



**Asa Hutchinson**  
Governor



Office of the Director, Fiscal and Human Resources  
501 Woodlane Drive, Suite 230C, Little Rock, AR 72201  
Phone: (501) 683-1787 | Fax: (501) 682-4833

**Nathaniel (Nate) Todd**  
Director

## PERSONNEL

ADVAP 2-10

April 1, 2017

### Employment Hiring Procedure

1. **GENERAL:** This procedure will be followed in the hiring of individuals to fill vacant positions within the Arkansas Department of Veterans Affairs.

The Uniform Classification and Compensation Act (Act 199 of 1969, as amended) exists in part to assure that State agencies hire and promote people who have education and/or experience requisite for successful performance on the job.

2. **SCOPE:** Each department head and agency director is responsible for carrying out the provisions of Act 199 of 1969, as amended, the Veterans Preference Law, Act 527 of 1981 (Statute 21-3-302 and 303 ) and Executive Order 89-1, Act 228 of 1997, Public Law 99-603 of 1986, Act 990 of 1997, Executive Order 98-04.

3. **PROCEDURES:**

a. Whenever a personnel vacancy has been approved by the ADVA Director the following procedures will apply:

1) The ADVA Human Resources Office will:

a) Submit Hiring Freeze Request Form to Office of Personnel Management (OPM). Executive Order 99-04; OPM Policy 30.13

b) Upon approval of the hiring freeze, human resources representative will advertise job vacancy on the state jobs website, with the Department of Workforce Services, within the agency, the website

and in the newspaper if necessary. Executive Order 99-04; OPM policy 30.01

- c) All positions must have a written approval from Chief Financial Officer and ADVA Director to begin advertisement, including positions exempt from hiring freeze. (Complete ADVA form Request to Fill Vacancy)
- d) Receive job applications and review to verify qualifications, skills and Veterans Preference Status (DD-214).
- e) With the ADVA Assistant Director, recommend an interview Selection Panel (SP) and Interview Panel (IP) for each position, then forward to the ADVA Director for approval. Diversity will be considered when choosing selection and hiring panel. A panel is a team of members committed to interviewing and selecting a person for a position, and the selection panel process is beneficial because it provides varying perspectives, helps to eliminate biases, and benefits the department by involving employees and external stakeholders in the hiring decision.
- f) Upon approval from the ADVA Director, provide all qualified applications to the approved SP and provide guidance to the senior SP member, who will serve as the lead on the panel.
- g) Personal information must be redacted from applications when sent to members of the SP or IP who are not employees of the agency.
- h) Schedule interviews to be conducted by the IP.
- i) Advise members of the IP on applicable laws, and personnel policies governing hiring.
- j) Upon completion of interviews the following forms need to be completed and given to the ADVA Human Resources Headquarters:
  - 1. Tally the Knowledge, Skills, and Abilities (KSA's) Worksheet scores with signatures of IP. (See paragraph 4, page 4 for application of Veterans Preference)
  - 2. Disclosure
  - 3. Signed application
- k) Once the IP has a recommendation for hire, ADVA Human Resources Headquarters will notify applicant that they are being considered for the position pending approvals from ADVA Director. All requested documentation must be provided to ADVA Human Resources Headquarters for a recommendation to the Chief Financial Officer and the ADVA Director. The following forms need

to be completed and given to the ADVA Human Resources Headquarters for approval:

1. Selective Service
  2. I9
  3. Request for Criminal Background Check
  4. Copies of Driver License, Social Security, and/or Nursing License/Certification
  5. Signature of the hiring official on recommendation for approval of hire.
  6. Nursing grid with administrator's signatures for LPN and RN's.
  7. Completed reference checks.
  8. Send applicant for drug screen.
- l) Upon approval of the ADVA Director, human resources will notify the successful applicant.
- m) Notify unsuccessful applicants either by phone, letter, and/or Arkansas State Email to express appreciation for their interest.
- n) Maintain a file of the IP worksheets and notes for employment of the successful applicant after receiving results of screening of all negative. And if the applicant results are positive. (See ADVAP 2-15)
- o) Give initial orientation to all new employees within the agency. (See orientation policy 2-12)
- p) The ADVA Human Resources Office will update and maintain data in the Arkansas State job website.
- b. Selection Panel (SP)
- 1) A Selection Panel will exist for positions on the Career Service Pay Plan at a grade C118 and higher.
  - 2) The SP will be composed of a minimum of two voting members; one human resources employee and the hiring official or their designee.
  - 3) The panelists will review each application and, the HR member will take a very objective approach measuring four criteria totaling 50 points for those who meet the MQs.  
Four criteria:

- Veteran Status (5 points, and 10 points for disabled),
- Internal ADVA (5 points),
- Education (5 points for associates or equivalent certificate, 10 points for bachelors, and 15 points for masters),
- Years of experience in related field (1 point per year, NTE 20).

