

## **SECTION 3**

### **RECRUITMENT AND STAFFING**

#### **3.06 DEPARTMENTAL RESPONSIBILITY IN STAFFING TEMPORARY ASSIGNMENTS**

<b>AUTHORITY:</b>	CIVIL SERVICE ACT THE COLLECTIVE AGREEMENT BETWEEN THE PROVINCE OF PRINCE EDWARD ISLAND AND THE UNION OF PUBLIC SECTOR EMPLOYEES
<b>ADMINISTRATION:</b>	PEI PUBLIC SERVICE COMMISSION GOVERNMENT DEPARTMENTS AND AGENCIES

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## **1. PURPOSE**

1.01 Departments of government have the authority under the Civil Service Act to staff Temporary Assignments. The purpose of this policy is to ensure that there is clarity of responsibility between Departments and the Public Service Commission in relation to staffing temporary assignments.

## **2. APPLICATION**

2.01 This policy applies to all temporary assignments which are advertised internally (within Departments) or in-service (across all government).

## **3. PRINCIPLES**

3.01 There is to be consistency in the selection process used by Departments and the PEI Public Service Commission.

3.02 There needs to be accountability for all staffing activity to ensure that decisions are based upon merit and that fairness guides the process.

3.03 The HR representative chairs the board and is an employee of the PEI Public Service Commission who are assigned to the department. Staff involved in the selection process must be provided with training and knowledge about the selection process so that they may conduct their work in a professional manner.

3.04 Confidentiality is to be ensured in all staffing activities; applicants have a right to confidentiality throughout the competitive process.

## **4. DEFINITIONS**

4.01 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.

## **5. POLICY**

5.01 Temporary Assignments may be staffed within the departments by HR representatives; however, the process needs to be one that is approved

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by the P.E.I. Public Service Commission. As indicated in this policy, there are situations where the P.E.I. Public Service Commission, Staffing consultant shall be involved.

#### 5.02 Excluded Positions

- (a) In staffing Temporary Assignments of excluded positions, the Department may choose to advertise within the Department, in-service, or open to the public. Under Section 10 (3) of the Civil Service Act, departments may hire for a maximum of six months. The P.E.I. Public Service Commission may appoint for longer periods of time.
- (b) The eligibility for temporary in-service excluded competitions is as outlined in Section 17 of the Civil Service Act.
- (c) For temporary assignments advertised in-service or open, a staffing consultant from the P.E.I. Public Service Commission may be involved in the competition to ensure that the screening of applicants and the selection process are done according to PEI Public Service Commission standards.
- (d) Departmental staff who are involved in the selection process are to have received training in the staffing process. If training and staffing experience are lacking, an experienced departmental HR Manager or staffing consultant must be involved in the selection process.

#### 5.03 Unionized Positions

The process for the staffing of unionized Temporary Assignments is outlined in Article 38 of the UPSE Collective Agreement.

- (a) “The Employing Authority shall post the temporary assignment within the Department, Agency or in-service for a period of seven (7) calendar days. The posting shall indicate that applications are restricted to classified employees and casual and temporary employees with a minimum of one (1) year of continuous service following an appointment through competition by the Commission.”

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- (b) In filling the temporary assignment, the applications shall be processed in the following order:
  - (i) Applications from employees within the Department or Agency shall be fully processed;
  - (ii) If the temporary assignment is not filled by the process outlined in section (a), the Employing Authority may then consider applications from employees in other Departments or Agencies.
- (c) If it is believed that there may not be qualified eligible applicants within the department, then the position may be advertised in-service. If there are no qualified applicants from the internal competition, the position may be filled from an existing employment list that was created by the P.E.I. Public Service Commission from an open competition, including the Diversity Program, or the position may be advertised externally. With in-service or open competitions, the Commission may be involved in the screening of the competition. All appointments for in-service or open competitions shall be made by the P.E.I. Public Service Commission.

5.04 Departments have full authority to staff temporary assignments that are advertised only within their Department. For these competitions, the HR Manager or HR representative assigned to the department, or the supervisor of the position being advertised is to chair the selection board and is responsible to ensure that the staffing process is carried out according to this policy. If there are any concerns, a staffing consultant from the P.E.I. Public Service Commission is available for consultation. Attached is a checklist that, in point form, identifies the steps of the process for competitions for temporary positions. (Attachment 6.01)

5.05 (a) After positions have been advertised and the competition has closed, all applications will be screened to ensure that they meet the qualifications as stipulated in the job ad and that the applicant is eligible for the competition. For unionized positions, to be eligible the applicant must be “a classified employee or a casual or temporary employee with a minimum of one year of continuous

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service following an appointment through competition by the P.E.I. Public Service Commission.

