

DEPARTMENT OF ADMINISTRATION

HIRING AND FIRING
IN STATE GOVERNMENT:

FINAL REPORT
AND RECOMMENDATIONS



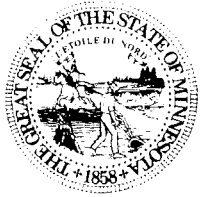
MANAGEMENT ANALYSIS DIVISION

**HIRING AND FIRING
IN STATE GOVERNMENT:**

**FINAL REPORT
AND RECOMMENDATIONS**

**DEPARTMENT OF ADMINISTRATION
Management Analysis Division**

August 1986



**Department of
Administration**

**OFFICE OF
THE COMMISSIONER**

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Volunteer Services

August 6, 1986

The Honorable Rudy Perpich
Governor
130 State Capitol

Patrick E. Flahaven
Secretary of the Senate
231 State Capitol

Edward A. Burdick
Chief Clerk
House of Representatives
211 State Capitol

Dear Gentlemen:


Pursuant to 1985 First Special Session Laws, Chapter 13, Section 20, the Department of Administration, in consultation with the Department of Employee Relations and other affected agencies, has studied methods for speeding up the hiring and firing processes used by Minnesota state government.

Overall, the study had four objectives:

1. To define perceptions about the effectiveness of the hiring and firing processes.
2. To document and describe the existing processes.
3. To determine bottlenecks in the processes and to identify which elements create problems or concerns.
4. To identify alternatives and recommend changes to the processes, where appropriate.

This document represents the second of two documents produced for the study. The first, "Hiring and Firing in State Government: Interim Report," published in March, 1986, dealt with the first three objectives of the study. This document, which deals with the fourth objective, provides major recommendations for improving the state's hiring and firing processes.

Respectfully submitted,


Sandra J. Hale
Commissioner

cc: Representative Gerald Knickerbocker
Chair, Legislative Commission on
Employee Relations

SUMMARY OF RECOMMENDATIONS

ISSUE A. Assuring the Availability and Timeliness of Eligible Lists

Recommendation A-1:

- Job classes should be open for application on a continuous basis and eligible lists should be updated as new scores are available. The only exceptions to this policy should be:

- o single incumbent classes
- o classes that require a lengthy and sequential exam procedure (e.g., State Patrol Trooper)
- o classes that have very low turnover, provided that DOER clearly defines what constitutes "low turnover."

Any examination not open on a continuous basis should be opened upon the request of an operating agency anticipating a vacancy.

Recommendation A-2:

- Names should remain on an eligible list for no more than one year. At the end of the year, applicants who maintain a continued interest for a job in that classification should have an option to either keep their previous score or reapply based upon their additional experience.

Recommendation A-3

- Exams should be designed to function as an initial screening mechanism that tests for broad skills and abilities. Greater emphasis should be placed on developing vacancy-specific selection procedures. For each job opening, the appointing authority should have two options:

- o use the current certification process which provides that the top twenty (20) names (top 10 on a promotional basis) are referred to the manager/supervisor; or,
- o develop a set of qualifications that would be used to screen the eligible list for candidates that fit the specific requirements for the vacancy. The screening would apply to the entire list. This group of names would then constitute a certified eligible list for the vacancy.

The current expanded certification process used for affirmative action would still apply under either option.

Recommendation A-4:

- DOER and operating agencies should actively develop and test modifications to established hiring procedures. Where they are judged successful, such alternatives should be broadly implemented.

ISSUE B. Finding New Methods to Recruit Highly Qualified Applicants

Recommendation B-1:

- DOER, working with operating agencies, should develop an aggressive recruitment program for multi-agency classes and classes for which there have been difficulties finding qualified candidates. The program should use such methods as ads in popular media and professional journals and recruitment visits to colleges and technical schools.
- The monthly bulletins used by DOER to announce exams should be restructured to reflect the movement toward open and continuous testing (see Recommendation A-1) and the development of vacancy specific selection procedures (see Recommendation A-3):
 - o DOER should continue to produce an annual publication for all exams open on a continuous basis. It would provide general job specifications for each class and describe the exam process. It should also include data on the number of existing positions in the class, the number of applicants for the exam during the last year, and the number of position openings in the class during the previous year.
 - o DOER should produce a biweekly bulletin to serve two purposes:
 1. To announce exams that are not open on a continuous basis.
 2. To publicize specific position openings at the request of the agency.

Recommendation B-2:

- DOER and operating agencies should develop annual plans which project vacancy rates and staffing needs of agencies. The information should be used to plan and schedule recruitment, examination, and other personnel activities.

ISSUE C. Enhancing the Service Role of DOER and Agency Personnel Offices

Recommendation C-1:

- DOER should substantially increase the level of authority and responsibility it delegates to operating agencies in the hiring process. Agency personnel officers and DOER staff should jointly review application, exam, and certification processes of all classes to determine what level of delegation or decentralization provides the most efficient division of responsibility for each type of exam.

In general, it is recommended:

- o Exam administration and certification functions for job classes used by only one agency should be delegated to that agency.
- o The decision to utilize selective certification procedures for vacancies should be delegated to each agency or appointing authority.
- o Authority currently delegated to large institutions (state hospitals and correctional facilities) should continue.
- o Activities related to general applicant information, exam development, written test scheduling and notification would continue to be centralized at DOER.

