DEPARTMENT OF PERSONNEL

FOLLOW-UP STUDY

PROGRAM EVALUATION DIVISION

OFFICE OF THE LEGISLATIVE AUDITOR

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PROGRAM EVALUATION DIVISION
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TABLE OF CONTENTS

PREFACE		i
EXECUTIVE SUMMARY		ii
INTRODUCTION		1
CHAPTER I:	Time Delays	2
	A. Continuous Testing	2
	B. Computerization	6
CHAPTER II:	Applicant Information	8
	A. Job Announcements	8
	B. Telephone Help-Line	9
CHAPTER III:	Test Reliability	11
	A. Reliability of E&T Ratings	11
	B. Reliability-Based Band Width Certification	13
CHAPTER IV:	Pre-Referral Availability	20
CHAPTER V:	Provisional Appointments	24
CHAPTER VI:	Application Verification	27
CHAPTER VII:	Affirmative Action	31
CHAPTER VIII:	Delegation of Personnel Responsibilities	35
CHAPTER IX:	Conclusion	37
GLOSSARY OF TERMS		38

PREFACE

The 1978 Legislature enacted legislation to significantly improve several aspects of the state personnel system. The legislation was based on recommendations made by the Program Evaluation Division and approved by the Legislative Audit Commission. The following is a report on the Department of Personnel's implementation of the 1978 law and LAC recommendations. The report is based on information obtained from the Department of Personnel during the period from April 2 to May 7, 1979.

We wish to thank Commissioner of Personnel Barbara Sundquist, Assistant Commissioners Donn Escher and James Fritze, Julie Vikmanis, Manager of the Recruiting and Selection Division and other members of the Department of Personnel for their cooperation.

The research for this follow-up evaluation was conducted by Jo Vos with consultation from Elliot Long. Ms. Vos is the author of the report.

James Nobles
Deputy Legislative Auditor for
Program Evaluation

June 12, 1979

DEPARTMENT OF PERSONNEL FOLLOW-UP STUDY

EXECUTIVE SUMMARY

In January 1977, the Legislative Audit Commission directed the Program Evaluation Division to conduct a comprehensive evaluation of the Minnesota Department of Personnel. The evaluation identified four areas of concern: (a) serious time delays in the appointment process; (b) dissatisfaction with certification lists; (c) poor control over provisional appointments; and (d) the absence of a meaningful statewide affirmative action plan.

To address these concerns, the Program Evaluation Division made eleven major recommendations.* This report reviews what progress the Department of Personnel has made toward implementation of these recommendations.**

Below we present a brief statement regarding each recommendation and a summary of the Department of Personnel's implementation activities.

I. TIME DELAYS

Operating agency managers have long been critical of

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* "Department of Personnel Evaluation," Program Evaluation Division, Office of the Legislative Auditor, May 19, 1978.

**Many of our recommendations required legislative action or funds for their implementation. Consequently, the legislature passed Chapter 734, Laws of Minnesota, 1978. Except where otherwise noted, all references to legislation passed in 1978 refer to this chapter.

the time required to appoint qualified staff. In 1978, we found the lengthiest parts of the appointment process to be: (a) the period during which the Department of Personnel develops eligible lists; and (b) the period between the time an appointing authority requests and receives a certification list. To shorten these time periods, we recommended that the Department of Personnel:

- adopt a continuous testing program to replace fixed date scheduling; and
- computerize routine examining and referral activities.

Findings

The Department of Personnel has exceeded its original goals for opening additional classes on a continuous basis. Whereas 29 classes were open continuously in fiscal 1978, the number has been expanded to include approximately 162 classes. Examinations are given upon application for experience and training ratings and within two weeks for written exams. Eligible lists are updated accordingly.

Computerization of the examining and referral process is proceeding on schedule; the system is expected to be operational by June 1979. However, implementation of this system has cost significantly more than originally anticipated by the department.

