Overview of Defensible Hiring and Recruitment

How To Use This Guide

The methodology outlined in this guide reflects current best practices in the field of public sector recruiting and selection. The processes detailed within are based on all applicable laws and are used and supported by the Washoe County Board of County Commissioners, the County Manager's Office, the Department of Human Resources, County departments, and collective bargaining units.

As always, your Department of Human Resources is here to help you throughout your recruiting and selection process and support you in all of your talent management initiatives.

The Need for a Defensible Hiring Process

Finding the right person for the right job is critical to the success of any organization. The hiring process at Washoe County must do this as well as meet the test of public sector accountability and mandated requirements. The Department of Human Resources has developed procedures to assist departments in conducting a defensible hiring process that is objective, fair, consistent, job related and documented. Each manager responsible for selection decisions needs to follow a consistent procedure and make use of the same tools to minimize the potential for subjectivity and liability in the selection process.

Washoe County's hiring practices follow the Federal Uniform Guidelines on Employee Selection and state law that requires all personnel actions be based on merit and fitness, and must comply with the County's Equal Employment Opportunity Plan. Four areas of the hiring process that have the potential to subject the County to challenges and liability are: Recruitment, Testing, Interviewing and Selection. The hiring department head/appointing authority is ultimately responsible for ensuring that selection decisions follow defensible hiring practices as outlined in this guide.

Benefits of Following a Defensible Hiring Process

Washoe County's hiring process is based on best practices and is designed to:

- Enable managers to conduct an objective, fair, consistent and job-specific process.
- Increase our ability to hire the most qualified candidate for the position.
- Reduce time spent in repeating the recruitment process if the best candidate is not selected.
- Improve retention of qualified, newly hired employees.
- Build employee confidence in management decisions and the selection process.
- Minimize the number of complaints and challenges to the hiring process.
- Reduce time spent responding to complaints and challenges.
- Provide a reasonable and valid defense to challenges and complaints.

The Defensible Hiring Process

There are three critical points to be aware of as you prepare to hire:

- The continuous exercise of good judgment, discretion and critical thinking by the manager is required throughout the hiring process and is assumed as an underlying management principle.

- As each department has unique facts/circumstances that must be taken into account when preparing to hire, Human Resources will partner with you to determine the best hiring process to follow for each position being filled. The unique circumstances may include, but are not limited to, the nature and level of positions, diversity within the occupational category and department, and the history and nature of challenges and complaints regarding the hiring process.

- All reliable and documented job related information must be considered in making a selection decision. This may include, but not be limited to, the current needs of the department, candidate experience and qualifications, test scores, work history including performance evaluations as appropriate, results of the interview, and the results of reference checking and background checks as applicable.

The Defensible Hiring Process is really a group of interrelated, although not necessarily sequential processes that will enable you to select the best candidate for the job. The processes include: approval to fill the vacancy, pre-recruitment planning and analysis, recruitments and testing, creation of an eligible list of candidates (whether existing or through opening a recruitment), interviewing, and selection. The rest of this guide will walk you through these processes.

Overview of the Process to Fill a Vacancy

Once a department identifies the need to fill a vacancy, an approval process must first be completed. What follows below provides an overview of the first few steps that must be completed before a recruitment can be opened and/or the interview/hiring process can begin.

1. The hiring department's designated HR Rep will submit a requisition for approval to Human Resources.
2. Once approved, Human Resources will begin the recruitment and selection process.
3. If the requisition is not approved, the department assigned HR Analyst will reach out to the department to discuss next steps.
4. When a current list of eligible candidates exists, the number of candidates indicated on the requisition (any even number between 6 and 20) will be referred to the department electronically (usually within two working days). Only the "Interview Contact" and "Hiring Manager" indicated on the requisition will receive the list through NeoGov.
5. If no current list of eligible candidates exists, an HR Analyst/Specialist will contact the hiring manager and department HR Rep to develop a recruitment plan and initiate the recruitment process.

When an existing eligible list is being used, as in step 4 above, a recruitment is not opened. An eligible list contains the names of candidates who have submitted applications, been tested, and have demonstrated they possess the knowledge, skills, and abilities (KSA's) required for success in the position. The list may also contain names of separated County employees who meet the requisite qualifications and are eligible for rehire.

Types of Eligible Lists

Promotional/Open Referral List: a list that may contain names of both current County employees seeking a promotion and candidates from outside the County. *You will be required to interview all of the responding candidates from this list.*

Re-employment List: a list of former County employees who held that classification or a similar classification, and have been laid off. *Candidates on this list are notified of the vacancy and you are required to interview all of those who respond.*

Transfer List: a list of current County employees who have requested a transfer through Human Resources.

Voluntary Demotion List: a list of current County employees who hold a higher-level position than your vacancy and have requested a demotion through Human Resources.

Reinstatement List: a list of former employees who held the same classification or a similar classification as your vacancy within the past three years and are in good standing to be re-hired.