Any movement toward decentralization will increase the workload of operating agencies. Where an agency does not have the resources immediately available to accommodate the new authorities, DOER and the agency should jointly develop a timetable for more gradual assumption of those duties.

Recommendation C-2:

- DOER should examine its current organizational structure to determine the best ways to provide services to its primary client, the managers and supervisors of operating agencies. The goal of restructuring should be to simplify and clarify the relationships between DOER and its clients and better coordinate the work of its recruiting, examining, certification, and compensation staff.

Recommendation C-3:

- DOER should design and implement a training program for all agency personnel office staff on methods and procedures in all areas of hiring (merit system, classifications, Hay-rating, job analysis, exam development, affirmative action, etc.).

With the assistance of agency personnel staff, DOER should develop a handbook and orientation program for all managers and supervisors outlining principles of the merit system and hiring procedures.

Recommendation C-4:

- DOER and agency personnel officers should establish regular feedback mechanisms to help them evaluate the effectiveness of hiring procedures and to increase their awareness of the needs of their clients, the managers and supervisors making hiring decisions.

DOER could consider any or all of the following techniques: focus groups, client surveys, agency visits, and periodic sampling.

ISSUE D. Maintaining Resources Necessary to Support the Hiring Process

Recommendation D-1:

- In order to have data processing systems that are more responsive to the needs of DOER and its clients, DOER should:
 - o Conduct a comprehensive study of all of its systems, manual as well as automated, to determine their efficiency and effectiveness.
 - o Where appropriate, redesign its systems to correct any identified deficiencies in their operations.
 - o Conduct a study to determine its computer hardware and software needs.

Recommendation D-2:

- In cooperation with the Management Analysis Division and affected agencies, DOER should develop a plan to implement the recommendations contained in this report. The plan should include the timing or phase in of the recommendations, the staffing needs of DOER and agency personnel offices, and projected costs for implementing each recommendation.

ISSUE E: Assisting Managers and Supervisors Taking Disciplinary Action

Recommendation E-1:

- Where agencies have a specialized personnel function, their personnel officers should design and provide regular follow-up training for their agency's managers and supervisors on performance management, contract management, and disciplinary methods. For smaller agencies without personnel offices, DOER should provide detailed training and technical assistance to managers and supervisors.

Recommendation E-2:

- DOER should sponsor the formation of a group or team to provide case specific assistance to managers and supervisors. The team should include a Labor Relations Bureau staff member, an agency personnel officer, and a manager or supervisor experienced in the methods and procedures associated with disciplinary action. At the request of a manager or supervisor, or upon referral by their agency personnel office, this group would regularly review a supervisor's disciplinary action and offer guidance and recommendations to the supervisor as s/he proceeds with disciplinary procedures.

Introduction

In March 1986, the Management Analysis Division of the Department of Administration submitted "Hiring and Firing in State Government: Interim Report" in response to a legislative mandate in Laws of Minnesota 1985, First Special Session, Chapter 13, Section 20. The interim report presented the findings and conclusions from a study involving substantial data collection and analysis on the subjects.

This document is the follow-up and final report for that study. It presents recommendations to increase the effectiveness of the state's hiring and firing processes. The recommendations were developed by the Management Analysis Division after consultation with the Department of Employee Relations (DOER) and staff from operating agencies.

Overall, the study had four objectives:

- o To define perceptions about the effectiveness of the hiring and firing processes.
- o To document and describe the existing processes.
- o To determine bottlenecks in the processes and to identify which elements create problems or concerns.
- o To identify alternatives and recommend changes to the processes, where appropriate.

Like the interim report, the recommendations are divided into two sections:

Part I: Recommendations to Increase the Effectiveness of the Hiring Process

This section reviews the conclusions from the interim report. Each major conclusion, or issue, is followed by a set of recommendations to address the concern.

Part II: Recommendations on Approaches to the Firing Process

This section reviews the major conclusions of the interim report and suggests methods for assisting managers and supervisors taking disciplinary actions.

PART I:

Recommendations to Increase the Effectiveness of the Hiring Process

Open access to jobs financed with taxpayer dollars, along with fairness and uniformity in the way applicants are evaluated and selected, is demanded by the citizens of the state and required by state statute. Insuring such openness and fairness requires the investment of time and money; time to provide adequate public notice of the availability of jobs and the application procedure, and money to develop and implement job related selection processes. By contrast, the same taxpayer demanding openness and fairness is also demanding cost containment and reduction in government services. In addition, while public managers and employees may support the merit system concept, they generally want a selection system which is simple to understand and provides immediate response when they have a vacancy.

What is the Overall Level of Satisfaction With the Process?

DOER staff generally feel the process operates as efficiently and fairly as can be expected, given the constraints (specifically staffing and budget at DOER) with which they work. They see open access and competition for all positions in state service as the driving force in all procedures established, and frequently feel they must serve the role of enforcers or guarantors of merit system principles. While they feel it may take too long to hire individuals for specific positions, they do not see many realistic opportunities to reduce the amount of time associated with the steps in the process. Because they respond to the high volume of application and inquiries for state employment on a daily basis, they are acutely aware that the number of candidates seeking state jobs far exceeds the jobs available.

Agency personnel officers characterize the existing system as one that works reasonably well and does not need significant overhaul. They share DOER staff concerns about guaranteeing merit system principles but they are also aware of the frustrations the system causes supervisors and managers. While they acknowledge that there may be an over supply of candidates for some jobs, they are concerned that the length of time it takes individuals to move from the status of applicant for an exam to person interviewed for a specific opening may drive some top quality candidates away from state service.

