

SECTION 3

RECRUITMENT AND STAFFING

3:01 RECRUITMENT, SELECTION AND APPOINTMENT

AUTHORITY: CIVIL SERVICE ACT
COLLECTIVE AGREEMENT BETWEEN THE
GOVERNMENT OF PRINCE EDWARD ISLAND AND
THE UNION OF PUBLIC SECTOR EMPLOYEES

ADMINISTRATION: P.E.I. PUBLIC SERVICE COMMISSION

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1. PURPOSE

1:01 The purpose of this policy is to outline the process used in recruiting, selecting and appointing persons to positions in the classified division.

2. APPLICATION

2:01 This policy applies to all employees who are responsible for or involved in selection and hiring on behalf of the Government of Prince Edward Island.

3. PRINCIPLES

3:01 The selection process in the civil service is based upon a set of guiding principles.

- (a) Staffing decisions are to be made based on the merit principle of qualifications, relative ability, knowledge and skills.
- (b) Objectivity, fairness, and consistency guide all selection activity.
- (c) Confidentiality must be maintained by staff involved in the selection process.

4. DEFINITIONS

4:01 **Classified division** means classified full time and part time positions and consists of permanent, probationary and provisional employees.

4:02 **Unclassified division** means positions which are not permanent and consists of casual, temporary and student employees.

4:03 **Merit principle** means that merit governs the appointment of a person to and advancement within the civil service on the basis of qualifications, relative ability, knowledge and skills.

4:04 **In-service competition** means open only to those applicants as described under Section 17 (2) of the Civil Service Act.

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5. POLICY STATEMENT

5:01 The Government of Prince Edward Island is committed to following fair hiring practices when filling positions within the Government of Prince Edward Island

There are a number of steps involved in the staffing process. They are outlined in the following procedures.

6. PROCEDURES

6:01 The selection process consists of four stages:

- (a) Pre-posting
- (b) Pre-interview (screening)
- (c) Selection
- (d) Post Interview

6:02 Pre-posting

- (a) The Department/Agency submits a request to the Public Service Commission to fill the vacant position. The request must include the following:
 - 1. Proper departmental authorization to fill the vacancy
 - 2. An updated position questionnaire (signed by the Deputy Head)
 - 3. Minimum qualifications required to perform the duties of the position.
- (b) The Commission drafts an ad and forwards it back to the Department for review and approval.
- (c) Once approved, the position is advertised by the Commission.
- (d) In staffing unionized positions, the position is posted as an in-service competition. If the position is not filled through the in-service competition method, the Employer may fill the position or by utilizing the Diversity Program or by holding an open

competition. For open competitions, preference will be given to applications from civil service employees within the unclassified division prior to members of UPSE health, Worker Compensation Board and the Island Regulatory and Appeals Commission.

- (e) In staffing excluded positions, the department will decide whether the position will be posted either in-service to Civil and/or Health or as an open competition.
- (f) All in-service job postings are advertised for at least seven calendar days. Generally, all job postings open to the public are advertised for a minimum of 14 calendar days unless extenuating circumstances when positions are required to be filled immediately.

6:03 Pre-Interview (screening)

- (a) A selection board is established normally consisting of a Staffing Consultant from the Public Service Commission (usually the Chair of the Selection Board), the supervisor of the position being filled, and another individual who has good knowledge of the responsibilities of the position being filled. The selection board should reflect diversity amongst its members as much as possible.
 - (i) It is the responsibility of the department to ensure that they have appropriate membership on the selection board.
 - (ii) Selection board members are to have training and/or experience in the staffing process within government.
 - (iii) Board members should be individuals who are respected in their field, are objective, recognize the importance of the staffing process and are committed to following a fair process.
 - (iv) Generally, position incumbents would not be involved on selection boards to fill the position they are leaving as the individual might not be objective or perceived to be objective in selecting a successor for the position.

