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MEMORANDUM
DHR No. 19-2006

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TO: Department Heads
Departmental Personnel Representatives
Labor Organizations

FROM: Philip A. Ginsburg
Human Resources Director 

SUBJECT: **Position Based Testing - - Human Resources Director's Policy for Conduct of Examinations under Civil Service Rule 111A Position-Based Testing Program**

To advance one of the City's key initiatives for faster permanent hiring, the Civil Service Commission adopted Civil Service Rule 111A *Position Based Testing*, on February 6, 2006. Rule 111A authorizes the Human Resources Director to establish policies and procedures that promote efficiency in hiring practices to make the City & County of San Francisco competitive in the race for highly qualified applicants while retaining the principles for merit based examinations.

The Department of Human Resources and authorized Decentralized Examination Units within City departments will continue to conduct examinations for appropriate classes subject to Civil Service Rules 110 *Examination Announcements and Applicants*, 111 *Examinations*, 112 *Eligible Lists* and 113 *Certification of Eligibles*. (These examination processes are referred to as "class-based exams.") By adding a flexible and efficient position-based testing strategy to the City's examination program, the City and County of San Francisco will significantly reduce and possibly eliminate the need for provisional and temporary hires in the near future. The resulting program will reduce duplicative examinations, thereby conserving resources and reducing disruptions to departmental business operations.

This memorandum will present the major components of the Human Resources Director's policy for the Position-Based Testing Program and will point out some of the major distinctions between class-based testing and position-based testing requirements and practices. The full policy and related procedures established by the Human Resources Director for conducting examinations under Rule 111A are contained in the Position-Based Testing Policy and Procedures Manual.

Policy

General Policy

Consistent with the purpose of Rule 111A, the Human Resources Director's policy for the Position-Based Testing Program facilitates the replacement of provisional and temporary hiring with permanent civil service appointments. To that end, the Human Resources Director requires training of departmental Human Resources staff to conduct position-based examinations resulting in permanent appointments. It is the policy of the Human

Resources Director to gradually but steadily cease reliance on provisional hiring by significantly reducing the number of approved Oral Authorizations for provisional hiring.

The Human Resources Director's policy also supports the completion of a position-based examination within 60 days from the time the examination announcement is issued to the adoption of the eligible list. In compliance with Rule 111A and Rule 103, and consistent with merit system principles, the Human Resources Director's policy for Position Based Testing requires equal employment opportunities, job-related examinations, standardized and fair test administration processes, and safeguards against cheating, bias or discrimination in examinations.

Requirement for Qualified Examination Administrators

Staff engaged in employee selection activities must complete training in Position Based Testing as prescribed by the Human Resources Director and/or be deemed qualified by the Human Resources Director to conduct civil service examinations in order to administer examinations under Civil Service Rule 111A.

Classes Appropriate for Position Based Testing

Rule 111A provides that the Human Resources Director will determine the positions and/or classes that will be tested under the position-based testing program. It is the policy of the Human Resources Director that the following factors will be considered in determining if a position or a class is appropriate for position based testing:

- Existing eligible lists for the class, including hold-over rosters
- Knowledge, qualification and capability of the examination administrator to develop and conduct merit-based exams
- Citywide hiring activity in the class
- Expected size of the applicant pool; the staff's ability to appropriately handle a large applicant pool
- The urgency to fill positions
- Currency and/or accuracy of the class specification or position job description
- Uniqueness of the position within the job classification
- Any other relevant issues associated with the class, examination or exam administration

The Human Resources Director will consider these factors in their entirety. The decision of the Human Resources Director to permit or deny position-based testing is final.

Job Related Application Screening and Examination Processes:

Position-based examinations shall be based on a documented job analysis of the position and shall test the knowledge, skills and abilities for the competent performance of the essential duties of the job. When subjective examination processes are used, such as oral interviews, the candidate's knowledge skills and abilities must be assessed and rated by competent subject-matter experts.

The minimum qualifications for the position must conform to the minimum qualifications established the class-based examination announcement or the class specification, whichever was most recently posted. Deviation from established minimum qualifications for the class requires the approval of the Human Resources Director.

Minimum qualifications must be clearly worded such that they are understood by qualified applicants and interpreted similarly by subject matter experts in the field.

In position-based testing, the applicant pool may be screened down to the best-qualified applicants based on documented job related criteria that is applied equally to all applicants. The screen-down process is considered part of the examination process. Therefore, applicants who meet the minimum qualifications are not guaranteed advancement to the next stage of the examination process. Although the criteria for screening down the applicant pool must be job related, the criteria may not qualify as special conditions for the position in the event of a layoff.

Fair Examination Processes

Examinations must be conducted in a fair and standardized manner that provides each candidate with an equal opportunity to demonstrate his/her job-related knowledge, skills and abilities. Examination administrators are responsible for taking precautions prior, during and after the examination to protect confidential examination documents and information. Examination administrators must ensure that subject-matter experts, raters, proctors and others who are involved in job analysis, exam development, exam logistics and administration, training or orientation to raters, exam scoring, or other aspects of the examination understand their obligations for confidentiality, impartiality, fairness and compliance with examination rules, policy and procedures and relevant law.