Managers and supervisors are often frustrated by their inability to make the system work and frequently describe the procedures as a succession of barriers they must hurdle to accomplish what they need. While they understand the merit system concept, they do not feel it justifies procedures that work against candidates they feel are qualified. In almost all cases, they state the system works far too slowly to meet their needs as program managers and causes too many potential candidates to lose interest in state employment. While hiring procedures were designed to insure that personal favoritism does not affect the assessment of applicants or candidates entering the system, managers and supervisors often feel they must "know the right people" within the personnel system or invest inordinate amounts of their time and energy to insure prompt action on their hiring requests.

How Long Does It Take to Fill a Position in State Government?

Given the complexity of the state's personnel system, it is difficult to answer that question succinctly. Figures 1 and 2 display the various steps of the process for classified and unclassified positions and provide very general timeframes associated with the major components.

Classified Positions:

Generally, the data from the sample of records drawn for the study show that the hiring process for classified positions will require an average of seven to eight weeks if DOER maintains the eligible list. If a line agency maintains the list under decentralized or delegated authority, the appointment time needed would probably be five to six weeks (1.5 weeks could be deducted from the total appointment time because DOER is not involved in receiving or processing a request for a certified list). This assumes a usable eligible list exists at the time the vacancy occurs, and also assumes the agency will not have to establish the position or change the classification of an existing position before receiving a list.

Managers and supervisors will face substantial delays if they must wait for an eligible list to be developed before they can fill a position. Both the sample of DOER records and responses to questionnaires indicate that managers and supervisors did not have a usable eligible list in about thirty percent (30%) of the appointments using eligible lists. This situation doubled the average time from 7.1 weeks to 14.1 weeks. The seven week increase closely corresponds to the eight to twelve weeks usually required to announce an exam, take applications, administer and score an exam, and establish a new eligible list.