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- (v) Selection Board members are required to comply with the terms of the Selection Board Declaration (Attachment 7:01). As members of a selection board, individuals are bound by the relevant legislation, Collective Agreement, and policies related to staffing.
- (b) The Selection Board performs the following duties during the screening session.
 - (i) Reviews, signs, and dates Selection Board Declaration forms.
 - (ii) May conduct a position analysis on the position.
 - A position analysis involves a discussion on the responsibilities of the position and enables each of the board members to have a common understanding of the position. A form (Attachment 7:02) is available for the Board to use.
 - If a position analysis has been completed recently on an identical position, it may suffice to review the document to ensure that it is still relevant, and that the board is familiar with the position.
 - (iii) Establishes rating criteria
 - The rating criteria must reflect the skills, abilities and knowledge required to perform the job responsibilities of the position to a satisfactory level. Information from the position analysis will be helpful in developing the rating criteria.
 - (iv) Develops questions/testing to be used as part of the interview/selection process.
 - It is critical that any questions used as a written exercise or during an interview relate to the position and be used to evaluate the applicant's qualifications, relative ability, knowledge and skills to perform the job.

- (v) Screens applications for eligibility and qualifications.
- In order for an applicant to be eligible for an in-service competition, they must meet the requirements as outlined in Section 17 (2) of the Civil Service Act.
 - In order for an applicant to be qualified, they must possess the education and experience requirement as outlined in the job advertisement.
 - The equivalency approach to qualifications has been used for all unionized and excluded positions within the civil service and excluded positions in Health PEI. Demonstrated equivalencies will be considered in lieu of the stated formal qualification in most competitions, and applicants who meet with the established formal qualification or accepted equivalency will be considered equally. (Refer to the Demonstrated Equivalency Policy 3.07)
 - In situations where an employee, appointed by the Commission to a position in the classified division, has qualifications that are incomplete, the employee may be considered as a provisional candidate for the selection process.
- (vi) Sets up interview/testing times
- Once the applications are screened to determine who is qualified and eligible for the competition, only those who are to be interviewed and/or tested are contacted to arrange a time for the interview and/or test. Applicants should be given as much lead time as possible so that they may adequately prepare for the process.
 - At the discretion of the Selection Board, qualified applicants may be given one additional interview and/or test date and time if they are unable to attend the initial interview and/or test date and time in exceptional circumstances.

- If an applicant fails to present for their interview and/or test on the agreed upon date and time, they will be considered to be withdrawn from the competition, unless they have a valid reason and have made a reasonable effort to contact the Public Service Commission prior to the interview and/or test taking place.

6:04 Selection

- (a) The selection board conducts interviews and/or testing with the qualified applicants. If an interview was conducted within the last year with that applicant for the same position, that interview mark may be used, rather than conducting another interview.
- (b) The selection board scores and ranks the applicants.
- (c) References are completed, usually by the Staffing Consultant.
 - (i) All information obtained during the staffing process is treated as confidential and is not released or shared outside of the official staffing process. Persons providing references will be asked if they wish to have their reference and opinions kept in confidence and will be protected under the FOIPP Act.
 - (ii) It is recognized that the reliability of a referee's assessment is enhanced if they understand that their information will be kept in confidence. Nonetheless, referees must be advised that candidates can make a request under the FOIPP Act for access to their personal information including references. Each request will be considered on a case by case basis and the referee's wishes to have their reference and opinions kept in confidence will be taken into account.
 - (iii) Information obtained in a reference is to relate only to the ability and suitability of the applicant to perform in the position applied for.
 - (iv) Reference checks are to conform to Human Rights

legislation.

- (v) For in-service competitions, a minimum of one reference is to be completed on, at least, the top applicant (and more if the top applicants are relatively equal.) This reference is normally with their current supervisor.
- (vi) For open competitions, a minimum of two references will be completed on, the top candidate(s) (and more if candidates are relatively equal.)
- (vii) References are usually done with Supervisors/Managers who have direct knowledge of an applicant's current and/or previous employment performance.
- (viii) Standardized reference forms can be used to facilitate consistency in referencing (forms may be obtained at the PEI Public Service Commission).
- (ix) If concerns are expressed in a reference, generally additional references are conducted to determine if there is a pattern to the concerns, and to rule out the possibility of a biased reference.
 - The concerns are to be reviewed with the selection board to determine how serious the issues are, and the impact they would have on the applicant's ability and suitability to perform in the position. The selection board may determine that the identified concern(s) do not warrant changing the ranking of applicants, if the issue has little impact on the applicant's ability and suitability to perform in the position. On the other hand, if the concern(s) are serious, they could impact on the ranking of applicants. If the concern is sufficiently serious, the applicant could be deemed to have failed the reference and not be considered further for the position.
- (x) If a reference was recently completed for a similar position, that reference could be used.

