



TITLE	POLICY NUMBER	
Recruitment and Hiring	DCS 04-16	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Human Resources	May 12, 2017	3

## **I. POLICY STATEMENT**

The Department of Child Safety (DCS) shall recruit, hire, compensate, and promote its employees based on knowledge, skills, and abilities (KSAs) free from discrimination because of gender, sexual orientation, age, race, color, national origin, religion, disability, genetic information, pregnancy, military or veteran status. The Department shall fill authorized, funded, and vacant positions in the most efficient and effective manner based on agency requirements, program needs, and the availability of qualified applicants. The Department shall conduct these actions in compliance with the requirements set forth in the Arizona State Personnel System (ASPS) rules.

## **II. APPLICABILITY**

This policy applies to all current and prospective employees of DCS, except employees exempt pursuant to [A.R.S. § 41-742](#), otherwise known as political appointments.

## **III. AUTHORITY**

<a href="#">A.A.C. Title 2, Chapter 5</a>	State Personnel System
<a href="#">A.A.C. R2-5A-307</a>	Appointment
<a href="#">ADOA Compensation Guidelines</a>	Arizona Department of Administration
<a href="#">A.R.S. § 13-904 (E)</a>	Suspension of civil rights and occupational disabilities

<a href="#">ASPS/HRD-PA3.01</a>	Transportation or Other Travel Expenses for Interviews of Out of State Candidates
<a href="#">ASPS/HRD-PA3.02</a>	Disqualification for Consideration of Employment
<a href="#">ASPS/HRD-PA3.03</a>	Application for Employment; Pre-employment Reference and Background Checks
<a href="#">ASPS/HRD-PA3.04</a>	Change in Assignment
<a href="#">ASPS/HRD-PA3.06</a>	Employment Eligibility Verification (I-9 Records)
<a href="#">ASPS/HRD-PA3.07</a>	Special Assignment
<a href="#">P.L. 95-555</a>	Pregnancy Discrimination Act
<a href="#">P.L. 101-336</a>	Americans with Disabilities Act
<a href="#">P.L. 103-353</a>	Uniformed Services Employment and Reemployment Rights Act
<a href="#">P.L. 110-233</a>	Genetic Information Nondiscrimination Act
<a href="#">P.L. 110-325</a>	ADA Amendments Act

#### **IV. DEFINITIONS**

Agency Head: The chief executive officer of a state agency, or designee. For DCS, this individual is the DCS Director.

Applicant: A person who seeks appointment to a position in state employment.

Appointment: The offer and the acceptance by a candidate of a position in a state agency.

At Will: An employment relationship where either party to the relationship may sever the relationship at any time for any reason other than an unlawful reason.

Central Registry: The automated database of substantiated reports of child abuse and neglect that is contained within the DCS Case Management Information System.

Competencies: The knowledge, skills, abilities, behaviors, and other characteristics that contribute to successful job performance and the achievement of organizational results.

Department or DCS: The Arizona Department of Child Safety.

Direct Service Position: Any position identified by the Department of Child Safety as having primary duties, tasks, or responsibilities that includes in-person interaction between the employee and a child or vulnerable adult.

Disqualifying Act: Substantiated act of abuse or neglect of a child that is of such a serious nature that it disqualifies an applicant from consideration for a direct service position.

Employee: All officers and employees of this state, whether in covered service or uncovered service.

Essential Job Function: A fundamental job duty of a position that an applicant or employee must be able to perform, with or without a reasonable accommodation.

Ex-offender: A person who has a prior conviction for a felony or misdemeanor within or without the state of Arizona.

Hiring Authority: For purposes of this policy, Hiring Authority refers to the DCS Supervisor or designee with authority to recommend and/or select an applicant for hire.

Political Appointment: Department positions that are appointed and are not required to follow the standard recruitment and selection process for filling vacancies. Political positions include: (1) the state agency head and each deputy director, or equivalent, of each state agency and employees of the state agency who report directly to either the state agency head or deputy director; and (2) each assistant director, or equivalent, of each state agency and employees in the state agency who report directly to an assistant director.

Relatives: For the purpose of this policy, relatives are defined as persons within the third degree of affinity (marriage) or consanguinity (blood), or by adoption. Examples include spouse, child, parent, grandchild, grandparent, sister, brother, great grandchild, great grandparent, aunt, uncle, niece, nephew, or first cousin.

Special assignment: The temporary assignment, for up to six (6) months, of the duties and responsibilities of another position to an employee in the same agency.

Substantiated report: A report of abuse or neglect found to be true by a probable cause standard of evidence.

Transfers: The movement of an employee from one position to another position in the same or an equivalent grade to include movement from a non-direct service position to a direct service position. This includes employees from other state agencies.