FIGURE 1

HIRING PROCESS FOR CLASSIFIED APPOINTMENTS

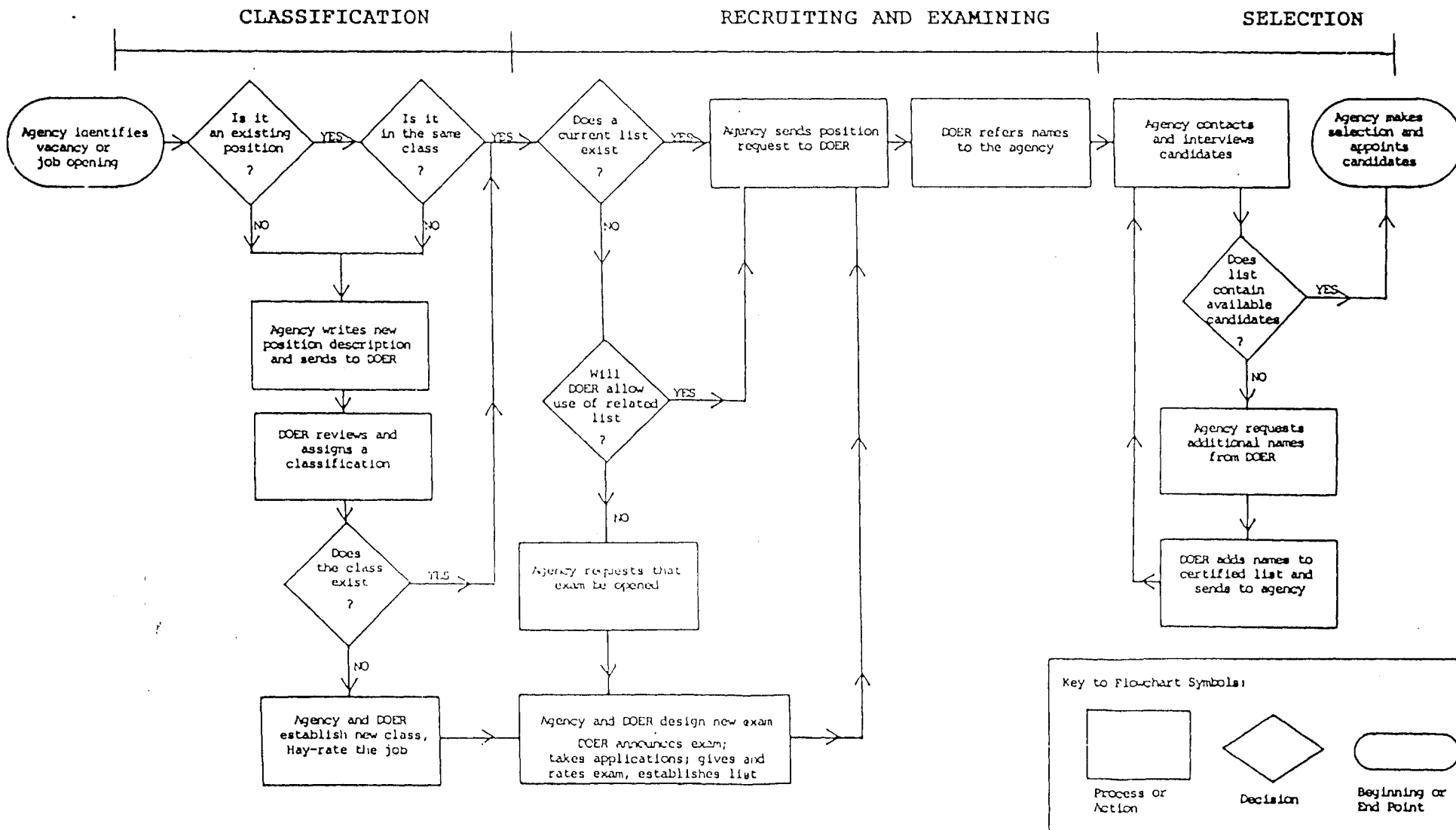
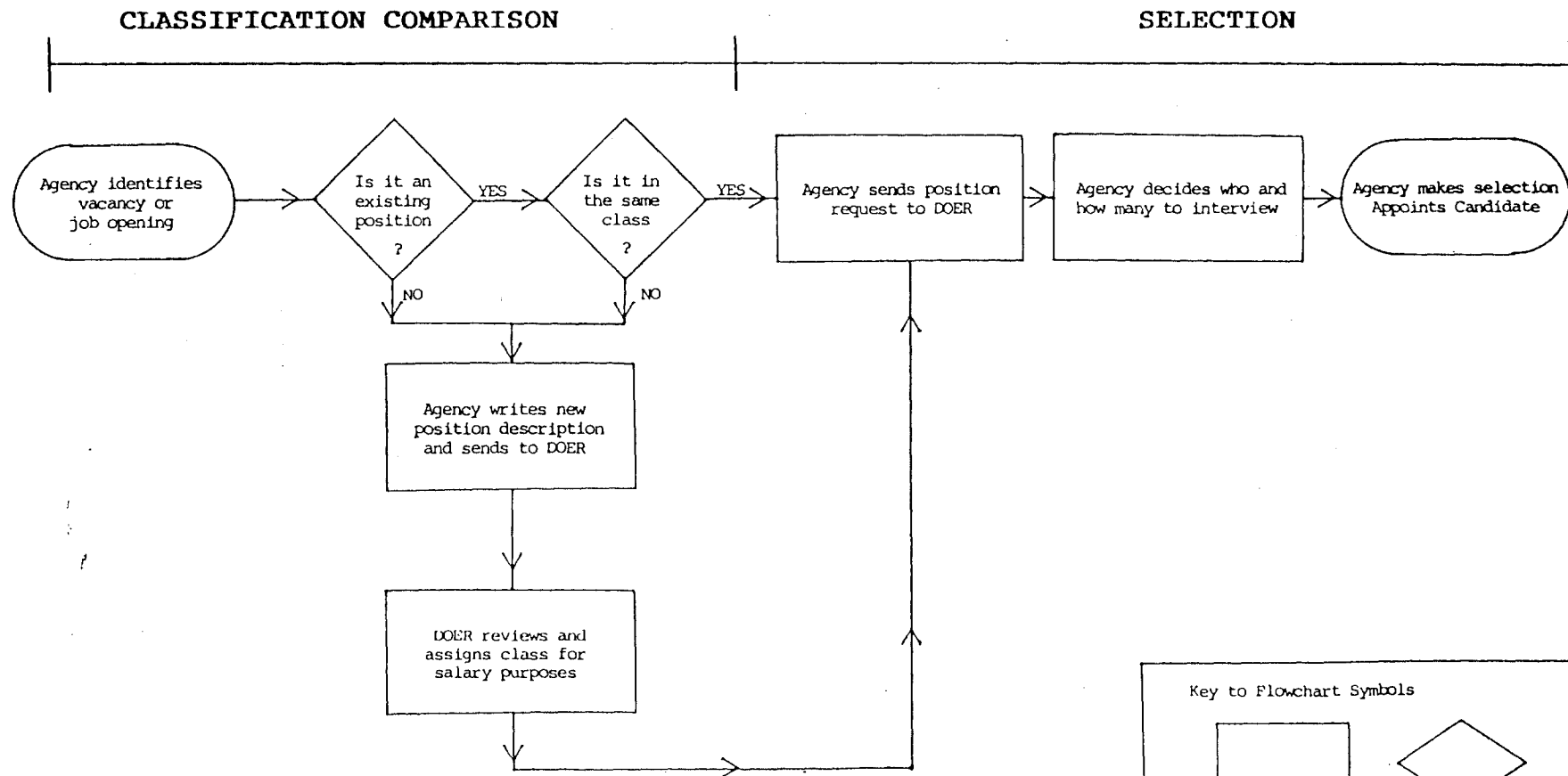


FIGURE 2

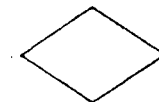
HIRING PROCESS FOR UNCLASSIFIED POSITIONS



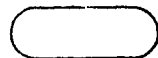
Key to Flowchart Symbols



Process or Activity



Decision



Beginning or End Point

If a manager or supervisor must create a new position or change the classification of an existing position before a vacancy can be filled, the approval process could add as much as an additional thirteen weeks to the appointment. Responses to questionnaires indicated that eight to nine weeks is needed to obtain both agency and DOER approval of classification decisions. In cases where a change in classification also means creating a new job class, the job rating process (Hay rating) usually requires an additional two to four weeks. If all of these steps were involved in a single vacancy, the time needed would be approximately ten months:

8-9 weeks	Approve change in classification (3-4 weeks required for DOER approval, balance is preparation time in the agency)
2-4 weeks	Hay-rate new job class
8-12 weeks	Establish new eligible list
7-8 weeks	Interview and appoint new employee (including any time needed for an employee to give notice to a previous employer)

