordance with the conditional offer of employment.

Contractors, interns, or volunteers with backgrounds that do not meet the employment standards are not permitted to provide services on IDOC property.

11. Hiring Packet

The hiring packet should include with enclosures checked off for the following, if applicable:

- Personnel Action Request
- Coded Register; completed electronically by the hiring manager
- Conditional Offer of Employment
- Voluntary Probation Agreement
- I-9 Citizenship Form and Documents
- Benefit Enrollment Forms

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Personnel Action Request

The PAR must be completed accurately and have appropriate supporting documentation attached for any employment status change, including but not limited to, hiring, separation, transfer, and merit increase or bonus. The PAR must be submitted to HR seven days before the beginning of the pay period in which the action is effective.

For instructions on completing the PAR, see the [*Personnel Action Request Instructions*](#).

I-9 Citizenship Form and Documents

When a conditional offer of employment is offered, the manager must inform the candidate of the need to produce citizenship identification documents. The documents are listed on the I-9 form. The manager must photocopy the identification documents and submit them with the I-9 form.

Benefit Enrollment Forms

The benefit enrollment forms contained in the new employee packet must be completed and submitted to HR as soon as possible following the hire. Packets are available from HR.

12. Hiring Packet Approval Process

The hiring packet must be forwarded by the hiring manager to HR with all forms included and accounted for on the PAR at least seven days before the effective hire date. The effective hire date is the first day of a future pay period. HR logs in the hiring packet and ensures it is completed containing all required approval signatures.

If the packet is incomplete, it may be returned to the division administrator or designee for completion. If the hire is not approved, HR must notify the division administrator or designee and/or the manager with the reason that the hire was not approved.

DEFINITIONS

Approving Authority: The Director, Division Chief, General Manager, or their designee, who makes the final hiring decision.

Hiring Manager: The manager or supervisor who notifies HR of a job vacancy, coordinates the recruitment, interview and selection process, and submits a hiring recommendation for a final hiring decision by the Approving Authority.

Reasonable Accommodation: An accommodation of changes and adjustments that enable a disabled applicant to be considered for a job vacancy or that allow a disabled employee to perform the essential functions of the job, without imposing an undue hardship upon the department.

REFERENCES

Acting Appointment Agreement (see eDOC Supervisory Forms)

Conditional Offer of Employment (see eDOC Supervisory Forms)

I-9 Citizenship Form and Documents (see eDOC New Employee Orientation)

Limited Service Memorandum of Agreement (see eDOC Supervisory Forms)

Personnel Action Request (see eDOC Supervisory Forms)

Personnel Action Request Instructions (see eDOC Supervisory Forms)

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Temporary Employment Agreement with Benefits (see eDOC Supervisory Forms)

Temporary Employment Agreement without Benefits (see eDOC Supervisory Forms)

Voluntary Probation Agreement (see eDOC Supervisory Forms)

American with Disabilities Act of 1990 (the “ADA”)

Idaho Code, Title 67, Chapter 53, Section 67-5303 (q), (r), (s), and (t), *Application to State Employees*

IDAPA 15.04.01, *Rules of the Division of Human Resources and Idaho Personnel Commission*, Section 140, Reduction in Force

Policy [228](#), *Drug-Free Workplace*

Standard Operating Procedure, [150.01.01.003](#), *Background Checks and Fingerprinting*

Standard Operating Procedure, [231.07.01.001](#), *Reduction in Force*

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