II. APPLICANT INFORMATION

In 1978, we found that information about job qualifications given in the Department of Personnel's job announcements

was often inconsistent with the experience and training (E&T) scales used to compute rank. Consequently, it was recommended that the department:

- write clearer, more specific job announcements and distribute them to a wider audience; and
- install a toll-free telephone "help-line".

Findings

The amount of information given in job announcements has improved considerably; applicants now receive more detailed and helpful information about the application, examination, and referral process. The distribution of these announcements has been improved. Job announcements are now being distributed to a wider public audience; the department also plans to implement a direct-mailing system to state field offices.

The Department of Personnel has installed a toll-free telephone help-line to assist job applicants. A help-line staff person responds to approximately 50 requests each day for detailed information about the personnel system.

III. TEST RELIABILITY

During our 1978 evaluation, we found problems with the way the Department of Personnel scored job applications where experience and training (E&T) ratings were part of the examination process. Discrepancies among department raters were often large enough to make the difference between applicants

passing and failing tests. To remedy this, we made the following recommendations to the department:

- take steps to improve the reliability of its E&T rating procedures; and
- adopt reliability-based band width certification procedures as an experimental alternative to the rule of ten.

Findings

The Department of Personnel continues to have problems with the reliability of its E&T rating process. Although the department has instituted various procedures to improve experience and training ratings, vigorous quality control measures are still absent.

A reliability-based band width certification program has been established for 23 classes. Data collected thus far are limited due to the short duration of the experiment and the number and type of classes selected for it. The department is evaluating the program, and expects to report its final results and recommendations to the legislature by January 1980.

IV. PRE-REFERRAL AVAILABILITY

In 1978, we found that many eligibles were unavailable for employment by the time their names were certified to appointing authorities. Certification lists were incomplete, and appointing authorities experienced additional time delays in making appointments. To address this problem, it was recommended that the Department of Personnel:

- adopt procedures for determining candidate availability before certification lists are sent to appointing authorities.

Findings

The department has established procedures to determine the availability of job candidates before certification. These checks are successful in providing appointing authorities with current certification lists. However, very few appointing authorities use the service.

V. PROVISIONAL APPOINTMENTS

In the past, the Department of Personnel exercised poor control over the provisional appointment process. To remedy this, the department was directed to:

- tighten its control over the provisional appointment process and withhold the approval of provisional appointments until candidates have demonstrated their qualifications for the job.

Findings

Stringent request and approval procedures for provisional appointments have been established. The number of provisional appointments made since this program was implemented has decreased markedly. Provisional appointments comprised 2.3 percent of the total appointments made in the first half of 1978; in the second half of 1978 this figure dropped to 1.5 percent.

VI. APPLICATION VERIFICATION

The Program Evaluation Division did not issue a formal recommendation concerning the veracity of information contained in job applications. However, legislation adopted in 1978 requires:

- appointing authorities to verify job-related information given in the applications of prospective appointees; and
- the commissioner of personnel to print a notice to this effect on the application form and to establish procedures for appointing authorities to use when verifying application information.

Findings

Job applications have been revised to notify applicants of the verification responsibilities of appointing authorities. The Department of Personnel has issued general guidelines to assist appointing authorities in verifying job-related information contained in applications. Data are not available to assess the extent to which appointing authorities are complying with statutory requirements.

VII. AFFIRMATIVE ACTION

Our 1978 evaluation reported on the Department of Personnel's failure to produce a statewide affirmative action plan with meaningful goals and standards. Consequently, we made the following recommendation:

- develop and implement an affirmative action plan which targets improvement in the representation and employment status of particular minority groups, and of women in particular classes and occupational groups.

Findings

The Department of Personnel is making slow progress toward setting meaningful affirmative action goals for women and minorities. Meanwhile, it is operating under goals which are, according to our 1978 evaluation, incorrectly formulated and too general to be meaningful. The department has yet to establish employment goals for the handicapped.