Notes: Candidates on Transfer, Voluntary Demotion, and Reinstatement Lists are not notified of your vacancy and you are under no obligation to interview candidates on these lists.

The Merit Code allows a department to request only a Re-employment, Transfer, Voluntary Demotion, or Reinstatement List to fill a vacancy in lieu of a Promotional/Open Referral List.

Overview of the Recruitment Process

When a requisition to fill a position vacancy is approved and either no eligible list of candidates exists, or the department had requested a new list, a recruitment must be opened to applicants.

1. HR will contact the department's "Interview Contact" person (generally the HR representative) to develop a recruitment plan and initiate the recruitment process.
2. The hiring department (hiring manager and SME's) completes an analysis of the essential functions and physical abilities required for the position.
3. HR and the hiring department may complete a job analysis to determine the essential requirements and the knowledge, skills, abilities and qualities of the best candidate.
4. HR, with department input, recommends the appropriate examination, if applicable, for the position.
5. HR develops the job announcement and opens/posts the recruitment for a minimum of 10 days as required by merit code.
6. HR receives On-Line Applications during the posting period, and screens applications for minimum qualifications.
7. HR notifies applicants who do not meet minimum qualifications. Per County Code, these applicants are allowed five business days to appeal this decision.
8. HR schedules, administers and scores the exam.
9. HR refers the noted number of eligible candidates electronically to the department dashboards of the "Interview Contact" and "Hiring Manager."
10. Hiring Department sends candidates interview notifications via email (if email address provided), telephone or online scheduling in NeoGov.
11. Department schedules interviews.

Overview of the Interview and Selection Process

Once the requested number of eligible candidates have been referred by HR, the department is ready to schedule and conduct interviews.

1. Hiring department schedules and conducts interviews.
2. Prepare for the interview. Work with HR to develop interview questions and performance demonstrations, if applicable.
3. Select and review information to be given to candidates.
4. Select and prepare the interview panel.
5. Conduct interviews.
6. Hiring department chooses best candidate(s).
7. Hiring department conducts reference checks on top candidate(s), and may conduct a background check when applicable. Offer of employment is contingent upon the results of these checks.

4. The department "Interview Contact" or "Hiring Manager" completes and submits to HR official documentation of the interview and selection decision, and the Declaration of Action (DOA).
5. HR reviews Declaration of Action and has the option to send the referral list back to the department if changes are required. If no changes are needed the process is closed.

Opening a Recruitment

When the decision is made to open a recruitment, an HR Analyst will work with you and/or departmental subject matter experts (SME's) to identify the best defensible hiring process for filling your vacancy. Before opening the recruitment and interviewing, you will need to be clear on the job and the criteria for success in performing that job. Your SME's and HR will also identify areas to target (advertise) the recruitment in order to establish a diverse pool of highly qualified candidates.

<u>Analyze the job to determine the essential requirements.</u>

Human Resources works with the hiring manager to identify the critical functional/technical skills, specific job knowledge, and Washoe County Core Competencies required to do the job. This job analysis determines skills, attributes, and behaviors needed by the successful candidate. These competencies can be valid predictors of success and will be used for testing and conducting thorough interviews.

<u>Identify the knowledge, skills, abilities and qualities (competencies) of the best candidate.</u>

During the job analysis, the level of proficiency or ability needed for each essential job duty, knowledge and skill area, and Core Competency will be determined. For example, you may need someone with certain work experience, specific credentials, technical proficiencies, customer service orientation, and adaptability. Determine whether you can support learning on the job or if you need someone with experience. You may also need to identify any special requirements or expectations. For example, ability to work overtime or night shift, be on call, ability to lift 100 lbs., or work outdoors in all types of weather.

<u>Test</u>

Almost every County classification requires applicants to show evidence of their ability to do the job pursuant to Merit Code; therefore, all candidates are tested through a competitive process. In most cases, the list of candidates you receive will be compiled using an assessment that was based on the job analysis. To ensure that only the most qualified candidates are referred for an interview, HR, with department input, will recommend the most appropriate test for the open position. In cases where a recruitment is for a same titled position (e.g. Office Support Specialist) that is found in multiple departments, the examination will be standardized. The most common types of tests used are:

- **<u>Performance Tests</u>** – candidates perform some aspect of the job (e.g. typing, data entry, written exercise and the operation of mechanical equipment.)
- **<u>Training & Experience</u> –** a numerical assessment of previous experience, training and education as requested of job applicants. It can be a type of questionnaire, written supplemental or other process that is reviewed and rated by SME's according to pre-defined criteria.
- **<u>Written Essay Question Exam</u>** – asks the candidate to explain, discuss or to show their knowledge skills and abilities of the position in a written format.
- **<u>Written Tests</u> –** often multiple choice or true/false in format, covering areas dependent on the position (e.g. reading comprehension, mathematics, English, office procedures, and map reading).