In position-based testing, as with examinations conducted under other Civil Service rules, a rater who has knowledge of a candidate prior to the examination and has had reasonable opportunity to formulate an opinion of the job performance, competence or potential of a candidate must not be permitted to evaluate the candidate in the examination component(s) that advance the candidate to placement on the eligible list. Qualified and impartial raters, i.e., raters without prior knowledge of candidates, may be obtained from within the department for which the examination is being conducted, from other City departments or outside of the City service. In all cases, the potential rater must not received advanced information about the candidate(s) the rater will assess in the examination.

Efficient Examination Practices:

A major goal of the Position-Based Testing Program is to increase the efficiency of examinations. Efficient examination practices are encouraged provided that they conform to merit system principles, applicable laws, regulations and rules, professional best practices and DHR policies and procedures. Some examples are:

1. Rule 111A does not require a specified application-filing time period for promotive examinations. Therefore, the application-filing period may be shorter than the ten-day filing period required under Civil Service Rule 110. However, the filing period must be reasonable for interested qualified promotive applicants to apply.
2. Rather than requiring documentation to verify experience and/or training requirements from all applicants at the time of application, submission of such documentation may be reserved to a later date in the selection process or at the time a conditional offer of employment is made.
3. For ease and speed of application, resumes may be attached to the application rather than requiring the applicant to fill out the education and experience fields on the back of the application form. However,

the resumes must contain sufficient detail to clearly demonstrate the applicant's qualification for taking the examination.

4. Correspondence with applicants and candidates may be conducted by e-mail or use of other technology provided the applicants and candidates have access to receive correspondence in a timely and confidential manner.

Appeals

It is the policy of the Human Resources Director that applicants and candidates shall be informed of their appeal rights or directed to documents and information about their appeal rights in a time and manner that will allow all applicants and candidates to file timely appeals if they so desire.

Through the provisions of Rule 111A, the Civil Service Commission holds applicants and candidates to a reasonable standard for justifying their appeals. Although an appeal is filed with the Civil Service Commission, the examination administrator should make reasonable and timely attempts to resolve the issue of appeal prior to the Civil Service Commission hearing date. When an appeal is filed, either with the Civil Service Commission or the Human Resources Director, the examination administrator is responsible for gathering and presenting available relevant information and/or documentation to allow the Commission and the Human Resources Director to adequately assess and make a decision on the appeal.

In assessing an appeal, the Human Resources Director will consider both the credibility and timeliness of the appellant's complaint and the reasonableness of the actions the examination administrator took to address and/or resolve the relevant credible issues of the appeal. Failure on the part of the examination administrator to follow established procedures, keep required or adequate documentation, and/or demonstrate clear and/or unambiguous standards (e.g. unclear M.Q.s) may lead to granting the applicant's/candidate's appeal.

Promotive Points

Rule 111A expands the definition of a promotive employee and allows promotive points to be awarded to a current permanent, temporary or exempt employee provided the employee has six consecutive months and at least 1040 hours of service with the City. The Human Resources Director will interpret "six consecutive months of service" broadly to accommodate as-needed and part-time employee schedules.

Review of Ratings by Candidates

Under Rule 111A, there is no requirement to conduct an Inspection of application and test documents. However, the requirements under the "California Public Records Request Act," California Government Code Section 6250 et seq. and the "San Francisco Sunshine Ordinance," San Francisco Administrative Code Chapter 67 must be honored. Examination administrators must notify the Department of Human Resources immediately if they receive a request pursuant to one of these laws.

Candidates must be provided with the opportunity to review their scores for accuracy of calculations. The review period is five working days and may be conducted on site at the department, at DHR by arrangement, or by mailing or e-mailing the candidate's test results, scoring formula and eligible list rank to the candidate.

Eligible Lists:

An eligible list established under Rule 111A is applicable to the position specified on the examination announcement and has no priority over an eligible list for any other position in any class. However, the Human Resources Director may approve the use of a position-based eligible list for a permanent civil service appointment to another position in the same class or class with similar duties and qualifications. The Human Resources Director may impose requirements on the requesting department, such as the submission of an annual performance plan, to assess and ensure the appropriateness of the use of the eligible list for the position.

Under Rule 111A, the Human Resources Director may establish or extend the duration of an eligible list up to a total duration of 48 months. It is the policy of the Human Resources Director to establish an initial duration period of 12 months or less for a position-based eligible list unless the requesting department can demonstrate a need for a longer duration.

With mutual agreement between the Human Resources Director and the affected employee organization for the class being tested, the Human Resources Director may establish an eligible list from a roster of candidates that was developed by another recognized authority. Such rosters must have been established based on professional employee selection principles and practices that conform to legal and policy requirements under which civil service examinations are conducted in the City & County of San Francisco. In addition, the Human Resources Director may apply other standards relevant to City & County of San Francisco operational, business, policy and/or legal issues. Human Resources Director will not give consideration to a roster developed by another authority if placement on the roster requires membership, payment of membership dues, or other conditions that are conflict with merit system principles or equal opportunity laws. The Human Resources Director is not obligated to consider the use of any roster established by another authority.

Examination Documents and Records:

In all cases, the examination administrator is responsible for obtaining, retaining and/or submitting all documents and records related to the examination, including audio and video tapes of the administration of the examination, per Department of Human Resources' policy and procedures. These documents are considered the property of the Department of Human Resources and must be furnished to the Department of Human Resources as directed. Examination records may not be destroyed without the approval of the Human Resources Director.