VIII. DELEGATION OF PERSONNEL RESPONSIBILITIES

Our 1978 survey of state managers and supervisors found a strong desire among appointing authorities that more personnel services be performed at the operating agency level. Because of the fundamental changes such delegation of responsibility would bring to the civil service system, we recommended that the Department of Personnel:

- give serious consideration to which recruiting and selection functions could be effectively delegated to operating agencies and what augmented training or staff operating agencies might need to maximize the quality of their personnel activities.

Findings

The Department of Personnel has yet to seriously address issues involved in delegating more personnel responsibil-

ities to operating agencies. According to department management, this issue will be examined during the current year.

IX. CONCLUSION

The Department of Personnel has made progress in implementing most of the 1978 recommendations. However, as a result of this follow-up study, we recommend that the Department of Personnel address two concerns as a matter of high priority. The Department should:

(a) institute quality control procedures in doing experience and training ratings; and

(b) give serious consideration to questions and issues relating to delegating greater personnel responsibilities to operating agencies.

In addition, the department should:

(c) implement its planned direct mailing system for distributing job announcements to agency field offices;

(d) determine why so few appointing authorities use the pre-referral availability check system; and

(e) establish meaningful affirmative action goals for all protected group members.

Discussion

The Department of Personnel should introduce quality control measures into its experience and training examination process. In 1978, we documented problems with the way the department computed E&T ratings; in 1979, we find the department

continuing to have similar reliability problems with its rating procedures.

In light of this, we continue to question the reliability of the department's E&T rating procedures. The Department of Personnel should periodically determine the reliability of every E&T scale. The department's recent experiences suggest a need for (a) examining all E&T ratings, (b) identifying those classes for which E&T ratings are unreliable, and (c) implementing the necessary changes to correct the problems.

Questions concerning the delegation of personnel responsibilities have been raised frequently over the past few years. In 1975, the U.S. Civil Service Commission recommended that the Department of Personnel look at ways to delegate more personnel responsibilities to operating agencies. Three years later, our 1978 survey of state managers found appointing authorities expressing a strong desire to have more personnel services performed at the operating agency level. The Department of Personnel, however, has not yet seriously examined the issue of delegation.

In the past, the Department of Personnel has resisted delegating major personnel responsibilities to operating agencies. Indeed, delegation represents a fundamental change in the civil service system; to some extent, the department's role of service provider would be changed to that of service monitor. Some resistence to greater delegation from both the Department of Personnel and operating agency staff is to be expected. Undoubtedly, greater delegation would result in operating agencies performing some routine tasks which they receive without complaint

from the Department of Personnel. Such resistance, though, is not evidence that delegation will not work well--only that successful delegation will have to surmount this and other obstacles.

Regardless of the department's views concerning the merits or disadvantages of substantial delegation, the subject deserves serious examination. Our position is that the Department of Personnel should address the question of delegating responsibility for selected personnel services to operating agencies as a matter of high priority. If the Department of Personnel is unable to seriously address this recommendation, then the legislature should consider examining the issue of delegation itself.

INTRODUCTION

In January 1977, the Legislative Audit Commission directed the Program Evaluation Division to conduct a comprehensive evaluation of the Minnesota Department of Personnel. During the evaluation, we identified four areas of concern: (a) serious time delays; (b) dissatisfaction with certification lists;* (c) poor control over provisional appointments; and (d) the absence of a meaningful statewide affirmative action plan.

To address these concerns, the Program Evaluation Division made eleven major recommendations.** This report reviews what progress the Department of Personnel has made toward implementing these eleven recommendations.***

The data reported here were obtained primarily through interviews with Department of Personnel staff. In these interviews we discussed: (a) whether and how recommendations were implemented; (b) any problems the department may have had or foresees; and (c) future program directions. This information was supplemented with whatever data the department had readily available. Program Evaluation Division staff did not undertake any original data collection activities.

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* See Glossary for definitions of all terms used.

** "Department of Personnel Evaluation," Program Evaluation Division, Office of the Legislative Auditor, May 19, 1978.

***Many of our recommendations required legislative action of funds for their implementation. Consequently, the legislature passed Chapter 734, Laws of Minnesota, 1978. Except where otherwise noted, all references to legislation passed in 1978 refer to this chapter.