*****Note:** Certain jobs require more than one test to be completed; therefore, those who pass the initial test are scheduled for a second exam.*

Job Analysis Worksheet—Determining Job Requirements

One of the most critical aspects of preparing to interview for your vacancy is to define the requirements of the job so you can determine if there is a good match between what you are looking for and the candidate's background, behaviors, and potential. Clearly identifying these requirements will help ensure everyone involved in the process is using the same criteria to evaluate each candidate.

Human Resources works with the department to complete a job analysis so there is a clear picture of the job dimensions and definitions for each position. These identify the knowledge, skills and abilities needed at hire in each of the four dimensions—Technical, Analytical, Interpersonal, and Communication. A percentage should be indicated for each dimension as it represents the overall importance of the dimension to the job for a total of 100%.

__20%___Technical:
Knowledge of program planning and evaluation techniques; effective training methodologies and techniques for adult learning; principles and practices of organizational development, management and supervision; team development techniques and group dynamics.

_30%____Analytical:
Research, compile and analyze data; establish goals, objectives; and develop strategies to address targeted needs; design survey and assessment tools; attention to detail; project consequences of proposed actions; read, interpret and apply laws, regulations and policies appropriately; plan prioritize, and organize work to meet schedules and timelines; understand and follow oral and written directions.

__25%___Interpersonal:
Establish, maintain and foster effective and collaborative working relationships with those contacted in the course of work; polite, tactful, diplomatic; non-confrontational, non-aggressive, open and approachable; demonstrates initiative; open-minded and flexible; recognize and understand issues of a sensitive nature and respond appropriately; actively listens; attends to non-verbal cues and uses clarifying questions to ensure understanding; handles all interactions promptly; is responsive, pleasant, professional, courteous, approachable, friendly, and easy to do business with; takes ownership of problems to find solutions; respectful; builds trust and rapport through direct, honest communication.

__25%____Communication:
Make effective presentations; communicate orally in a clear, concise manner, tailoring the message to the intended audience; present informative and concise recommendations; articulate, speaks with confidence; provide explanations, information, answer questions and make recommendations for action in a manner that does not intimidate or provoke those with opposing views; respectful; ability to write in a clear, concise manner.

This information can be used in evaluating your candidates in terms of:

- *Can the candidate do the job? Does the candidate have the skill, ability and knowledge needed to be successful?*
- *Does the candidate have the necessary interpersonal and communication skills needed to work without our organization and work collaboratively to get the job done?*
- *Will the candidate successfully fit into the workgroup and department?*

Preparing for the Interviews

Once you have an eligible list of candidates, you'll be ready for interviewing. The interview is a time for you to screen applicants for the job opening and determine if a candidate is a good match for the job, the department and the county. ***A well-structured interview will complement, not duplicate, the assessment process.***

You will have indicated on the requisition how many candidates you would like to interview. You may select any even number between 6 and 20. It is the responsibility of the hiring department to manage the scheduling of interviews and the selection and preparation of the interview panel. Therefore, before an interview is conducted you will need to:

- Select an interview contact person
- Complete an analysis of the job's essential functions and physical abilities
- Develop job related interview questions and performance demonstrations, as applicable
- Select and prepare an interview panel in compliance with guidelines
- Review information to be given to candidates and logistics for the interview day.

Interview Contact Responsibilities

Eligible candidates will be contacted to schedule their interview through NeoGov, a HR analyst, or Department contact. When scheduling interviews, the interview contact person should:

- Briefly describe the job. Human Resources may not have recruited specifically for your position (e.g. Office Assistants - candidates take a general clerical exam, but the position can function differently in each departments). Do not assume that the candidate knows the specific work of your department or details of the position for which you are interviewing.
- Present a realistic and accurate description of the job as it currently exists; do not over sell. If the position requires the person to be on-call once a month, or work overtime, evenings or weekends, be sure to let them know.
- State the date, time, and place of the interview. .
- If a candidate requests an accommodation at the interview, please contact HR.
- Describe the interview process. Will there be a performance demonstration? Will you bring back the top group for a second interview? How long will the process take?
- Provide a contact name and phone number in case they have any questions.
- Ask the candidate to bring a copy of their most recent application/resume.

Preparing for the Interview Process

Develop Interview Questions and a Performance Demonstration

Human Resources recommends that you use a structured behavioral interview and in some cases a performance demonstration in your hiring process. Your HR Analyst will help you determine the best process for your job opening.

<u>Develop Behavioral Interview Questions</u>

Behavioral interviews have a set number of pre-planned primary and pre-determined criteria for evaluating each response. The structured behavioral interview asks questions that are based on a well-done job skills analysis and is the best way to ensure that your interviews will be complete, consistent and fair. Behavioral questions focus on competencies (knowledge, skills, abilities and attributes) that are job related. Behavioral interviewing is, with few exceptions, the best predictor of future performance because it reveals current and past behavior. Candidates are asked for examples of current or past behaviors that describe an actual experience rather than what they think they would do in a situation. For example, a traditional interview question might ask, “How would you work on a project with two or three other people?” A behavioral interview question might be, “Describe a recent project where you had to work with two or three other people.”

