DEPARTMENT OF ADMINISTRATIVE SERVICES

450 Columbus Boulevard, Suite 1501, Hartford, CT 06103

TO: Agency Heads and Agency HR Directors

DATE: October 1, 2018

RE: General Letter No. 222 – Waiver of Examinations and Delegation of Authority to Recruit (Revised)

PURPOSE

The purpose of this General Letter is to establish uniform procedures for waiving examinations where the possession of a professional license, degree or satisfactory completion of an accreditation, certificate or licensure program is a mandatory requirement for appointment (initial appointment or promotion) to a position in accordance with Sec. 5-219(a) of the Connecticut General Statutes. (Note: Positions covered under this Statute are labeled as "Non-Examined" on the relevant class specifications.)

This General Letter also establishes uniform procedures for waiving examinations in other circumstances and delegating authority to recruit for those positions in accordance with Sec. 5-227b of the Connecticut General Statutes.

This General Letter supersedes the previous General Letter dated January 9, 2017.

POLICY

The Commissioner of Administrative Services may waive examinations and delegate the authority to recruit in accordance with Sec. 5-219(a) and Sec. 5-227b of the Connecticut General Statutes.

SCOPE

This General Letter applies to all agencies in the executive branch under the jurisdiction of the Department of Administrative Services, Statewide Human Resources Management Division (DAS).

REQUIREMENTS TO WAIVE EXAMINATIONS AND DELEGATE AUTHORITY TO RECRUIT

In accordance with Sec. 5-227b(a) of the Connecticut General Statutes, the Commissioner of Administrative Services may waive examinations for positions under any of the following conditions:

- Where the possession of a professional license, degree or satisfactory completion of an accreditation, certificate or licensure program is a mandatory requirement for appointment or promotion to a position in state service;
- Where the appointment or promotion to a class specification that is utilized by a single state agency is limited in number and has few vacancies in the professional or managerial series;

- When the qualifications for a position within the managerial class are so specialized or unique that an examination for a general class specification would not result in a list of candidates possessing such qualifications and would not be cost effective; or
- When the number of applicants meeting the minimum qualifications for admission to an announced promotional examination is anticipated to be five (5) or less.

When requesting positions in CORE-CT, agencies shall discuss with their assigned DAS HR Consultant the feasibility of waiving examinations.

There are numerous class specifications applicable to this General Letter and the composition of these class specifications changes periodically. As such, each examination waiver shall be addressed on a case-by-case basis with the assigned DAS HR Consultant.

These statutory provisions may also apply to specific *positions* within a competitive class specification. For a small number of generic class specifications, an advanced professional degree, license and/or certification is a requirement of certain *positions* within the broader class specification. For these *positions*, examinations are not required. (Emphasis added)

The following guidelines should be used when assessing whether an examination is required. If the answer to each of the following questions is "yes", then an examination is not required.

- Does the job specification refer to positions within the class specification requiring advanced degrees, licensure or certification?
- Is the requirement mandatory of all incumbents filling the position?
- Is the requirement a mandatory requirement at the time of appointment?

If any of the answers to the questions above is "no", then the position is not covered by this General Letter and an examination is required.

PROCEDURES FOR DELEGATION PLANS

In accordance with Sec. 5-227b(b) of the Connecticut General Statutes, when the Commissioner of Administrative Services waives an examination under conditions two (2) through four (4) of Sec. 5-227b(a) of the Connecticut General Statutes, agencies shall adhere to the below delegation plan:

Posting Standards

- The position(s) must be posted on the Department of Administrative Services' current recruitment website and be open for application for a minimum of six (6) business days;
- The closing date for applications must be clearly stated on all postings; and
- The postings must comport with the current template, as provided by the Department of Administrative Services, Statewide Human Resources Management.

Manner of Posting

- The posting may be on other internet job boards, websites, and/or social media, etc., as deemed appropriate by the appointing authority.

Specified Procedures for Accepting and Rejecting Applications

- All applications must be screened and meet the minimum qualifications;

- If the number of qualified candidates is large, the agency's Human Resources Office may further screen the pool of qualified applications for other pre-determined and job-related factors (e.g., education, specific qualifications, work experience, etc.) to identify those candidates who are the most suitable to continue through the selection process; and
- Except for positions that have examination waivers under Sec. 5-219(a) of the Connecticut General Statutes (i.e., "Non-Examined"), the agency's Human Resources Office shall e-mail their DAS HR Consultant the application and supporting documents of the recommended candidate, explain how the candidate meets the minimum qualifications of the class specification, and receive written concurrence from the DAS HR Consultant prior to making a conditional appointment offer.

Selection Guidelines

- An interview, follow-up interviews, job-related assessment exercises, or any combination thereof may be conducted as part of the overall selection process;
- All selection instruments shall consist of job-related criteria for selection and shall be fairly and uniformly administered;
- An interviewing panel may consist of any number of panel members provided that, when an interviewing panel is comprised of more than one member, the interviewing panel shall, to the extent possible, be diverse. This includes, but is not limited to, a good faith attempt to have a panel member or members that reflect all or part of the interview pool, while not eliminating the irreplaceable goal of having panel members who have some insight and/or experience with the skillset and/or expertise required for the posted position;
- To assist in ensuring fairness of the interview process, a representative from the agency's Human Resources Office and/or Equal Opportunity Office may participate in the interview process;
- Prior to making a conditional appointment offer, the agency must:
    - Receive an e-mail indicating the assigned DAS HR Consultant concurred that the recommended candidate met the minimum qualifications of the class specification;
    - Verify that reemployment, SEBAC and other mandatory lists have been cleared; and
    - Consult with the agency's Equal Opportunity Office;
- Conduct employment background and reference checks on the candidate(s) considered for selection;
- Exercise responsible judgement when making a selection and communicate with all candidates regarding the status of the selection process; and
- Upon a candidate's acceptance of the conditional appointment offer, arrange for any post-offer checks, as permitted and applicable to the position.

POST AUDIT

All transactions under this General Letter are subject to post-audit by DAS. Agency Human Resources Offices are responsible for maintaining a file for each recruitment for review. This file must contain:

- A copy of the job posting;
- The recommended candidate's completed application (i.e., Master Application or application corresponding with the applicable recruitment number) with any attachments;

- Verification that the recommended candidate has the required degree, certification or licensure;
- The e-mail indicating the assigned DAS HR Consultant concurred that the recommended candidate met the minimum qualifications of the class specification;
- Application forms and associated documents for other candidates responding to the posting;
- The e-mail from DAS approving the certification; and
- Any other documents related to the recruitment.

OTHER

Appointing authorities are responsible for the following regarding waiver of examinations and delegation of authority to recruit:

- Responding to any administrative and/or legal challenges to waiver of examinations and delegation of authority to recruit;
- Meeting all document retention requirements;
- Responding to all requests for information under the Freedom of Information Act (FOIA); and
- Maintaining the security and confidentiality of all waiver of examinations and delegation of authority to recruit materials.

Please contact the assigned DAS HR Consultant for any questions regarding this General Letter.

Melody A. Currey
Commissioner
Department of Administrative Services