CHAPTER I: TIME DELAYS

State managers have long complained of the time required to appoint qualified staff. Our 1978 evaluation documented the lengthiest parts of the appointment process to be: (a) the period during which the Department of Personnel develops eligible lists; and (b) the period between an appointing authority requesting and receiving a certification list. To shorten these time periods, we recommended that the Department of Personnel:

- adopt a continuous testing program to replace fixed date scheduling; and
- computerize routine examining and referral activities.

A. CONTINUOUS TESTING

Legislative Mandate

Legislation adopted in 1978 requires the commissioner of personnel:

a. to devise and publicize a testing schedule for all classes which ensures that the frequency of examinations will reflect turnover and the needs of appointing authorities; and

b. to adopt rules regarding how long eligible lists for frequently tested classes will remain in effect and the frequency with which individual applicants can take repeated examinations for the same class.

Implementation

The Department of Personnel has changed its policy regarding the frequency of examinations; the current testing schedule more clearly responds to the needs of operating agencies. Whereas only 29 classes were open continuously during fiscal 1978, the department now tests on a continuous basis for 162 classes. Consequently, the Department of Personnel is constantly developing current eligible lists for these classes; previously the department developed these lists only once or twice a year.

There are two criteria which guide the department in deciding whether to include a particular class in its continuous testing program: turnover and the availability of qualified candidates. Initially, the department included all classes where ten or more open competitive appointments were made the previous year. This criterion has now been somewhat expanded. Depending on the complexity of an examination and the preferences of operating agencies, many classes where only five to nine open competitive appointments were made last year are now open on a continuous basis.

Candidate availability is also considered when determining exam frequency. Some classes (for example, boiler inspector and systems analyst) are difficult to fill even though turnover is low. Because it is difficult to find any qualified applicants, classes such as these are also open on a continuous basis.

Accompanying the department's move toward continuous testing is an increased reliance on the Department of Economic

Security to perform more testing and referral functions on a statewide basis for the Department of Personnel. In 1977, only two classifications were administered by the Department of Economic Security; today, this department tests and refers applicants for twelve classifications.

Pursuant to its statutory authority, the Department of Personnel adopted temporary rules in early June 1978 to implement its continuous testing program. They were subsequently adopted as permanent rules in late Novermber 1978. These rules clarify when eligible lists will be cancelled or merged, provide for the term of individual candidate availability, and stipulate a six-month retest prohibition for oral and written examinations.

Results

Both the Department of Personnel and operating agencies are pleased with continuous testing. The Department of Personnel reports a decrease in the overall time required to schedule, score, and refer eligibles to appointing authorities. Operating agencies can request and receive a current certification list for these classes with little waiting. In addition, recruited applicants can be tested immediately and placed on an eligible list.

The assistant commissioner for examining and referral activities has directed division staff to explore whether more classes can be open continuously. Rather than argue why a particular class should be open continuously, new division policy is to assume that all classes could be included in the continuous

testing program. Thus, staff must present a rationale for not including a particular class.

Problems Encountered

The Department of Personnel reports that continuous testing has not created any major problems. Earlier fears that the department would receive an unreasonable volume of applications for continuously tested classes have not materialized. In fact, department staff who do most of the routine application processing work have indicated a desire to open more classes on a continuous basis.

Continuous testing created minor problems for operating agencies that were delegated the responsibility of maintaining certain eligible lists. Because eligible lists for continuously tested classes are frequently updated, operating agencies have, at the Department of Personnel's request, returned this responsibility to the department. Since the department will soon be maintaining all eligible lists on computer files, this should not present any long-term problems.

The Department of Personnel does note some frustration on the part of job applicants. Constant shifts in their ranking on eligible lists have led some to complain to the department. Complaints like this can be expected, and perhaps could be alleviated by the department giving a more detailed explanation of the program to job applicants.

So far, the continuous testing program has been a success. Thus, we believe that the department should continue to explore how the program could be expanded.