The benefits of using a behavior based interview include:

- It is easier to evaluate candidates’ qualifications based on their responses to your questions.
- Enhances the quality and honesty of information gathered.
- Helps you focus on “what” a person can do and “how” they do it vs.. “why” they do it.
- Takes advantage of the fact that people are creatures of habit and repeat patterns of behavior over and over. If we can get candidates to recall specific job related events, we can use the information to predict how a person will perform in a similar situation in the future.
- Reduces the potential for bias since candidates are evaluated on job related questions which are based on an analysis of job duties and requirements. Subjective and irrelevant questions are not asked.
- Increases fairness and perception of fairness as all candidates are asked the same, job related questions. Everyone has the same opportunity to display their qualifications, and the process is consistently applied.
- Reduces disagreements among interviewers and increases accuracy of judgments by using predetermined rating criteria to evaluate answers to interview questions.
- Increases content validity by using job related procedures to develop structured interview questions.
- Helps candidates get a realistic perspective of the job, which can aid in self-screening.
- Minimizes costs to the organization by identifying and hiring employees with the right skills and motivations to succeed in the organization.

Behavioral Interviewing— Developing Interview Questions

The interview is the time for you to screen applicants for a job opening to determine which candidate is a good match for the job, the department and the county. The job analysis will have provided information that was used in the testing process and will now be used to create the questions that will be asked during the interviews. Your HR Rep or Analyst will work with you to prepare interview questions that provide insight into areas other than those previously tested. Here are some general guidelines to keep in mind when crafting your interview questions:

- All interview questions must be job related.
- Ask only those questions necessary to determine qualifications and suitability.
- Follow-up questions and questions related to a candidate's specific experience are always allowed and in fact, encouraged.
- Reasonable judgment and discretion must always be exercised.

Two or three questions related to each skill, competency or behavior you have identified should be developed. The questions must be job-related and designed to demonstrate candidates' skills and abilities, their motivation to succeed in the job, and how well they will fit into the organization.

In addition to the questions, developing ***better candidate response*** guidelines will help your interview panel evaluate the candidates' responses to determine whether or not they have given an example of the performance factors required to succeed on the job. See examples below:

Tell us about your experience in training and what interests you in the position of Learning Development Coordinator with Washoe County Human Resources.

The better candidate response will detail experience with creating, leading and implementing employee development programs at the organization level and through an example show enthusiasm for the work area and relate that back to the development of Washoe County's employees.

This job requires attention to detail and much of the work is time sensitive. Tell us how you pay attention to detail and track multiple tasks to ensure your work is accurate and on schedule.

The better candidate response will detail the ability to discuss the candidate's own organization system – preferably utilizing Microsoft technology that allows for the ability to prioritize, set reminders, and track multiple tasks. The better candidate response will include mention of the ability to understand how to determine the priority level of tasks and to read thoroughly for details.

Describe in detail the steps you take to evaluate the trainings you have designed and presented.

The better candidate response will detail the creation of assessment surveys – written and/or verbal, the analysis of that feedback and actions that came from the analysis.

Tell us about a time that a training program you developed and implemented did not have the desired results. How did you handle that?

The better candidate response will explain what the desired results of the program were, where the results fell short, an action plan to change the program for increased effectiveness and the ability to pivot, remain flexible without frustration and have clarity of thought on how to bring process improvement to one's own material.

Sample of Behavior Based Questions

Below are some examples of behavior based questions that might be asked for a variety of job performance factors. To develop them, you will have completed a job analysis and prioritized the competencies, behavioral and fit factors in which you need the candidate to have a high degree of proficiency at the time of hire and those that could be developed after hire. It is helpful to categorize these performance factors in order to write your questions.

Creativity

Describe a situation you regard as being the most creative activity you have engaged in. What recognition, financial reward, or personal satisfaction did it bring you?

Tell us about something you consider to be the most creative work done in your field in the last few years. How has the work impacted you or how have you applied it in your job?

What do you have to do that you consider being your biggest time-waster at work? How would you change it if you could?

Describe a time when have you used your creativity to solve a problem at work.

Problem-Solving

Describe a major work problem which you have faced and describe your method of dealing with it.

Describe a situation in which you feel you have been part of the problem. What did you do?

Ability to Work under Pressure

Describe a situation where you were required to interact with someone you didn't like (or who didn't like you) and explain how you handled it.

Give me an example of how you handled a tense situation at work.

Customers frequently create a great deal of pressure. What has been your experience in this area and how have you dealt with it?

Flexibility

What has been the most political work situation you have experienced? Explain how you dealt with it.

Many people have the ability to "step into another's shoes." Tell me about a time when you had to do this and what skills you demonstrated, etc.

Describe a time you found it necessary to perform a job that did not match well with your interests and abilities. What did you do to overcome the mismatch?

Tell me of an experience in your last job of having to handle frequent changing of tasks, priorities, missions.

<u>Customer Service</u>

Describe an interaction with a customer (or task or assignment) that was particularly satisfying to you. Why was it satisfying?

