



**STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES
DEVELOPMENT
POLICIES AND PROCEDURES**

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TITLE:

**CERTIFICATION OF ELIGIBLES FOR CIVIL
SERVICE POSITIONS**

APPROVED:

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I. POLICY

All qualified applicants for civil service positions should be properly referred, considered, and selected.

II. RATIONALE

The proper referral, consideration, and selection of individuals for public service provide a strong foundation for a merit-based civil service system.

III. SCOPE

The procedures shall apply to eligibles that are established to competitive lists; e.g., intra-departmental, inter-departmental and open-competitive eligible lists. This procedure does not apply to employees who are qualified through the internal vacancy announcement ("IVA") procedure.

IV. GENERAL PROVISIONS

A. ELIGIBILITY PERIOD

1. The eligibility period for an eligible shall not be less than six months from the date the eligible is established to the eligible list unless the eligible list is first canceled.
2. An eligible's eligibility period may be extended, provided all other eligibles in the same recruitment with the same establishment date are similarly extended.
3. An eligible list may be expired without notice, provided the six month eligibility period requirement was met.
4. A former employee on the select priority list is eligible for employment consideration until he/she finds new employment within or outside the State service.
5. An eligible on the list may be suspended or terminated from the list subject to provisions specified below in Part G, *Maintaining the Eligible List*, of these procedures.

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B. CANCELING THE ELIGIBLE LIST

1. HRD may cancel the eligible list for good reason and shall notify the affected eligibles of the cancellation.
2. The reasons for canceling the eligible list may include, but not be limited to:
 - a. The minimum qualification requirements or classification standards of the class are amended;
 - b. The class is abolished; or
 - c. Eligibles are unavailable for employment.

V. PROCEDURE

A. CERTIFYING (REFERRING) ELIGIBLES

1. Eligibles shall be referred in accordance with §§14-3.02-2 and 14-3.02-3, HAR.
2. The certificate of eligibles or list of direct hire candidates shall be the means by which eligibles on the list are referred.
3. The appointing authority will determine the number of eligibles to be referred.
4. When a recall list or related recall list exists for the position, the list shall be certified in accordance with applicable collective bargaining unit agreements.
5. Notwithstanding §14-3.02-2(b)(5), HAR, when there is an inadequate number of eligibles to refer, HRD may certify other qualified eligibles from the open competitive list in the same class who did not specify their availability for the employment conditions of the position.

B. VOID DATE OF THE CERTIFICATE

1. The void date of the certificate of eligibles is 60 calendar days from the date the certificate is issued.
2. All interviews and selections must be made by the void date.

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3. The void date will not be extended even though the interview process may be nearly completed. The appointing authority will be required to request a re-certification to fill the position.
4. An alternate selection made after the void date will be honored under the conditions specified in *Part D. Selecting an Eligible*, of these procedures.

C. CONTACTING THE REFERRED ELIGIBLES

1. The appointing authority must interview all interested eligibles on the certificate unless the appointing authority employs the provisions set forth in paragraphs 2, 3, 4, and 5, as follows.
2. The appointing authority may limit the number of eligibles to contact based on their possession of job-related qualities. The job-related qualities may be *required* or *desired* skills, knowledge, or abilities that an eligible **must** bring to the job. They may also include personal qualifications set forth by departmental or federal policy affecting the position, e.g., preference allowed for participants in an assistance program where the vacancy exists.
3. The appointing authority is not required to contact an eligible who declined an interview within the past two months for the same or similar position in the same *class* or *series* even though the employment conditions are different.
4. The appointing authority is not required to contact and interview an eligible who was interviewed within the past six months for the same or similar position in the same *class* or *series* even though the employment conditions are different, provided, the selection interview would have measured the same skills, knowledge, and abilities. Although the eligible need not be re-interviewed, they must still be given employment consideration.
5. The appointing authority will make a reasonable attempt to contact the eligibles chosen for interview. The appointing authority shall determine the reasonableness of the attempt. However, when the recall list is used, the contact must be in accordance with the appropriate collective bargaining unit agreement; e.g., a follow up letter may be required after an unsuccessful telephone attempt.

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6. The appointing authority must notify any eligible whose interview was cancelled because the interviews could not be completed by the void date.