B. COMPUTERIZATION

Legislative Mandate

The 1978 legislature established an $800,000 contingency fund with the Legislative Advisory Commission for the Department of Personnel to use in developing its management information system. Part of this system involves computerization of the application, examination, and referral process.

Implementation

According to the Department of Personnel, computerization of the examining and referral process will be complete and the system operational by June 1979. This will result in the entire selection process from application through requisition to appointment being completely automated.

Problems Encountered

Implementation of this system has cost more than the Department of Personnel and the Information Systems Division (ISD) of the Department of Administration originally estimated. While the November 1978 estimate was approximately $76,000, billings submitted to the department from ISD estimate the system's final cost to be approximately $121,000. This is 60 percent ($45,000) more than originally estimated.

At least three factors are responsible for some of this overrun: (a) user rate increases; (b) low computer time estimates; and (c) minor system changes. In March 1979, ISD issued a 14 percent increase in user rates, retroactive to January 1,

1979. Assuming that all of ISD's work on this project was done after January 1, this increase raised final costs by $14,000.

In addition, the original estimates for actual computer time necessary to test the system prior to full implementation were too low. Whereas the department and ISD estimated computer time costs of $2,000, actually time costs amounted to $9,000, or $7,000 more than anticipated.

Finally, small changes were made in the system by the Department of Personnel. These changes added another $2,500 to the original estimate.

The Department of Personnel has appeared before the Legislative Advisory Commission twice. In these appearances, it requested and received approximately $445,000.* Department management reports that it will not ask for additional funds to cover the system's remaining cost. Rather, it will recover any remaining cost from within the department's budget through such items as salary savings. The department is also further exploring the cost overruns with the Departments of Administration and Finance.

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* Approximately $76,000 of this amount was spent on computerizing the examining and referral process; the remaining money was spent on other aspects of the department's management information system.

CHAPTER II. APPLICANT INFORMATION

In our earlier evaluation, we criticized the Department of Personnel's job announcements in that information about job qualifications given in job announcements was often inconsistent with the experience and training (E&T) scales used to compute rank. Consequently, we recommended that the department:

- write clearer, more specific job announcements and distribute them to a wider audience; and
- install a toll-free telephone "help-line".

A. JOB ANNOUNCEMENTS

Implementation

The clarity of the department's job announcements has improved considerably. These announcements now give potential applicants full explanations of the application, examination, and referral procedures used by the Department of Personnel. In addition, classification descriptions now explain in detail what particular examination is used. For example, classifications with an experience and training component list the specific qualifications for which applicants receive credit, and the subsequent allocation of points.

The distribution of job announcements has been improved. In the past, they were regularly sent only to state offices. Now job announcements are routinely sent to all county seat post offices and courthouses.

Problems Encountered

The manner in which job announcements are distributed to state offices has not improved. Although the 1978 legislature provided funds to the department for implementing a direct mailing system, the Department of Personnel has encountered problems in establishing it. Thus, job announcements are still distributed via an indirect, inconvenient mailing system, where announcements often travel to a central agency which mails them to a subdivision, which in turn mails them to field offices.

B. TOLL-FREE HELP-LINE

Implementation

Since June 1978, the Department of Personnel has operated a toll-free telephone help-line within Minnesota to assist applicants in applying for state jobs. Located in the Examining and Referral Division, one full-time person staffs the help-line.

Results

The personnel help-line receives approximately 50 calls per day for detailed information concerning the application, examination, or referral process.*

The Department of Personnel is quite pleased with this service. Inquiries are no longer routed to various staff within the department, nor does staff have to take time to answer

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* Routine calls in which applicants simply ask that a job announcement or application be sent to them are not routed through the help-line.

questions from applicants. Rather, one staff person is always available for questions.

Problems Encountered

The Department of Personnel reports one problem with the system as currently designed. The Department of Administration requires all state toll-free telephone numbers to ring within the Department of Administration. Its staff then transfers personnel help-line calls to the central number of the Department of Personnel where they are in turn transferred to help-line staff. The Department of Personnel dislikes this arrangement because numerous transfers must be made and errors can result. The department will be meeting with the Department of Administration to explore whether its help-line can be installed directly in the Department of Personnel.