Sample data show that the time required to fill a position varies significantly between three distinct groups of classified appointments:

	<u>Average Appt. Time</u>	<u>% Filled Within 2 Months</u>	<u>% Not Filled After 6 Months</u>
Appointments that do not require eligible lists	3 weeks	89%	-
Appointments where an eligible list was available	7 weeks	69%	1%
Appointments where an eligible list was not available	14 weeks	33%	8%

Unclassified Positions:

Generally, the data from the sample of Unclassified Rule 10 appointments show that the hiring process for unclassified positions takes five to six weeks if the manager or supervisor is filling an existing position. If a position is being created, DOER's review and approval usually requires an additional week. Questionnaire data indicates that agency approval of unclassified positions requires 1.5 weeks before the request is submitted to DOER.

Sample data show that unclassified positions are filled more quickly than classified positions using eligible lists:

	% Filled Within			% Not Filled After 6 Mo.
	<u>1 Mo.</u>	<u>2 Mo.</u>	<u>3 Mo.</u>	
All Unclassified Appointments	60%	79%	83%	5%
All Classified Appointments using eligible lists	35%	57%	76%	4%

ISSUE A. Assuring the Availability and Timeliness of Eligible Lists

Background:

Efficiency of the current hiring process is predicated on the availability of eligible lists. To operate smoothly, it is also imperative that the names on the list comprise a pool of well qualified people who are currently available for specific openings in state service.

The findings from the sample of DOER records and the responses to questionnaires indicate that in a majority of cases, both of the above criteria appear to be met through the current system. However, for about twenty to thirty percent (20-30%) of the appointments using eligible lists, those same sources of information show that managers and supervisors can expect to be faced with one or more of the following problems:

- o In thirty percent (30%) of the appointments using eligible lists, a manager or supervisor will find that a current eligible list does not exist when they need to fill a vacancy.
- o In twenty-nine percent (29%) of the appointments made, managers and supervisors are dissatisfied with the number of candidates available to them (24% want access to more names, 5% would prefer fewer names.)
- o In eighteen percent (18%) of the appointments, the first group of names (i.e., the first certified list) referred to the agency does not yield candidates that are available for the opening.
- o In twenty-six percent (26%) of the appointments made, managers and supervisors feel the certified list did not have well qualified candidates for the position (84% feel that candidates on the list are at least adequately qualified, 74% feel they are well qualified).

While these figures indicate that a majority of the appointments using eligible lists proceed with minimal interruption, other issues affect, or compound, the seriousness of those problems.

o Most eligible lists are established on the assumption that they will be used for two years. During that period, no new names are added to the list since the exam process is closed to additional applicants.

- Well qualified people who were not available during the last application period are effectively "locked out" of potential employment during this time because they cannot gain entry to the system through the exam process.

- A candidate who is on the list when it is established cannot realistically be expected to be available for employment for the same job class two years or more in the future. The person will be likely to have found other satisfying employment during that time and may have lost interest in employment with the State. During that same time, it is also reasonable to assume that individuals will gain experience that would qualify them for other, higher level job classes.

o Most exams are now announced on an "as needed" basis due to workload demands on DOER and the operating agencies. While this may be a realistic response to low turnover in many classes, it may also guarantee additional time delays for the manager or supervisor who must then wait for an exam to be announced and a new list established before acceptable candidates are available for a specific opening.

Recommendation A-1:

- Job classes should be open for application on a continuous basis and eligible lists should be updated as new scores are available. The only exceptions to this policy should be:

o single incumbent classes

o classes that require a lengthy and sequential exam procedure (e.g., State Patrol Trooper)

o classes that have very low turnover, provided that DOER clearly defines what constitutes "low turnover."

- Any examination not open on a continuous basis should be opened upon the request of an operating agency anticipating a vacancy.

Rationale:

Open and continuous testing addresses several concerns cited in the study:

- o it makes the system more accessible to all applicants
- o it would facilitate efforts to recruit candidates from protected classes (affirmative action)
- o it would enhance general recruiting efforts since qualified candidates not currently on the list could be tested and referred to any available openings without having to wait for an exam to be reopened.

Recommendation A-2:

- Names should remain on an eligible list for no more than one year. At the end of the year, applicants who maintain a continued interest for a job in that classification should have an option to either keep their previous score or reapply based upon their additional experience.

Rationale:

This change would increase the likelihood that the eligible list contains candidates who are currently interested in employment in the job class and would be available for a position if contacted.

Recommendation A-3

- Exams should be designed to function as an initial screening mechanism that tests for broad skills and abilities. Greater emphasis should be placed on developing vacancy-specific selection procedures. For each job opening, the appointing authority should have two options:
 - o use the current certification process which provides that the top twenty (20) names (top 10 on a promotional basis) are referred to the manager/supervisor; or,

- o develop a set of qualifications that would be used to screen the eligible list for candidates that fit the specific requirements for the vacancy. The screening would apply to the entire list. This group of names would then constitute a certified eligible list for the vacancy.

The current expanded certification process used for affirmative action would still apply under either option.

Rationale:

This approach should simplify the initial exam process and could produce more reliable test results. The second option would recognize that positions within the same class differ and should provide managers or supervisors with a means of obtaining candidates who fit their specific needs. In practice, the second option would greatly expand the "selective certification" procedure currently authorized by DOER only on a case by case basis.