- (b) Employees are expected to complete the full length of a temporary assignment unless applying for a permanent position.
  - (c) When reasonable, at the discretion of the department, an eligible employee who, at the time the temporary position is posted, is within a reasonable time period from completing their current temporary assignment, or who has been extended within their current temporary assignment, may be considered for additional temporary assignments.
- 5.06 (a) The department will ask the Public Service Commission to confirm the eligibility of all applicants to ensure that they meet the eligibility requirements, as outlined in section 5.03 (a) above. The departmental HR representatives will need to be contacted to obtain information on applicants to confirm eligibility for competitions.
- (b) For government wide competitions where an applicant is from another department, the Public Service Commission will establish the eligibility of the applicant. Also, if the applicant is working in a temporary assignment, the selection board is responsible to establish the duration of the temporary assignment.
- 5.07 The selection process normally consists of an interview, testing (if required), and reference checks. 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.
- 5.08 When using interviews or tests to evaluate applicants, it is critical that the questions relate to the position and be used to evaluate the applicants qualifications, relative ability, knowledge and skills to perform in the temporary assignment. These factors are more commonly referred to as the merit principle.

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- 5.09 Once interviewing and testing (if used) are completed, the top applicants are to be referenced.
- 5.10 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.
- (a) 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.
  - (b) Information obtained in a reference is to relate only to the ability and suitability of the applicant to perform in the position applied for.
  - (c) Reference checks are to conform to Human Rights legislation.
  - (d) 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.
  - (e) For open competitions, a minimum of two references will be completed on the top candidate(s) (and more if candidates are relatively equal.)
- 5.11 When the selection process is complete, the Deputy of the department is provided with the results of the competition. For any internal competitions, the name of the top candidate, based upon the merit principle, is provided to the Minister or Deputy for authorization to hire.

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The Deputy (or Minister, as per Departmental practice) signs their authorization to hire the recommended candidate.

- 5.12 (a) If departments take responsibility for the competition, they are responsible to ensure that the successful candidate in the competition is advised in writing of the offer of employment. It is recommended, for consistent purposes, that departments use the offer letter format used by the P.E.I. Public Service Commission.
- (b) The Department will confirm that the successful candidate has accepted the position before advising the unsuccessful applicants.
- 5.13 (a) Departments are responsible to ensure that they establish a filing system for all competitions of temporary assignments for which they take responsibility. Competitions that have been advertised in-service or open are to be returned to the P.E.I. Public Service Commission for retention. If the P.E.I. Public Service Commission is involved in the full process of filling a temporary assignment, they will maintain a file, so the Department would not be required to do so.
- (b) All documents associated with competitions are to be retained in the competition file. The entire file is to be retained for a minimum of eighteen months (with the exception of reference check forms), and employment lists (lists of all applicants in a competition and the results of their evaluation), the signed notification of results form, and a copy of the job ad are to be kept an additional six years.
- 5.14 Periodic audits may be conducted by the P.E.I. Public Service Commission to ensure compliance with the required selection process.
- 5.15 For consistency purposes, it is recommended that the staffing forms (declaration, questionnaires, rating guides, reference check forms and recommendation lists etc.) developed by the P.E.I. Public Service Commission be used by Departments. Forms may be accessed from the P.E.I. Public Service Commission at any time.
- 5.16 (a) There is a requirement that statistics be maintained on staffing activity. Departments are required to maintain the following

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statistics on any staffing activity for which they take responsibility: the number of competitions, number of applicants, number of interviews, and number of appointments.

- (b) An annual report shall be submitted by each Department to the P.E.I. Public Service Commission, by April 30 each year. This report shall provide the above information on Departmental staffing activity for the previous fiscal year.

## **6. ATTACHMENTS**

### 6.01 Competition Checklist



## ATTACHMENT 6.01

### P.E.I. Public Service Commission

#### Competition Checklist

1. Declaration Forms Signed
2. Human Rights Guidelines Reviewed
3. Position Analysis Completed (if required)
4. Rating Criteria Established
5. Interview Questions Developed
6. Applications Screened
7. Interviews/Tests Scheduled
8. Interviews Completed
9. References Checked
10. Recommendation List Signed
11. Offer of Employment Made (verbal and written)
12. Unsuccessful Candidates Notified   
(only if Open to the Public)
13. File Maintained in Confidential Location