CHAPTER III: TEST RELIABILITY

In our earlier evaluation, we found problems with the way the Department of Personnel scored applications where an experience and training (E&T) rating was part of the examination process. At times, discrepancies among raters were high enough to make the difference between passing and failing a test. To remedy this, the following recommendations were made:

- take steps to improve the reliability of its E&T rating procedures; and
- adopt reliability-based band width certification procedures as an experimental alternative to the rule of ten.

A. RELIABILITY OF E&T RATINGS

Implementation

The Department of Personnel has made improvements in the E&T rating process. For example, job applications were revised to provide better instructions to candidates. Standards for developing E&Ts were written, and department staff attended two three-hour training sessions. In addition, the department is experimenting with job specific questionnaires and self-administered, computer-assisted E&Ts for eleven classes.

The department also indicates that operating agencies are becoming more involved in rating E&Ts for managerial classes. Whereas in nonmanagerial classes, the department rates each application twice, first ratings for managerial classes are now

done by operating agencies. In these instances, the Department of Personnel only does the second rating. Thus, operating agencies have a formal opportunity to participate in the examining process for management positions.

Problems Encountered

Although the department has instituted various procedures directed at improving the quality of its rating process, a more vigorous quality control program is still necessary. Regular rater reliability checks should be performed. These checks are necessary even though the department indicates that its policy is to perform two internal ratings on each application. First ratings are typically done by less experienced staff while second ratings are performed by more senior, experienced staff members. The process thus emphasizes training rather than quality control; it does not necessarily increase or examine the reliability of the department's E&T rating process.

The department's need for more formal quality control measures is indicated by its experiences with the band width certification program.* Experience and training reliabilities had to be determined for seven classes in this program. To do so, the Department of Personnel had two groups of comparable raters independently score each application. When the department compared the scores given by the first group with those of the second, large discrepancies were noted in two of the seven classes; very low reliability figures were subsequently obtained.

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* See page 13 for a discussion of this program.

Because such low reliabilities were unacceptable to the department, it examined its entire E&T process for these two classes. The department was then able to identify and correct problems affecting reliability. Thus, formally computing the statistical reliabilities obtained from two independent but comparable ratings led to major improvements in the quality of the department's rating process.

In light of this experience, we continue to question the reliability of the Department of Personnel's E&T rating process; we believe that the reliability of every E&T scale should be periodically monitored. The department's recent experience suggests a need for (a) examining all E&T ratings, (b) identifying those classes for which E&T ratings are unreliable, and (c) implementing the necessary changes to correct the problems.

B. RELIABILITY-BASED BAND WIDTH CERTIFICATION

Legislative Mandate

In 1978, the legislature directed the Department of Personnel to establish an experimental certification program based on the statistical reliability of the various examination procedures used to score applicants. Enabling legislation required the department to:

a. select classes to include in the experiment which cover varying employment situations and are under the jurisdiction of the greatest number of operating agencies;

b. expand certifications to ten names whenever the reliability-based band width certification procedure resulted in a band of less than ten names;

c. certify names of eligibles in random order;

d. accompany all certifications made by this experiment with an explanation of the program and a copy or summary of the appropriate rules;

e. provide the governor and legislature with a report on the procedures, results, costs, and evaluations of the program and the substance of comments received from affected persons by January 1, 1980; and

f. periodically advise the House and Senate Governmental Operations Committees and the Legislative Audit Commission on the progress of the program and the evaluation to date.

Authority to promulgate temporary rules and regulations to implement the program was also granted.

Implementation

In early August 1978, the Department of Personnel published in the State Register temporary rules to implement this program. In late September of that year, the rules were adopted.