Describe a situation where you took action to exceed a customer's expectations. Specifically, what did you do? What was the outcome?

Describe a time when you helped a customer solve a problem.

Describe a situation where you found yourself dealing with a customer who was very sensitive and reactive.

Once the questions and their response guidelines have been selected, it is important to sequence them for uniform and logical delivery to job applicants. Questions can be arranged in a variety of ways, the most typical being:

- to follow the course of a typical workday
- to correspond to the work cycle from beginning to end
- in order of increasing or decreasing importance

In most cases, job candidates will respond to questions more clearly and completely if the questions occur in a meaningful sequence.

Develop a Performance Demonstration

As job candidates become better prepared and more savvy to interview techniques, you may not be able to see much difference between the qualifications of one candidate and to another's. To help you identify and assess a candidate's ability to succeed once in the job and for some jobs that may require it, a performance demonstration, or work simulation, can differentiate the top candidates from those who can just interview well.

A performance demonstration is a miniature example of a real job situation that must be handled successfully by an employee. It should be specific to the position the candidate would fill and not duplicate skills that were tested during the testing/assessment process. The demonstration can result in information that identifies a candidate as having both the knowledge and the ability to apply the knowledge in a variety of settings. For example, types of work simulations might include:

- Assisting a customer
- Delivering a performance review
- Operating a piece of equipment
- Writing a letter
- Performing financial calculations
- Developing a case management plan

When combined with work history data, and knowledge and competencies determined through the behavioral interview, a performance demonstration can provide a more complete and accurate view of the candidate who will be best suited to filling your vacancy and helps you understand what they bring to the position and what you may need to teach them on the job.

Select and Prepare an Interview Panel

Our practice at Washoe County is to use a panel of interviewers during the hiring process. The panel can be made up of a variety of individuals, including the hiring manager. Interview panels consisting of two or more members are highly recommended as this minimizes individual rater bias since multiple people record and evaluate answers to the interview questions.

To provide as much objectivity and fairness to the selection process as possible, when identifying potential interviewers, you should consider asking those who:

- Reflect the diversity of the labor market and client/customer population served.
- Are classified at a level equivalent to or higher than the position being filled.
- Work in another County department.
- Perform different functions than that being filled.
- Do not work for the County (e.g. customers, suppliers, staff from other jurisdictions and/or businesses).

Raters that are external to the department and to the County are highly recommended when interviewing for certain positions.

The chair of the interview panel (usually the hiring supervisor) is identified by the appointing authority and/or designee and is responsible for providing the panel with information on the interview process, the job, the candidates, as well as any supplies used during the interviews.

We recommend that members of the interview panel be asked to arrive at least 30 minutes before the start of the first interview, during which time the chair should:

- Provide each interviewer with an interview packet either in electronic PDF or binder form. The packet should include copies of interview questions, applications/resumes, the interview schedule, a job description (class specification) and essential job functions.

  *****Note:*** *Candidates' applications are considered confidential information and should not be provided to interviewers before the day of the interview.*

- Describe to the interview panel what knowledge, skills, abilities and qualities best identify the successful candidate, being sure to differentiate between required KSA's and desirable KSA's.
- Review the interview questions with the panel along with the desired responses.
- Determine who will ask which question. It is normally easiest to ask questions in the order that the interviewers are seated.
- Review with the interviewers potential rating bias and questions not to ask.
- Discuss the Forced Ranking method.
- Remind the interview panel all information discussed by the candidates in the interview and the discussion among the interviewers after the interview is presumed confidential and should be treated confidentially.
- Discuss the importance of taking notes and recording details of what the candidate said and how that relates to the identified job criteria for the successful candidate.

Common Rating Errors-*Potential Sources of Rating Bias*

The most common reasons for rating bias, and consequently, rating errors are:

Halo / Horns Effect

The *Halo* effect occurs when raters' assessments of a candidate on one or several dimensions are positively influenced by assessment on another dimension. Raters can also be negatively affected by the candidate's performance on one or more dimensions and allow this to affect ratings on others, resulting in the *Horns* effect.

In other words, is one good or bad trait clouding the rater's judgment about the candidate's suitability as a whole?

Leniency, Severity or Central Tendency

Leniency refers to a rater's tendency to avoid using the middle of the rating scale, providing all ratings above average. This is often due to a rater's impression that everyone is equally well qualified and the erroneous belief that placing all candidates in this area is beneficial.

Severity also refers to a rater's tendency to avoid using the middle of the rating scale, providing all ratings below average. This can usually be attributed to a rater who perceives that he/she is a hard grader, or one who has tough standards.

Central Tendency bias is a common rating error that occurs when a rater tends to rate candidates in the middle of the range on the rating scale.

The question then, is the rater being overly harsh, too soft, or not critical/strong enough in their evaluation of the candidate?

Personal Bias

Personal bias for or against a candidate can occur when a rater has pre-existing information about, knowledge of, or a connection with the candidate.

Similarity vs. Difference

Similarity refers to a tendency to highly rate attributes of a candidate that are similar to the rater's characteristics. *Difference* errors arise from a tendency to rate low those attributes of a candidate that are different than the rater's characteristics.