The hiring official, or their designee, will also rate each candidate who met the MQs with a total of 50 points. They will be allowed a more subjective approach, but must justify their rationale. Their focus should be on the preferred qualifications.

- 4) Human Resources Office will total the scores for each applicant. The number of applications recommended for interview will depend on the following:
  - a) If five or fewer applications are received, the SP will review all applications and forward all that they believe are highly qualified applicants.
  - b) If more than six applications are received, a minimum of the top three applications will be recommended for interview.

c. The Interview Panel (IP)

- 1) The IP will be composed of a minimum of three voting members, direct reports are prohibited. The senior member of the panel will be the supervisor of the position being filled. If the supervisor is unavailable, the next higher level supervisor in the reporting chain will serve as the senior member.
- 2) A human resources representative will provide guidance to the panel as required and ensure department hiring policy is followed.
- 3) Panel members will review applications prior to the scheduled interview and provide a list of job related questions to the senior member of the panel. Personal questions will not be presented.
- 4) Panel members will rate each interview utilizing the KSA Worksheet.

d. SP and IP General Guideline

- 1) At no time during the hiring process should any panel member attempt to influence the opinion of other panel members.
- 2) If at any time a panel member becomes aware that they are related to or personally know an applicant they should immediately request a second interview to be held by Chief Fiscal Officer.

e. Hiring Panel Recommendation Appeal

- 1) If the hiring official disagrees with the panel's recommendation, the hiring official must appeal the decision through their supervisory chain. The appeal must justify their reasoning for not choosing the panel's recommendation.
- 2) The appeal final decision is made by the ADVA Director.

4. VETERANS PREFERENCE: State agencies and institutions of higher education are required to give preference to certain qualified Veterans, their spouses, or the surviving spouse of a deceased qualified Veterans in hiring and employment.

- A. Veteran: (1) A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; or (2) any person who has served honorably in the National Guard or reserves forces of the United States for a period of at least six (6) years, whether the person has retired or been discharged or not.
- B. The Veterans' status shall be considered on questions of hiring, promotion and retention of employees.
- C. A Veteran who voluntarily submits official proof of his or her status as a Veteran, disabled Veterans, or a surviving spouse of a deceased Veteran who remains unmarried at the time when the preference is being sought shall be entitled to employment preference in a position over other applicants after meeting substantially equal qualifications. The person requesting the preference must be a citizen and resident of this state.
- D. If an examination, evaluation, or similar instrument is given to establish a list of qualified candidates to be interviewed for a position at a state agency or institution of higher education subject to the Uniform Classification and Compensation Act, and an applicant entitled to a Veterans preference attains a passing grade, the applicant shall have five (5) points added to his or her final earned rating if the examination, evaluation, or similar instrument is subject to numerical scoring.
- E. If the examination, evaluation, or similar instrument is not subjected to numerical scoring, the selection authority shall demonstrate how Veteran's preference was applied in developing a list of qualified candidates to be interviewed and selecting the successful candidate.

Wartime Veterans, their widows or widowers are to be awarded additional points after their scores have been tabulated on the worksheets. Points awarded are as follows:

- a. A Veteran or widow/widower of a Veteran who served honorably during wartime (see below guidance) will be awarded 5 points to their final score.
- b. A Veteran who: has a service connected disability, as determined by the U.S. Department of Veterans Affairs; is over 55 years of age and is disabled and is entitled to VA pension or compensation under existing laws; or the spouse of a Veteran whose disability disqualifies him or her for appointment; shall have 10 points added to his/her final score.

For the purpose of employment, wartime is defined as:

World War I - April 6, 1917 - November 11, 1918

World War II - December 7, 1941 - December 31, 1946

Korean Service - June 27, 1950 - January 31, 1955

Vietnam Service - August 5, 1964 - May 7, 1975

Desert Storm - August 2, 1990 - to a date to be determined in the future

Any future conflicts as may be specified by Presidential Proclamation or Federal Law.

Service need not have occurred in the theater of the conflict.

- F. Disabled Veterans, Veterans over the age of fifty-five (55) and who are disabled, and entitled to a pension or compensation, or the spouse of a disabled Veteran shall have ten (10) points added to his/her final rating score.
- G. If a Veteran is not selected for a position and a numerical score was used, at the Veteran's request the selection authority shall provide the Veteran with his or her base score, adjusted score, and the successful candidate's score.
- H. If a scoring method other than numerical was used, at the Veteran's request, the selection authority shall provide all documentation to the Veteran to demonstrate how the Veterans preference was used to develop the interview list and how the successful candidate was selected.
- I. The selection authority is not required to provide the Veterans with testing materials or any other information concerning the successful candidate or other applicants that is not authorized for release under the Freedom of Information Act.