Department rules stipulate that it select at least ten classifications to include in the reliability-based band width certification experiment. Rules require that the following criteria be considered when classes are selected for the program:

a. class size, emphasizing large classes;

b. turnover, emphasizing frequently filled classes;

c. number of anticipated applications, emphasizing high volume;

d. number of operating agencies using a class, emphasizing classes widely dispersed throughout state government;

e. examination procedures;

f. salary schedules;

g. selection of at least one class used in agencies covered by a collective bargaining agreement; and

h. selection of at least one class used in agencies governed by the United States Civil Service Merit System Standards.

Using these criteria, the department selected 23 classes to include in the experiment. Reliability calculations were made, based upon scientifically accepted statistical methods; a band width for each classification was subsequently calculated.* The program was formally implemented in early October 1978; in mid-October, the first certification based on the reliability of the particular examination used was made.

Names of eligibles are certified to appointing authorities in random order. Explanatory notices accompany all lists certified under this program. Opinions regarding the program are solicited from appointing authorities when lists are returned to the department; all appointments resulting from certifications made under the program must be accompanied by a completed copy of the Band Width Certification Evaluation Form.

Results

The department is currently analyzing preliminary data collected thus far in the experiment. By the end of March 1979, 157 certifications were made using the reliability-based band width procedure; 71 certification lists were returned, resulting in 61 appointments.

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* At the time of our review, reliabilities and band widths were not calculated for 2 of the 23 classes.

Preliminary data show that, in most instances, certification lists are not unreasonably long. One-half of the certification lists produced under band width to date contain ten or less names, and are thus largely unaffected by band width.* In three-fourths of the certifications made to date, the lists contained thirty or less names.

Preliminary evaluation results collected from appointing authorities reflect positively on the program. To date, most appointing authorities, in response to the Department of Personnel's ongoing evaluation survey, report that the band width certification program should be retained after the experiment has ended. Furthermore, the random ordering of names is not considered a problem by most appointing authorities. In fact, most who express an opinion prefer the absence of score information.

Problems Encountered

The above data are preliminary, though, and are inconclusive for three reasons: (a) the short duration of the experiment; (b) the number of certifications made; and (c) the type of certifications made. First, the experiment is only in its seventh month of operation; thus, it is too early to fully assess its impact.

Second, few certifications have been made under the band width certification experiment; the program has not received as much exposure as we believe it should have had by this time. We initially recommended that the Department of Personnel apply

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* Names on these lists do appear in random order.

reliability-based certification to at least 10 percent of the open-competitive classes announced during the life of the experiment (approximately 60 classes). Department rules stipulate "at least ten classes" (not 10 percent of classes). The department subsequently selected 23 classes for the experiment. Although this complies with statutory requirements which simply require the department to designate an unspecified number of job classes, considerably less data may be available by the end of the experiment than we had originally desired.

Furthermore, Department of Personnel rules require that it select frequently filled classes for the band width experiment. However, high turnover classes were not emphasized in selecting classes. According to department data, only one-third of the 23 classes selected are considered high turnover and thus heavily requisitioned classes. In fact, on the average less than five appointments were made per year over the last three years in 6 of the 23 classes selected for the band width experiment.

Third, most certifications made to date in this program have been unaffected by band width determination. Statute and rules require lists to contain at least ten names, if possible. In most instances, the certifications made under the experiment contained ten or less names. Thus, appointing authorities received substantially the same list that they would have received without the band width experiment.

Thus, because of the number and type of classes selected for the experiment, considerably less data are being generated than we hoped for originally. It is possible that a final report on the program by January 1980 may be inconclusive.

Finally, some data that the department is required to keep on each certification made in the experiment are not available. Department rules require that the following information be recorded for each certification:

a. the number who would have been certified under the rule of ten;

b. the number who would have been certified with the band width calculation alone;

c. the number who would have been certified with the band width calculation and the requirement to expand the list to at least ten candidates and those tied with the tenth score;

d. the number who would have been certified under the affirmative action expansion alone; and

e. the actual number certified.

The Department of Personnel did not collect items (b), (c), and (d) during the first six months of the experiment. Consequently, preliminary department data concerning the length of certification reports under the band width program are misleading.