Uncovered Service: Employment at will and includes all state employees except those in covered service.

## V. POLICY

### A. Vacancies

1. All vacant positions shall be filled competitively unless approved by the DCS Director, or if the employee is a political appointee.
2. All job openings must be announced on the State of Arizona's electronic job board.

### B. Interview Questions

All interview questions shall be reviewed and approved by DCS HR prior to interviews being conducted to ensure they are job-related and non-discriminatory. If DCS HR assistance is required for the development of interview questions, additional time will be required.

### C. Offers of Employment

1. Before extending an offer of employment, the supervisor or HR Liaison shall ensure that all necessary management approvals have been obtained.
2. For positions meeting criteria for post-offer physical exams, supervisors shall utilize the instructions that are included in the hiring instructions.

### D. Appointment of Ex-Offenders

1. It is the policy of this Department that ex-offenders shall be considered for employment within the Department in a non-discriminatory manner except as provided in [A.R.S. § 8-804](#) and [A.R.S. § 13-904 \(E\)](#). Please refer to

DCS 04-09 Fingerprint Clearance Cards for more information.

2. Applicants for employment who have been convicted of certain crimes may be excluded from employment at management's discretion when:
  - a. the offense is reasonably related to the functions of the position sought; or
  - b. the health, safety, or welfare of DCS clients or the responsibility of the Department to administer state, federal, and client funds or to safeguard client property is, or may be, jeopardized by the nature of the conviction.
3. The process for review and approval of requests for waiver of this policy is as follows:
  - a. The Hiring Authority, following review of the employment application, shall submit a written request to his/her manager or designee outlining the facts and circumstances regarding the candidate's/employee's criminal conviction record.
  - b. The manager or designee shall review the information and make a preliminary decision on approval/disapproval of the request. The manager or designee shall contact the DCS Chief HR Officer or a member of the DCS HR Employee Relations Unit to discuss the matter prior to the approval of any waiver of this policy. DCS HR shall receive the approval of the respective Deputy Director prior to making any offer of employment to an ex-offender.
  - c. The manager or designee shall advise the Hiring Authority of the decision.

#### E. Disqualifying Acts

1. Applicants for employment in a direct service position are disqualified from employment if they are identified as the subject of a substantiated report of child abuse or neglect in the Central Registry or if they are precluded from obtaining a Level I Fingerprint Card due to any of the offenses listed in [A.R.S. § 41-1758.07](#).
2. Applicants for employment in direct service positions must certify using the [Consent to Release Information for Employment Purposes](#) form whether they have been identified in any state or jurisdiction as the subject

of a substantiated report of child abuse or neglect, or are the subject of a pending investigation or appeal of a report of child abuse or neglect.

3. Applicants who self-disclose that they are the subject of a substantiated report of child abuse or neglect, or are the subject of a pending investigation or appeal of a report of child abuse or neglect, or are precluded from obtaining a Level I Fingerprint Clearance Card due to the offenses listed in [A.R.S. § 41-1758.07](#), shall not be considered for employment in a direct service position.
4. Applicants who self-disclose that they have been identified as a subject of a substantiated report of child abuse or neglect for any act other than those identified in [A.R.S. § 41-1758.07](#) may be considered for employment. The Recruitment Manager shall review all substantiated reports before a final offer of employment is made.
5. The Department shall use information contained in the Central Registry and/or other available credible sources to confirm information provided by applicants.
6. All information obtained through or as a result of this policy is confidential. Department employees who in any way disclose or use information obtained through or as a result of this policy for any purpose, other than those outlined in this policy, may be subject to disciplinary action up to and including dismissal from their positions.
7. Current employees in direct service positions who are found to be the subject of a substantiated report of investigation of child abuse or neglect may be subject to disciplinary action, up to and including dismissal.

#### F. Applicant Complaints

Any applicant or employee who is dissatisfied with the review of his/her résumé or the selection process may submit a written complaint to DCS HR for review within 90 days of the action giving rise to the complaint. The Chief Human Resources Officer, or designee, shall evaluate the complaint and notify the applicant or employee of the final action to be taken. Results of this review are final.

#### G. Retention of Recruitment Files

The Hiring Authority shall submit the recruitment file containing pertinent information in the hiring instructions to DCS HR. The recruitment file shall be maintained by DCS HR for a minimum of two-and-one-half years from the effective date of appointment. After the retention period, the file must be destroyed.

## **VI. PROCEDURES**

### **A. Internal Promotion and Criteria**

All DCS employees are eligible to apply for internal promotions via the State of Arizona's job board: [www.azstatejobs.gov](http://www.azstatejobs.gov).