Is the rater's evaluation favorably biased because the candidate is a lot like him? Is the rater's evaluation unfavorably biased because the candidate is different from her?

Overweighting

Overweighting occurs when too much emphasis is placed on minor attributes of the candidate's performance or qualifications. This could include a minor problem or a minor positive quality that the candidate has displayed.

Interview Logistics and Information for Candidates

When scheduling the interviews, you'll want to be sure to attend to all of the "housekeeping" essentials. These little details help put candidates at ease and give a good impression of you and the organization. Keep in mind that successful interviews are ones in which the candidate is comfortable enough to "open up" and provide you with good information on which to base a decision.

Consider the location where you'll be conducting the interviews. Be sure that the area is neat, professional, and makes a good impression. Let all of your staff know when you will be interviewing so that they too can be sure to make a good first impression.

To the best of your ability, try to have a comfortable area for candidates to wait for their scheduled interview time. Consider the option of providing the candidate with a copy of the essential functions and physical abilities as well as the interview questions to review during the waiting time.

Interviews should be scheduled to allow enough time between interviews for panel discussion and breaks. In general, interviews take from 30-60 minutes depending on the level of the position being filled.

A copy of the interview schedule and candidate names should be given to the staff member who will be greeting the candidates.

Provide copies of the job description, essential functions, benefits and salary information for the candidate.

And be prepared to offer refreshments to the candidates and the interview panel.

Conducting Defensible Interviews

The chair of the interview panel should bring the candidate into the room, provide a brief description of the job, and introduce the candidate to the interview panel. This will help to create an environment conducive to an exchange of information and establish rapport with the candidate. Here is an overview of the steps for conducting interviews:

1. Ensure any requests for accommodation have been addressed.
2. Remind everyone to turn off cell phones or alerts if utilizing a laptop or electronic device for notes.
3. Describe the interview format.
4. Let the candidate know that the panel will be taking notes.
5. Ask the questions you developed in the same sequence to each candidate.
6. Explain the Nepotism policy and ask all candidates if they are related to anyone in the department in order to be in compliance with it.
7. At the conclusion of the interview, allow the candidate to ask any questions they may have.
8. Thank the candidate and let them know when you will be making your decision, reference checks, and how you will notify the candidates.
9. Panels should begin and end on time with sufficient time scheduled between interviews in order for the overall schedule to work.
10. Take the time after each interview to synthesize information about the candidate.
11. Collect all interview materials at the end of the day and place in a secure location to be confidentially maintained for a period of two years. Interview materials are legal documentation of your defensible hiring process and, in the event of a challenge to your hiring decision, may be requested by HR.

Throughout the interview process and until the results have been announced, it is equally important to maintain the candidates' confidentiality and preserve the equity of the process. Therefore, some rules of thumb include:

- Avoid talking to candidates about their interview. If they ask you, don't be put on the spot, refer them to the appointing authority or HR.
- Do not go to lunch or dinner with any of the candidates.
- Do not try to contact a candidate to give "personalized" feedback.
- Do not make jokes, derogatory or unfavorable comments about individual candidates or groups of candidates or say anything that you would not want them to hear.
- Do not group candidates and then talk about them and/or others.

Note-Taking During Interviews

In their roles as interviewers, information gatherers and evaluators, it is vitally important for the panel members to keep good notes on each candidate's specific responses to the questions. When interviewing multiple candidates it is impossible to retain information, so good note-taking affects the reliability and validity of the final hiring decision. Without notes, interviewers will most likely only remember the beginning and the end of the interview and little from the middle, and most important part. Additionally, relying on memory alone increases the tendency for distortion of the information and remembering the facts that support it. Therefore, it is clear that fair employment practices dictate a necessity to accurately document the interview process.

Think of the interview notes as a legal record of why someone was hired or not. They should include objective evaluations of a candidate's skills and allow anyone to make the same hiring decision after the interview. In short, you wouldn't want to include anything that was discriminatory, questionable, or not defensible before a judge. Rules of thumb for good, and defensible, note-taking include:

- Don't record information already available in the application, resume, or elsewhere.
- Record details of candidates' responses to your questions.
- Avoid taking verbatim notes. This takes too long and you will lose control of the interview. Candidates will begin to give dictation or stop talking so you can catch up. Either way, you've given the candidate the advantage.
- Develop your own shorthand or use key word notes to capture the essence of what was said.
- Notes must be behavioral and objective. Do not include judgments about the candidate or what was said in your notes.
- Make sure you record both positives and negatives. But don't make a big point of jotting down unfavorable information as this may appear to be biased.
- Use the candidate forced ranking sheet to rank and order candidates after each interview.