D. SELECTING AN ELIGIBLE

1. The appointing authority must designate the prospective hire and any alternate by the void date of the certificate. The appointing authority need not report the alternate choices to HRD. HRD will honor the appointment subject to the conditions set forth in paragraph 2, below, if applicable.
2. The appointing authority may make an appointment from the certificate up to three months **after** the void date expires even though the certificate was returned to HRD, provided, the prospective hire is active on the eligible list and the delay was due to one of the following reasons:
 - a. There was a delay in the approval process;
 - b. The appointing authority's first choice declined the job offer or failed to report to work;
 - c. The appointing authority's first choice resigned or was terminated from the position within two weeks. (If so, a new certification shall be required after this period.);
 - d. The appointing authority's first choice was deemed unsuitable for the job for reason such as, but not limited to:
 - i. Inability to pass the physical examination requirements for the job; and/or
 - ii. Testing positive for a controlled substance.
 - e. The appointing authority's first choice was unable to provide verification of licensure, certification, and/or education relating to his/her qualifications for the position; or
 - f. Other reasons deemed appropriate by HRD.

If an appointment is not made within the three-month period, a request for a new certificate of eligibles shall be required.

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3. The appointing authority may use the same certificate to fill other positions that became available after the certificate was issued provided:
 - a. the class title, employment conditions, geographic location, and experience and training requirements, including any selective certification requirement, are the same for the positions;
 - b. the void date of the certificate has not expired;
 - c. if the certification is for a position without a selective certification requirement, the certificate may be used to fill a similar position with a selective certification requirement provided that the appointee meets the additional requirement; and
 - d. If the certification is for a position with a selective certification requirement, the certificate may be used only to fill a similar position with a similar selective certification requirement.

E. NOTIFYING THE INTERVIEWED CANDIDATES

The appointing authority must notify all interested and available eligibles who were interviewed as to whether they were selected or not selected.

F. REPORTING THE RESULTS OF THE INTERVIEW

The appointing authority shall report the results of the contacts, contact attempts, and interviews on the certificate according to the applicable *Instructions for the Certificate of Eligibles* or *List of Direct Hire Candidates*.

G. MAINTAINING THE ELIGIBLE LIST

1. The director may suspend an eligible from the eligible list in accordance with §14-3.02-5, HAR, and for additional reasons, including:
 - a. The eligible declines a referral and/or job offer;

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- b. The eligible fails to reply to a telephone or written employment inquiry by a prescribed deadline;
 - c. The eligible is not available for an interview or employment;
 - d. The eligible fails to report for an employment interview;
 - e. The eligible fails to report to duty after appointment;
 - f. The eligible is unable to meet the physical requirements of the class;
 - g. The eligible is appointed to a temporary position. However, the eligible shall not be suspended for referrals to permanent positions.
2. An eligible may be restored to the eligible list and upon the eligible's written request in accordance with §14-3.02-5, HAR, provided:
- a. The eligible is still active;
 - b. The eligible's eligibility has not expired;
 - c. The eligible is now available for employment;
 - d. The eligible now meets the physical standards of the job;
 - e. The eligible terminates without delinquency or misconduct during the probationary period after being appointed to a permanent position from the eligible list.
3. An eligible may be terminated from the list for any of the reasons cited in §14-3.02-5, HAR, including:
- a. The eligible is appointed to a permanent position from the eligible list:
 - b. The eligible is appointed to a temporary position from an eligible list that was established to fill temporary positions only;
 - c. The eligible is found to be ineligible for appointment;

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- d. The eligible withdraws from employment consideration;
or
- e. The eligible was contacted and was not interested in a position for which the recruitment was specifically conducted.

H. CONFIDENTIALITY OF INFORMATION

The applications, certificate of eligibles, and any document used to refer an eligible are confidential. The identity, home address, telephone number, and other information about an eligible cannot be shared with individuals who are not directly involved in the interview and selection process. Applications shall not be duplicated or sent to another agency without HRD permission.

VI. AUTHORITIES AND REFERENCES

§ 76-22.5, Hawai'i Revised Statutes, *Recruitment*

§ 76-103, Hawai'i Revised Statutes, *Veteran's Preference*

§ 14-3.02-1 to § 14-3.02-6, Hawai'i Administrative Rules, *Certification*