While exams are based on job related factors, it is acknowledged to be difficult (if not impossible) to design an exam that reflects all the requirements of every position in the class. Scores are needed to establish a passing point, but it is unlikely that a meaningful distinction can be made between a candidate with a score of 96 and others with scores of 94 or 95.

If an exam can not test all job related factors, it is reasonable to assume that some high scoring candidates will not have all the qualifications a manager or supervisor considers critical for a specific vacancy. Likewise, it is also reasonable to assume that some candidates who scored lower on the exam may have qualifications that, on balance, make them better candidates than persons who scored higher on the exam.

The selection process should assist managers/supervisors in obtaining those candidates most suited to a particular position.

Recommendation A-4:

DOER and operating agencies should actively develop and test modifications to established hiring procedures. Where they are judged successful, such alternatives should be broadly implemented.

Rationale:

During the course of the study, several alternatives to established procedures were suggested as improvements to the standard selection process:

- o Some have already been used in limited cases and should be more broadly applied (e.g., using categories of "best qualified, well qualified, qualified" rather than absolute score ranking).
- o Some are being tested in operating agencies at the present time (e.g., using a pass/fail score and referring all passing candidates rather than only the top 20).
- o Some are ideas that need to be tested to determine whether or not they would be beneficial (e.g., increasing the number of protected class candidates certified for a vacancy).

This type of constructive experimentation should be encouraged and actively pursued.

ISSUE B. Finding New Methods to Recruit Highly Qualified Applicants

Background:

By developing and administering exams for job classes, the current exam process seeks to create a pool of qualified candidates for potential vacancies in state government. With the exception of single incumbent classes, individuals apply for entry to a job class rather than for a specific position. After passing the exam, they wait for DOER to refer their names to an agency for openings in the class.

While that describes the recruitment and application sequence in theory, employees' responses to questionnaires indicate that actual experience is somewhat different:

- o Employees frequently (68% of the time) feel they are, in fact, applying for a specific position about which they had personal knowledge.
- o In 55% of the appointments, they are interviewed for only one position in the class, the one to which they were appointed. Another 30% were interviewed for one other position in the class before they were offered employment.
- o While DOER relies almost exclusively on the "Minnesota Career Opportunities" and "State Service Promotional Opportunities" bulletins to provide public access to exams, only fifteen percent (15%) of the employees found out about the application process through that vehicle. It is far more common for the applicant to find out about the application process through less public methods, such as a personal referral (28%) or an inquiry they made to an agency personnel office or specific manager or supervisor (16%).
- o The most common previous employer for both classified and unclassified positions (47% and 37% respectively) is the State of Minnesota.

None of these findings indicate grave problems with the current process, but they do suggest that the system is somewhat closed: most employees apply for specific jobs they know about (even though the system is not designed for that situation), most employees find out about those jobs through a personal referral or contact they initiated with an agency (despite the emphasis on open and public competition for jobs), and close to half of the appointments reflect movement between positions in state service.

The clients of this procedure, the managers and supervisors making hiring decisions and implementing programs, have minimal involvement or investment in the recruitment process. They are usually not involved in recruiting groups of potential applicants to take exams and they do not have control over the timing of exams. If they do find a well qualified candidate, they often do not have a mechanism to assist that individual in gaining entry to the exam process.

Recommendation B-1:

- DOER, working with operating agencies, should develop an aggressive recruitment program for multi-agency classes and classes for which it has been difficult to find qualified candidates. The program should use such methods as ads in popular media and professional journals and recruitment visits to colleges and technical schools.
- The monthly bulletins used by DOER to announce exams should be restructured to reflect the movement toward open and continuous testing (see Recommendation A-1) and the development of vacancy specific selection procedures (see Recommendation A-3):
 - o DOER should continue to produce an annual publication for all exams open on a continuous basis. It would provide general job specifications for each class and describe the exam process. It should also include data on the number of existing positions in the class, the number of applicants for the exam during the last year, and the number of position openings in the class during the previous year.
 - o DOER should produce a biweekly bulletin to serve two purposes:
 1. To announce exams that are not open on a continuous basis.
 2. To publicize specific position openings at the request of the agency.

Rationale:

An aggressive recruitment program will help insure that managers and supervisors will have the most qualified candidates from which to choose. Currently, the state's recruitment efforts are confined principally to publishing

bulletins with limited circulation. Only a few agencies recruit and advertise extensively for their most difficult to fill positions.

As cited previously, open and continuous testing will enhance general recruiting efforts. It will also necessitate a different exam and vacancy announcement schedule.

The vacancy listings in DOER's biweekly bulletin would be used primarily for informational purposes to describe specific openings as they occur and would act as a recruiting aid. Such a listing would prompt candidates already on the list to indicate their interest directly to the agency or supervisor with the opening. It could also be used to recruit new applicants to take an exam, or to encourage current employees in related classes to consider transferring to a new division or department.

If a manager or supervisor is not satisfied with the quality or number of names on an existing eligible list, they should have the option to carry out more extensive recruiting efforts. While it is likely that such recruiting would add to, rather than subtract from, the amount of time needed to fill a position, the affected manager or supervisor is the best judge as to whether such activities are warranted.

Recommendation B-2:

- DOER and operating agencies should develop annual plans which project vacancy rates and staffing needs of agencies. The information should be used to plan and schedule recruitment, examination, and other personnel activities.