Examples of acceptable note entries:

- Work samples provided by candidate indicate good documentation abilities.
- Demonstrated knowledge of current trends in (specific field).
- Candidate's responses demonstrated that he would be calm in a stressful situation.
- Candidate demonstrated good communication skills using direct eye contact, speaking clearly and succinctly, and organizing thoughts.
- Candidate's answers to questions indicated little understanding of team dynamics.
- Candidate did not demonstrate good communication skills, was very brief and unresponsive to interview probes.
- Candidate expressed desire to work alone rather than in a team environment.
- Candidate's responses indicated no significant experience in (area critical to job function).

Examples of inappropriate entries:

- If I had another position, I would hire her.
- Personable, good skills.
- Average interpersonal skills.
- Candidate has effective communication skills.
- Very quiet and mild mannered.
- Good (or Bad) personality.
- I would never hire this person in a million years!
- This candidate is not what our department is looking for.
- I just don't like him.
- Candidates responses indicate she is overqualified for this position.
- Demonstrates aggressive behavior and arrogance.

Selecting Your Top Candidate

Choosing the Best Candidate

After the interviews have been completed, you will need to review and rank the candidates' responses to your questions using a Forced Ranking Chart. Once you identify the final candidates, you will then be ready to begin the reference checks, background checks if needed, and review the personnel files of top internal candidates.

- Depending on your situation, you may need to confer with your department head/appointing authority or designee regarding the hiring selection. In some cases, you may decide to do second interviews. Once the final decision has been made, you are ready to make an offer to your top candidate. Secure their acceptance of the position and send notifications to the candidates who were not selected and finalize the hiring process by completing the Declaration of Action (DOA) located in NeoGov.

Sample Forced Ranking Sheet

Candidate Ranking Sheet

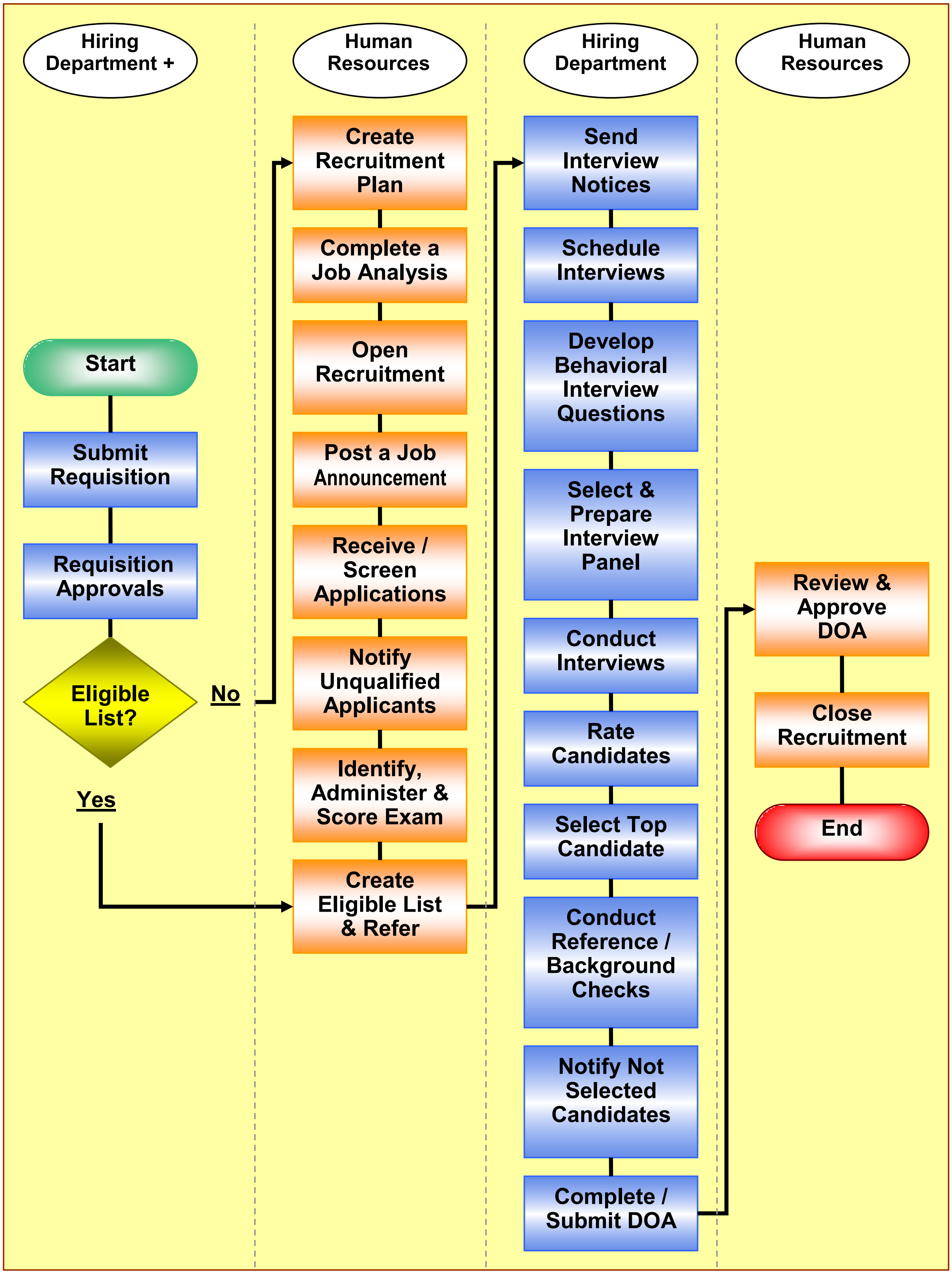
Position Title

Date

Panel Member:		Date:			
1. Candidate name	1.	1.	1.	1.	1.
	2.	2.	2.	2.	2.
		3.	3.	3.	3.
			4.	4.	4.
				5.	5.
					6.