1. Employees should view the DCS job listings in the state's online job board weekly if they are interested in employment opportunities.
2. Employees must apply for all announced vacancies within the specified time period. Employees who fail to apply for the announced position during the recruitment period will not be considered.

### **B. Filling a Vacancy**

1. To fill a vacancy, a requisition is initiated in the State of Arizona's online recruitment system. The requisition is then routed to DCS HR Recruitment.
2. The DCS HR Recruiter prepares a job announcement based on the current Position Description (PD), classification specification, and discussion with the Hiring Authority regarding any special selection factors for the position.
  - a. A special selection factor is a requirement or qualification necessary to perform the essential functions of the job. The candidate must possess the special selection factor or factors at the time of qualification. These qualifications cannot be learned on the job. This requirement must also be reflected in the PD. If not reflected in the PD, the special selection factor would then be considered a preference. Candidates who do not meet the preference may still be referred if they possess the knowledge, skills, and abilities required of the position.

3. The DCS HR Recruiter posts the final approved announcement to the state job board [www.azstatejobs.gov](http://www.azstatejobs.gov). Applicants must apply within the specified recruitment period. Applicants who fail to apply for the announced position during the recruitment period cannot be considered.
4. Applicants and employees must apply online for all announced vacancies. Applicants must provide a comprehensive work history on the résumé. Résumés properly submitted will be evaluated for the knowledge, skills, and abilities (KSAs) and experience and education requirements.
5. The DCS HR Recruiter reviews résumés and refers the most qualified candidates to the Hiring Authority. Only candidates deemed qualified by DCS HR will be referred to the Hiring Authority.

#### C. Interviewing

1. It is recommended that the Hiring Authority interview more than one candidate; however, the number of candidates interviewed is at the Hiring Authority's discretion.
2. Use of an interview panel is recommended; however, when impractical, an interview panel is not required.
3. All members of the interview panel must sign the [\*Interview Panel Member Confidentiality Agreement/Conflict of Interest\*](#) form. This is required per requisition, not per interview.
4. Only interview questions that have been reviewed and approved by DCS Human Resources may be used.
5. The Hiring Authority or designee conducts reference checks to verify a candidate's education, registration/licensure, and/or prior employment (this task may be deferred to DCS HR).
6. Hiring lists remain valid for 30 calendar days. Failure to submit a candidate recommendation for hire to DCS HR within 30 days may result in the invalidation of the hiring list and require the job to be re-announced. The HR Liaison will provide interview panel members with the [\*Interview Panel Member Confidentiality Agreement/Conflict of Interest\*](#) form.
7. The Agency Head, or designee, may waive one or more of these requirements on a case-by- case basis with good cause and proper justification.



8. If any candidates request accommodations under the Americans with Disabilities Act, the Hiring Authority shall contact the Recruitment Manager.
9. At the end of the interview process, the Hiring Authority will send the completed Confidentiality Agreement and the Hire and Non-hire packets to the HR Liaison.

D. Employment of Relatives

1. Relationship to Supervisors

An individual shall not be employed in a position if the immediate supervisor of the individual is related within the third degree of affinity (marriage) or consanguinity (blood), or by adoption.

2. Relationship to Other Employees

An individual shall not be employed in a position if the individual is related within the third degree to an employee who currently occupies a position under the same immediate supervisor.

3. Exceptions

The Director of the Arizona Department of Administration may grant an exception to the prohibitions in subsections 1 and 2 if there is no other qualified person for the position at the location.

4. Relationship to Subordinate Employees

A supervisor or manager at any level shall not make an employment decision specifically benefitting any individual who is related within the third degree, unless an exception under subsection 3 has been granted.

5. Relationship to Interviewer or Interview Panel Member

An employee shall not interview or serve on an interview panel of any job candidate if the candidate is related within the third degree.

E. Cronyism

The Hiring Authority shall not extend an offer of employment solely based on friendship or prior working relationship. Any candidate selected for hire must meet the established qualifications for the position filled.

F. Contingent/Verbal Offer of Employment

1. After review of the candidate Application for Employment Part 1 and interview questions, the Hiring Authority shall require the candidate to complete the Application of Employment Part 2 (if the position does not require a Level One Fingerprint Clearance Card). For positions that require a Level One Fingerprint Clearance Card, the Application for Employment Part 2 should be collected prior to the interview.
  - a. The Hiring Authority will review any reported criminal history. See Ex-Offender section for further guidance for approvals.
2. The Hiring Authority or designee, may extend a verbal contingent offer of employment to the candidate of choice.
  - a. The offer will include a projected start date, projected salary and work location.
3. For positions requiring post-offer physical examinations, the Hiring Authority follows the directions included in the hiring instructions.
4. Hiring Authorities seeking to hire above the entrance rate shall work with their Region HR Liaison or Recruiter to determine the appropriate salary in accordance with the [ADOA Compensation Guidelines](#).