Rationale:

Currently most efforts to fill positions do not begin until the positions become vacant. This process clearly extends the hiring process. A comprehensive analysis (including position turnover rate, project retirements, maternity leave, etc.) by agency personnel officers and DOER will greatly speed up the hiring process by:

- o Recruiting for hard to fill positions before vacancies occur.

- o Testing for positions that are not part of the continuous testing program prior to vacancies occurring.

- o Reallocating positions in advance of vacancies to respond to changes in the scope, responsibilities, and requirements of positions.

Improved planning will also enable better, more efficient use of personnel staff in operating agencies and DOER.

ISSUE C. Enhancing the Service Role of DOER and Agency Personnel Offices

Background:

Like employees in many state agencies, DOER staff and agency personnel officers are both regulators and service providers. The two goals are not necessarily mutually exclusive, but they are sometimes contradictory. While they are obligated to enforce or guarantee merit system principals, an equally important objective is to support and serve the needs of managers and supervisors.

Since both DOER and agency personnel offices share the responsibilities for both control and service, it appears to be more difficult to determine who is playing what function on an issue by issue basis. Aside from the availability and timeliness of lists, the most frequently cited concern of managers and supervisors was that they perceive the current structure to be unevenly administered. While they know of a colleague in another agency who was able to finesse exceptions to the standard procedures, they are told their own request is not possible (e.g., reopening a previously closed exam, receiving more names from an eligible list so a preferred candidate could be accessed, obtaining approval for selective certification or exceptional appointment).

Given the complexity of the current system, it is imperative that managers and supervisors have a resource that will clearly be their advocate, someone who will listen to their request and explore all possibilities to legitimately accommodate that need. In many cases, personnel officers and DOER staff currently provide that focus. Policies and procedures that will further enhance that orientation should be developed and implemented.

Recommendation C-1:

- DOER should substantially increase the level of authority and responsibility it delegates to operating agencies in the hiring process. Agency personnel officers and DOER staff should jointly review application, exam, and certification processes of all classes to determine what level of delegation or decentralization provides the most efficient division of responsibility for each type of exam.

In general, it is recommended:

- o Exam administration and certification functions for job classes used by only one agency should be delegated to that agency.
- o The decision to utilize selective certification procedures for vacancies should be delegated to each agency or appointing authority.
- o Authority currently delegated to large institutions (state hospitals and correctional facilities) should continue.
- o Activities related to general applicant information, exam development, written test scheduling and notification would continue to be centralized at DOER.

Any movement toward decentralization will increase the workload of operating agencies. Where an agency does not have the resources immediately available to accommodate the new authorities, DOER and the agency should jointly develop a timetable for more gradual assumption of those duties.

Rationale:

While DOER has delegated responsibilities to some agencies on a case by case basis, they do not appear to have a uniformly applied policy.

This recommendation places decision making authority closest to those with responsibility for the outcome of those decisions. At the same time it recognizes that complete decentralization is not feasible in instances where a single class is used by many agencies (e.g., clerk-typist series, accounting series) and suggests that some administrative functions are more efficiently implemented on a centralized basis.

Recommendation C-2:

- DOER should examine its current organizational structure to determine the best ways to provide services to its primary client, the managers and supervisors of operating agencies. The goal of restructuring should be to simplify and clarify the relationships between DOER and its clients, and better coordinate the work of its recruiting, examining, certification, and compensation staff.

Rationale:

Though the study did not focus on organizational structure the issue surfaced repeatedly in discussions with DOER staff, agency personnel officers, and managers and supervisors. Agency personnel officers and managers and supervisors sense a lack of coordination between functions at DOER and expressed frustration with DOER's current staffing arrangement (see pages 22-23 of the interim report.)

Recommendation C-3:

- DOER should design and implement a training program for all agency personnel office staff on methods and procedures in all areas of hiring (merit system, classifications, Hay-rating, job analysis, exam development, affirmative action, etc.).

With the assistance of agency personnel staff, DOER should develop a handbook and orientation program for all managers and supervisors outlining principles of the merit system and hiring procedures.

Rationale:

As the duties and responsibilities of agency personnel offices increase as a result of the recommendations to decentralize some personnel functions to the agency, personnel offices will be required to perform work previously carried out by DOER staff. Training will be required of some agency personnel officers in order for them to carry out their increased duties and responsibilities.

Recommendation C-4:

DOER and agency personnel officers should establish regular feedback mechanisms to help them evaluate the effectiveness of hiring procedures and to increase their awareness of the needs of their clients, the managers and supervisors making hiring decisions.

DOER could consider any or all of the following techniques: focus groups, client surveys, agency visits, and periodic sampling.

ISSUE D. Maintaining Resources Necessary to Support the Hiring Process:

Background:

All groups consulted during this study cited staffing and budget constraints at DOER as fundamental problems. In most cases, agency personnel officers and managers and supervisors feel DOER cannot provide higher levels of service without additional financial resources. A review of DOER's complement related to hiring functions clearly shows that its staffing resources have declined over the last six years while the volume of work has not seen a corresponding drop.