Procedure:

1. The names of candidates who have qualified in an examination, evaluation, or similar instrument given for the purpose of establishing an interview or employment list shall be entered on an appropriate register or list of eligible candidates in the following order:
  - a. Names of ten-point preference eligible candidates shall be placed at the head of the register or applicant list of persons certified as having equal eligibility points;
  - b. Names of five-points-preference eligible candidates shall be placed at the head of the register or applicant list of persons certified as having equal eligibility points; and

- c. Names of all other eligible candidates who do not have preference as provided in this section shall be placed on the register or applicant list in accordance with their ranking of eligibility points.
2. The persons entitled to preference shall not be disqualified from holding any position on account of age or by reason of any physical disability, provided that the age or disability does not render the person incapable to properly perform the duties of the position for which he or she applied.
3. Nothing in this policy shall be constructed to apply to the position of elective or political appointees in any department, agency, or institution of higher education or to any person holding a strictly confidential administrative or secretarial position in relation to the appointing officer.

Failure to Hire a Veteran:

1. If requested by the Veteran applicant, a hiring official or selection authority for a state agency or institution of higher education shall submit in writing to the Veteran the reason the Veteran was not (1) included on a list of qualified candidates to be interviewed; and (2) selected for the position.
2. The written reason shall become a part of the employment application records of the state agency or institution of higher education and be retained for the same period of time as all other employment applications as established by law or agency policy.

5. EQUAL OPPORTUNITY POLICY STATEMENT

The Arkansas Department of Veterans Affairs shall not discriminate in hiring, promoting, administering disciplinary action, or any other way against employees based on their race, creed, religion, national origin, age, sex, or gender.

Federal law provides that it is illegal to discriminate against a job applicant or an employee because of a person's race, color, religion, sex (including pregnancy), national origin, age (40 or older) disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. This Policy applies to all employees of the Arkansas Department of Veterans Affairs and to all persons seeking employment with the agency. Discrimination by an officer or employee based upon race, creed, religion, national origin, age, sex, or gender shall constitute grounds for dismissal. When it is determined by a court of law that an employee of Arkansas Department of Veterans Affairs or any state agency is guilty of discrimination based upon race, creed, religion, national origin, age, sex or gender, such determination shall be grounds for dismissal from employment.

The Policy provides for equality of employment opportunity and treatment in internal staffing. Personnel actions will be directed toward encouraging equitable ethnic and female representation in recruitment, selection and placement efforts, as well as expanding promotional opportunities for applicants and employees. This commitment will affect all employment practices including (but not limited to) hiring, placement, selection, training, transfer, promotion, layoff/termination, re-employment, compensation, benefits, terms, privileges, and conditions of employment.

Every state agency, board, commission, institution of higher education, and constitutional office shall adopt and pursue a comprehensive equal employment hiring program designed to achieve a goal of increasing the percentage of minority employees to a level that approximates the percentage of minorities in the state's population.

All state agencies, board, commissions, institutions of higher education, and constitutional offices shall report to the Legislative Council on June 30 of each year regarding its efforts to achieve its equal employment hiring program goal.

Each institution shall provide for a part-time or full-time employee to assist the institution in the recruitment of minority faculty and staff positions and student enrollment.

All Arkansas Department of Veterans Affairs employees are to be governed by the intent of the Policy, and it is the responsibility of supervisors at all levels of operations to carry out and assure compliance with the Policy.

This Policy applies to all persons or organizations seeking contracts, agreements, grants and sub-grants, programs and projects funded through it, and to all persons, organizations, or employers (both public and private) seeking services from it.

The Policy further provides for equality of access to services under all federally assisted programs including employment services such as testing and counseling, job referrals, placement services, and unemployment compensation.

6. SUPERSESSION: This procedure supersedes ADVAP 2-10, October 1, 2016, in its entirety.

7. FORMS PRESCRIBED:

- a. ATCH 1 Knowledge, Skills, and Abilities Worksheet
- b. Employee Disclosure/Certification and Employment of Family Members Form
- c. ATCH 2 Six-Step Position Fill Process Worksheet
- d. Position Fill Exempt/NonExempt List
- e. Position Fill Process Flowchart
- f. ADVA Form – Request to Fill Vacancy

By:

Nathaniel (Nate) Todd  
Director

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