- (xi) Certain positions within the organization require criminal record checks and vulnerable sector checks to be conducted. These are conducted on the successful applicant only. The need for a criminal record check and a vulnerable sector check is identified in the job ad and this is reconfirmed in the job interview and is stated in the letter of offer from the Public Service Commission.

6:05 Post Interview (Appointment)

- (a) Once the evaluation and referencing of applicants is complete, an employment list is created, listing the applicants in order of merit.
- (b) For an in-service competition, the top candidate, based on merit, is appointed to the position. Where it is determined that two or more employees are relatively equal, the employee with the greatest length of continuous service in the classified division shall be selected.
- (c) In relation to open competitions, one of the top three candidates based on merit, will be appointed to the position after consultation with the employer.
- (d) A provisional appointment may be made at this time, with a specified time period identified for which the successful candidate has to obtain the necessary qualifications.
- (e) An offer letter is drafted by the Public Service Commission to the successful applicant. This letter contains employment related information including the classification and pay rate being offered, and who to report to.
- (f) For in-service competitions, unsuccessful applicants are notified of the results of the competition by the Successful Applicant List on the Public Service Commission's Website. For Open to the Public competitions, unsuccessful candidates are notified of the results of the competition by letter.
- (g) Post-board interviews are available to applicants upon request. A post-board interview provides an applicant with feedback on the selection board's assessment of the applicant in relation to the position. This information can be used for professional

development so that the applicant can improve for future competitions.

6:06 Unsolicited Applications

- (a) The Public Service Commission maintains a manual file system containing unsolicited employment applications. These applications may be accessed when employers have open competitions or need casuals or temporary employees and there are no internal applicants.
- (b) These unsolicited applications are kept in a general file, unless the applicant is qualified in a specific classification which has a high demand.
- (c) Applications are retained in the file system for up to one year. After one year applications are purged.

6:07 “Ongoing” Employment Lists

- (a) The Public Service Commission maintains “ongoing” employment lists for various positions. An ongoing employment list is a list of names of successful candidates for a particular classification rated in order of merit. This list is continuously added to depending on supply and demand.
- (b) When a position needs to be filled through an open competition, an “ongoing” employment list may be used instead of an open advertisement.
- (c) The list includes but is not limited to the following:
 - (i) Admin support/secretarial/clerical
 - (ii) Service Worker
 - (iii) Correctional Officer
 - (iv) Nurse
 - (v) Child and youth worker
 - (vi) Solicitor
 - (vii) Probation Officer
 - (viii) Library Assistant
 - (ix) As well as a number of classifications within the Health

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Sector.

7. ATTACHMENTS

7:01 Declaration, Human Rights Considerations

7:02 Position Analysis

ATTACHMENT 7.01

Promoting Excellence in the Public Service

P. E. I. PUBLIC SERVICE COMMISSION

SELECTION BOARD DECLARATION

As a member of PEI Public Service Commission, I undertake:

1. to rate candidates fairly and impartially on the basis of qualifications, ability, knowledge and skills;*
2. to complete evaluation forms and to justify ratings with supporting notation;
3. to treat information obtained during the selection process as **CONFIDENTIAL** and not to release any information regarding staffing matters beyond the designated reporting authorities;
4. to notify the Selection Board chairperson of any candidate whom I am unable to interview objectively (e.g. relatives and others);
5. to refer all candidates with questions regarding interview results to the PEI Public Service Commission staff (unless otherwise stated);
6. to adhere to Human Rights Legislation as it pertains to employment interviews; (see Human Rights Considerations form);
7. to recognize that the final marking of candidates is based on all information obtained during the selection process.