G. Offers of Employment

1. When a candidate has been selected for hire, the Hiring Authority or HR Liaison submits the candidate's name along with all required documentation to their Recruiter for review and audit. The required documents are:
  - a. Application for Employment, Part I;
  - b. Application for Employment, Part II;
  - c. *DCS Candidate Coversheet*;
  - d. Interview Guide;

- e. *Interview Panel Member Confidentiality Agreement/Conflict of Interest* form;
  - f. *Criminal History Self-Disclosure Affidavit* form, if applicable;
  - g. *Child Safety Specialist Essential Job Functions and Employment Requirements* form, if applicable;
  - h. *Case Aide Essential Job Functions and Employment Requirements* form, if applicable.
  - i. Hiring Authority approvals for proceeding with candidates with prior criminal history.
  - j. Hiring Authority approval for pre-approved leave requests.
2. The Recruiter or designee will audit the hiring documents provided by the Hiring Authority or HR Liaison.
  3. The Recruiter or designee will collect from the candidate the following documentation and vet the information provided as part of the background check:
    - a. *Consent to Release Information for Employment Purposes* form;
    - b. A copy of the candidate's driver's license;
    - c. Education/certification and/or licensure verification documentation;
    - d. 39 Month Motor Vehicle Report if driving is an essential function of the position per the Position Description or classification specification (to be provided by the applicant if they have lived out of state for any part of the most recent 39 month period);
  4. DCS HR is responsible for conducting reference checks and/or prior employment verification for all hires, promotional candidates, voluntary demotion candidates, lateral transfer candidates or candidates employed by another state agency, as part of the background check.
  5. A review of a current or prior state employee's personnel file is also required when being considered for promotions, voluntary demotions, lateral transfer or candidates employed by another state agency.

- a. Hiring Authorities may complete the reference check and employee personnel file review in lieu of the DCS HR for current or prior DCS employees. DCS employee personnel files are available via the HR Operations Unit.
  - b. If the candidate is transferring from another state agency, DCS HR shall contact the Human Resources office of the agency at which the employee works and request a Personnel File Review.
6. The Recruiter will review and vet the following information as part of the background check:
  - a. Central Registry Review (see the [Use of DCS Central Registry Information for Direct Service Employment Decisions](#) policy 04-11)
  - b. A review of public criminal records;
  - c. A review of the completed [Pre-Employment Verification and Reference Check Form](#) for each employer noted on the Application for Employment.
7. The Recruiter shall complete a Salary Approval form, if applicable.
8. A final job offer can be made after the Recruitment Manager or designee has vetted all documentation provided by the candidates and determined that the candidate meets all qualifications for the position.
  - a. Recruitment will notify the Hiring Authority of any discrepancies or unfavorable information discovered during the background check that may result in a recommendation not to hire a candidate.
9. The Hiring Authority, or HR representative, may make the offer verbally.
10. Once a job offer is accepted, the Recruiter shall complete the written offer of employment and release it electronically to the candidate for acceptance. Offer letters are approved to be signed electronically by the HR representative.
  - a. The effective date of a current state employee hire who is coming from another state agency, or promoting/demoting/transferring to a new position, will be the first day of the pay period, which is a Saturday.

b. The effective date for any other hire shall be on the first business day of the week and the first week of a pay period, unless they are required to travel to attend New Employee Orientation. In this case, the effective date shall be the day before the first business day of the week.

11. If a contingent job offer is rescinded for any reason, the candidate shall be informed only that the offer has been withdrawn; no explanation shall be provided to the candidate.

H. Preparation for New Hires

The HR Liaison and Hiring Authority will complete the Onboard Checklist to prepare for new hires.

## VII. FORMS INDEX

[Application Part I](#)

[Application Part II](#)

[Child Safety Specialist Arizona Child Abuse Hotline Essential Job Functions and Employment Requirements \(DCS-2979\)](#)

[Child Safety Specialist Essential Job Functions and Employment Requirements \(DCS-2978\)](#)

[Consent to Release Information for Employment Purposes \(DCS-1037A\)](#)

[Criminal History Self-Disclosure Affidavit \(DCS-1078\)](#)

[DCS Candidate Coversheet \(DCS-2484A\)](#)

[Interview Panel Member Confidentiality Agreement/Conflict of Interest \(DCS-2025\)](#)

[Pre-Employment Verification and Reference Check Form \(ASPS/HRD FA3.13\)](#)