The basic design of DOER's computerized processing system is now thirteen years old and its structure for processing information is not easily adapted to the current needs of DOER or operating agencies. Two specific examples illustrate how the system is "out of sync":

- o Innovations in examining procedures (such as consolidated exams in which an applicant can be rated for more than one job class by taking a single exam) streamline the process for the individual applying for state employment, but appear to be extremely cumbersome for the current computer system to accommodate. It requires duplicative and time-consuming data entry procedures for processing applications, scheduling and scoring exams.
- o The system can generate a certified list and transmit names, addresses and phone numbers of candidates on a twenty-four to 48 hour turnaround, but it cannot provide any background information on the candidates other than passing score and rank on the list. Paper copies of application materials must be manually pulled from the files, copied and sent to the agency before a manager or supervisor has any information about candidates' work experience. This is time-consuming both for DOER staff who maintain the applicant information files and for the manager or supervisor who waits for the information before deciding who to contact for interviews.

Recommendation D-1:

- In order to have data processing systems that are more responsive to the needs of DOER and its clients, DOER should:

- o Conduct a comprehensive study of all of its systems, manual as well as automated, to determine their efficiency and effectiveness.
- o Where appropriate, redesign its systems to correct any identified deficiencies in their operations.
- o Conduct a study to determine its computer hardware and software needs.

Rationale:

The data processing systems utilized by DOER are over thirteen years old and are not serving the basic needs of DOER staff, agency personnel officers, managers and supervisors, and prospective employees.

Thirteen years is an extremely long time in the computer hardware and software fields where there have been radical developments and changes in technology. A review and possible redesign of the current systems at DOER are essential if the personnel functions at DOER and agency personnel offices are to become more efficient and effective.

Recommendation D-2:

- In cooperation with the Management Analysis Division and affected agencies, DOER should develop a plan to implement the recommendations contained in this report. The plan should include the timing or phase in of the recommendations, the staffing needs of DOER and agency personnel offices, and projected costs for implementing each recommendation.

Rationale:

This report has outlined key recommendations that affect how DOER and agency personnel offices conduct their business. Many of the recommendations deal with the issue of decentralizing some DOER's functions and increasing the level of responsibilities and duties of agency personnel offices. Other recommendations add increased activities to DOER. The resource (people, money, and technology) impact of these recommendations cannot readily be estimated at this time. The impact is dependent upon the degree to which the recommendations are implemented, their timing, and the

capacity of DOER and operating agencies to absorb the increased workload. However, the resource implications for DOER and agency personnel offices may be substantial, especially at the outset as additional staff and funds will be needed to make the recommended changes.

PART II:

Recommendations on Approaches to the Firing Process

State managers and personnel professionals call firing the "capital punishment" of employee/employer relationships. The analogy conveys the seriousness surrounding the decision to dismiss an employee for any reason, including that of poor performance on the job. Dismissal is the most severe and final penalty that any employer, public or private, can carry out. Most organizations treat termination as a last resort, an action that can and should be used only when efforts to improve job performance have been tried and have failed.

Contrary to the belief of some, it is not "impossible" to fire a state employee. Managers and supervisors dismissed employees and their decisions were either accepted or withstood challenges in over 95% of the cases recorded as dismissals on DOER's information system in FY 85. While that statistic may imply some measure of effectiveness about the current process, it does not reflect the difficulties managers and supervisors face in implementing a decision to dismiss an employee:

1. On a personal level, managers and supervisors may find it difficult to confront poor performance with employees and give negative feedback directly and constructively. In making a decision to fire an individual, supervisors may have to deal with their own failure to obtain and nurture satisfactory performance from their employees.
2. On a professional level, documenting poor performance in a way that will stand up under appeal diverts time and energy away from more positive efforts to effectively manage programs. By some estimates, documentation and rehabilitation efforts may require up to 20-30% of a supervisor's time before a defensible case is built.
3. On a programmatic level, dismissal efforts can be costly. Lost productivity of the poor performer and diverted energy of the supervisor are obvious costs. In addition, if a case goes to arbitration and the employee is reinstated, the agency could be responsible for up to \$10,000 in hearing costs as well as liability for the employee's backpay.

While these issues are very real and should not be underestimated as obstacles, they do not negate the supervisors' basic responsibility to manage the human resources under their control. Difficulties and discomfort are not sufficient reasons for inaction. Managers and supervisors do, however, need guidance in the implementation of performance management systems, and they deserve direct and specific support when it becomes necessary to take disciplinary action.

ISSUE E: Assisting Managers and Supervisors Taking Disciplinary Action

Recommendation E-1:

- Where agencies have a specialized personnel function, their personnel officers should design and provide regular follow-up training for their agency's managers and supervisors on performance management, contract management, and disciplinary methods. For smaller agencies without personnel offices, DOER should provide detailed training and technical assistance to managers and supervisors.

Rationale:

DOER currently offers two general training courses for managers and supervisors on discipline and discharge. Agency personnel officers should build on that base by providing follow-up training that is appropriately tailored to the needs of their own agency. For smaller agencies, DOER should provide the additional training and assistance.

Recommendation E-2:

- DOER should sponsor the formation of a group or team to provide case specific assistance to managers and supervisors. The team should include a Labor Relations Bureau staff member, an agency personnel officer, and a manager or supervisor experienced in the methods and procedures associated with disciplinary action. At the request of a manager or supervisor, or upon referral by their agency personnel office, this group would regularly review a supervisor's disciplinary action and offer guidance and recommendations to the supervisor as s/he proceeds with disciplinary procedures.

Rationale:

Beside DOER's two general training courses on discipline and discharge, case by case assistance is currently provided to managers and supervisors by agency personnel officers or DOER Labor Relations Bureau staff. The guidance, structure, and support of a team could be particularly useful in smaller agencies where personnel expertise is not generally available.