I understand that failure to adhere to these responsibilities constitutes a breach of trust.

Date

Signature

Job Posting I. D. : _____

* No person shall directly or indirectly endeavor to improperly influence the PEI Public Service Commission or any employee of the Board or any member of a selection board with respect to the appointment of himself or any other person.

P.E.I. PUBLIC SERVICE COMMISSION - HUMAN RIGHTS CONSIDERATIONS RELATED TO EMPLOYMENT SELECTION

CATEGORY OF INQUIRY	ACCEPTABLE	NOT ACCEPTABLE	ACCEPTABLE AFTER HIRING
1) Name	1) Name under which applicant has been educated or employed	1) Inquiry into maiden name.	
2) Address	2) Present and previous addresses in Canada	2) Inquiry into foreign address which may indicate national origin.	
3) Age	3) No inquiries permitted.	3) Any request for age or date of birth or any inquiry indicating preference for 'youthful', or 'mature' person, 'recent graduate', 'retired person', etc.	3) May be asked for benefit and insurance plans.
4) Sex	4) Inquiry permitted only when there is a bona fide occupational qualification or when the Human Rights Commission has granted prior approval of an affirmative action program.	4) Any inquiry as to sex, pregnancy, different or coded application forms for males or females, including the form of address the applicant prefers (Mr. Mrs. Miss, Ms)	
5) Marital Status	5) Questions pertaining to the willingness of applicant to travel or accept a transfer.	5) Any inquiry as to applicant's marital status, next of kin, spouse.	5) Information may be asked regarding spouse, children, if required for benefit plans. Name and address of person to be notified in case of emergency may be asked.
6) Birthplace, Nationality, Ethnic or National Origin, Citizenship	6) "Are you legally entitled to work in Canada?" Inquires or ethnic origin are acceptable if the employer is an ethnic organization or agency and if ethnic origin is a reasonable job qualification.	6) Any inquiry as to birthplace, applicant's nationality or nationality of parents, grandparents, relatives, or spouse's ethnic origin, mother tongue, or citizenship status that would tend to divulge nationality, ancestry, or place of origin.	6) Request for documentary proof of legal entitlement to work in Canada
7) Language Spoken	7) Inquiry into which languages the applicant speaks, reads, or writes if such an inquiry is related to the employment.	7) Inquiry into mother tongue, or where knowledge of language was obtained.	
8) Race, Colour	8) No inquiry permitted.	8) Any inquiry which would indicate race, colour, or complexion, including colour of eyes, hair or skin.	
9) Photographs (Age, Sex, Race)	9) Not permitted	9) Any request for a photograph.	9) Acceptable after hiring if for purposes of identification
10) Religion, Creed	10) If employment is with a strictly religious organization that is not operated for private profit, and is operated primarily to foster the welfare of a religious group, and with respect to persons of the same religion and if religion or creed is a reasonable job qualification.	10) Any inquiry that may reveal religious denomination, affiliation or preference, including willingness to work on any religious holiday, church attended, religious holidays, customs observed, religious dress.	10) Any religious holiday for which the employee will require leave of absence.
11) Education	11) Inquiry permitted into academic vocation, professional or technical schools attended, and nature and level of education received.	11) Any specific inquiry for information relating to attendance at religious denominational schools which could be used for discriminatory purposes.	