Appendix A: Defensible Hiring Process Flowchart

Fig. 6: Defensible Hiring Flowchart



Appendix B: Pre-Employment Inquiry Guidelines

(From the Nevada Equal Rights Commission)

ACCEPTABLE	SUBJECT	UNACCEPTABLE
Name. "Have you ever used another name?" or "Is any additional information relative to name change, use of an assumed name, or nickname necessary to enable a check on your work and education record? If yes, please explain."	**NAME**	Maiden name.
Place of residence.	**RESIDENCE**	"Do you own or rent your home?"
Hire is subject to verification that applicant meets legal age requirements. "If hired, can you show proof of age?" "Are you over 18 years of age?" "If under age 18, can you, after employment submit a work permit?"	**AGE**	Age. Birth Date. Dates of attendance or completion of elementary or high school. Any questions that tend to identify applicants over age 40.
"Can you, after employment, submit verification of your legal right to work in the United States?" or "Proof of legal right to work in the United States may be required after employment."	**BIRTHPLACE / CITIZENSHIP**	Birthplace and/or citizenship of applicant, applicant's parents, spouse, or other relatives. "Are you a US citizen?" Requirements that applicant produce naturalization, first papers, or alien card *prior* to employment.
Languages the applicant speaks, reads, and/or writes.	**NATIONAL ORIGIN**	Questions as to nationality, lineage, ancestry, national origin, descent, or parentage of applicant, applicant's parents, spouse, or other relatives. "What is your mother tongue?" or "What language do you commonly use?" "How did you acquire the ability to speak, read, or write a foreign language?"
	RACE, COLOR	Questions as to applicant's race or color. Questions regarding applicant's complexion or color of skin, eyes, or hair.

Appendix B: Pre-Employment Inquiry Guidelines (cont.)

ACCEPTABLE	SUBJECT	UNACCEPTABLE
Name and address of parent or guardian if applicant is a minor.	**SEX, MARITAL STATUS, FAMILY, SEXUAL ORIENTATION**	Sex. Questions that indicate applicant's sex. Questions which indicate applicant's marital status or sexual orientation. Number and/or ages of children or dependents. Provisions for childcare. Questions regarding pregnancy, child-bearing, or birth control. Name or address of relative, spouse, or children of an adult applicant. "With whom do you reside?" or "Do you live with your parents?"
Statement that a photograph may be required after employment.	**PHYSICAL DESCRIPTION, PHOTOGRAPH**	Questions as to applicant's height and weight. Require applicant to affix a photograph to application. Request applicant, at his/her option, to submit a photograph. Require a photograph after interview but before employment.
Statement that offer of employment may be made contingent on applicant's passing a job-related physical examination. "Can you perform (specific task)?"	**PHYSICAL / MENTAL DISABILITIES**	Questions regarding applicant's general medical condition, state of health, or illnesses. Questions regarding receipt of workers' compensation. "Do you have any physical or mental disabilities or handicaps?"
Statement of regular days, hours or shifts to be worked.	**RELIGION**	Questions regarding applicant's religion or religious days observed. "Does your religion prevent you from working weekends or holidays?"

Appendix B: Pre-Employment Inquiry Guidelines (cont.)

ACCEPTABLE	SUBJECT	UNACCEPTABLE
	Background check	Arrest record. "Have you ever been arrested?"
Statement that bonding is a condition of hire.	**BONDING**	Questions regarding refusal or cancellation of bonding.
Questions regarding relevant skills acquired during applicant's US military experience.	**MILITARY SERVICE**	General questions regarding military service such as dates and type of discharge. Questions regarding service in a foreign military.
"Please list job-related organizations, clubs, professional societies, or other associations to which you belong. You may omit those which may indicate your race, national origin, ancestry, religion, color, sex, or age."	**ORGANIZATIONS / ACTIVITIES**	"List all organizations, clubs, societies, and lodges to which you belong."
"By whom were you referred for a position here?" Names of persons willing to provide professional and/or character references.	**REFERENCES**	Questions of applicant's former employers or acquaintances which elicit information specifying the applicant's race, color, religion, national origin, ancestry, physical handicap, marital status, age, sex, or sexual orientation.
Name and address of *person* to be notified in case of accident or emergency.	**NOTICE IN CASE OF EMERGENCY**	Name and address of *relative* to be notified in case of accident or emergency.