CATEGORY OF INQUIRY	ACCEPTABLE	NOT ACCEPTABLE	ACCEPTABLE AFTER HIRING
12) Organizations	12) Inquiry into membership in any organization with the qualification that applicant is not required to list any clubs or organizations that indicate race, religion, Colour, age, sex, marital status, ethnic or national origin, physical or mental handicap or political belief.	12) Request that applicant list all clubs, organizations where membership is held.	12) If individual wishes to join work organized activities or teams, etc.
13) References	13) Permitted to request from references, including previous employers, information pertinent to job performance and who referred applicant for a particular position.	13) Any inquiry from a reference that would reveal applicant's race, religion, colour, sex, age, marital status, ethnic or national origin, disability, or political belief.	
14) Physical or Mental Handicap, (defect or disability)	14) Inquiry permitted as to whether the applicant has a handicap or health problem that reasonably precludes performance of duties for the job.	14) Any general inquiry into the nature of a physical or mental handicap or a requirement that applicant list all previous or existing physical or mental health problems.	
15) Work Schedule	15) Willingness to work required work schedule.	15) Any inquiry or willingness to work on any particular religious holiday	15) Any religious holiday for which the employee will require leave of absence.
16) Height, Weight, Strength	16) Inquiry permitted only where directly required by the job or job sought.	16) Any inquiry which may be discriminatory if it screens out disproportionate numbers of minority group individuals or women and cannot be shown to be essential to the performance of the job.	
17) Political Belief	17) No inquiry permitted.	17) Any request which would require the applicant to divulge political affiliation, activity, or membership.	
18) Sexual Orientation	18) No inquiry permitted.	18) Any request which would require the applicant to divulge sexual orientation.	
19) Family Status	19) Inquiry only permitted if there are concerns that family members may have to supervise one another or if there is a potential for conflict of interest between family members.	19) Any general enquiry about who the individual is related to.	
20) Source of Income	20) No inquiry permitted. Note that programs/services under the Health & Community Services Act are exempt.	20) Any general enquiry on source of income.	
21) Criminal Convictions	21) Inquiries are permitted, however, discrimination is prohibited when the conviction is unrelated to the intended employment.	21) To discriminate based upon a conviction unrelated to the intended employment.	
22) Miscellaneous		22) A request of consent for personal investigation leading to information on race, religion, sex, age, handicap, etc.	

ATTACHMENT 7.02

Date: _____

POSITION ANALYSIS (Condensed Form)

This guide is not mandatory but is intended to assist the Selection Committee in developing a proper selection procedure. The information gathered will be used to help prepare interview rating guides, interview questions, and in the screening of candidates and the selection of oral and written examination materials.

Position Title: _____

Department: _____ **Job Posting ID#:** _____

Reason for Position Analysis: ___ **New Position** ___ **Position Recently Reclassified**

Checklist:

- Review Position Questionnaire
- Review Job Posting
- Discussion with Selection Board Members on the following:
 - What are the primary duties and responsibilities of the position?

- Skills and Abilities required in the position?

Checklist of Criteria to Assess	Ranking of Importance	Value to be Assigned on Rating Guide(out of 100)
<input type="checkbox"/> EDUCATION		
<input type="checkbox"/> EXPERIENCE		
<input type="checkbox"/> KNOWLEDGE		
<input type="checkbox"/> ANALYTICAL & PROBLEM SOLVING		
<input type="checkbox"/> COMMUNICATION		
<input type="checkbox"/> CONCEPTUAL		
<input type="checkbox"/> DECISION MAKING		
<input type="checkbox"/> INTERPERSONAL		
<input type="checkbox"/> LEADERSHIP		
<input type="checkbox"/> SUPERVISORY		
<input type="checkbox"/> ORGANIZATIONAL		
<input type="checkbox"/> PLANNING & IMPLEMENTATION		
<input type="checkbox"/> OTHER:		

- What are the demands placed on the incumbent of the position (i.e. work env't, pressures and consequences of errors, technical, physical, etc)?

Application of Criterion

Examinations:

If exams are to be given, determine their content as well as their percentage value on the overall examination.

Exam to be given? Yes/No ___ If Yes, type of exam: _____

Value to be Assigned to Exam: _____

Evaluation Form/Rating Guide:

Devise an evaluation form/rating guide for assigning numerical weights to selection criteria deemed priority for the position. If some of the criterion are to be measured through exams and/or reference checks, this should be included in the evaluation form.

Interview Questions:

Determine appropriate interview questions to elicit responses which will give the Selection Committee sufficient information to measure each of the criterion as accurately as possible. Questions should include case situations and be directly related to the position requirements as much as possible.

Reference Check Form

Use the standard PSC Reference Check Form for relevant information but also probe areas directly related to the position and its knowledge, skill, and ability requirements.

Additional Comments:

Signature of Board Members: _____

Signature of Staffing Consultant/Selection Board Chair:

Date: _____