Certification lists can be expanded beyond the band width for affirmative action purposes. Because the department was not collecting this information (item d), data published thus far regarding the length of certification lists do not distinguish between lists expanded for affirmative action purposes and those expanded for band width purposes.

In conclusion, we believe that more classes should have been included in the band width certification experiment in order

to assess its impact. Much of the work involved in the experiment (calculating test reliabilities) should be routinely performed by the department anyway, regardless of how many classes are included in the band width experiment.

CHAPTER IV: PRE-REFERRAL AVAILABILITY CHECKS

Our earlier study documented problems with applicant availability. Appointing authorities reported that many eligibles were no longer available for employment by the time they received certification lists. To help alleviate this problem, we recommended that the Department of Personnel:

- adopt procedures for determining candidate availability before a certification list is sent to an appointing authority.

Implementation

The Department of Personnel established procedures in June 1978 to determine candidate availability prior to certification. At the request of an operating agency, the department contacts eligibles by telephone to learn whether they are available for a particular opening before including their names on a certification list.

Results

When used, this program has been quite successful. Since January 1979, approximately one-third of the certified applicants contacted by the department were unavailable for employment. Nearly one-half of those contacted also reported telephone or address changes. Consequently, the certification lists sent to operating agencies requesting pre-referral checks

were current, both in terms of applicant availability and address information.

Problems Encountered

Despite its apparent success, however, very few appointing authorities have used the service. Since December 1978, only 5 percent of requisitions for certification lists requested a pre-referral availability check. Prior to December, utilization rates were even lower. At least three factors may be affecting use of the pre-referral availability check: (a) implementation problems; (b) communication problems; and (c) operating agency hesitancy.

The Department of Personnel encountered unexpected problems with the way it originally designed this service. After receiving a request for a pre-referral check, the department immediately began to contact certification list eligibles and instruct them to contact operating agency personnel officers for interviews. The department neglected to inform operating agencies that they would be receiving these calls. Consequently, operating agencies were unprepared for the telephone calls they received from applicants. Operating agency staff were often not sure whether the Department of Personnel had processed their requisition in the first place. Candidates were also frustrated when operating agency staff were either unprepared or unavailable to handle their calls.

In December 1978, the Department of Personnel refined its pre-referral availability check service in two ways. First, operating agencies were given the option of having the Department

of Personnel (a) tell available eligibles to contact operating agencies by telephone to set up interviews or (b) tell available eligibles to wait until operating agencies contacted them to set up interviews. Second, the department began to notify operating agencies before contacting eligibles. Use of this service, however, still has not increased significantly. The department is exploring new options to make this service more attractive to operating agencies.

Poor communication within operating agencies could also be a problem. For example, the Department of Personnel relies on agency personnel officers to inform their supervisors about this service. Personnel staff in at least one operating agency did not tell all of its supervisors about this service because of the telephone calls they received from job applicants. Considering the improvements the department has already made in the system, the Department of Personnel should once again advertise the program to operating agency personnel officers and, in particular, to supervisors, for it is this latter group that will benefit most from this service.

Finally, operating agencies may be somewhat hesitant to use the service. The forms used to request a pre-referral check could be unduly detailed, especially for those classes where the classification description closely parallels the job itself. In addition, agency staff may not want all eligibles contacted regarding a vacancy, especially when a certification list has been expanded or contains a bargaining unit employee. Furthermore, agency staff may want to examine the applications of those certified before contacting eligibles to set up interviews.

Even though operating agencies may not want to request a pre-referral check for every certification, we do believe that use of the service should be greater. The Department of Personnel reports that those agencies using the service like it. For this reason, the department may want to consider surveying some appointing authorities to determine exactly why the program is not being used more extensively.

CHAPTER V: PROVISIONAL APPOINTMENTS

Our 1978 evaluation criticized the Department of Personnel's poor control over the provisional appointment process. Thus, we recommended that the department:

- tighten its control over the provisional appointment process; and withhold the approval of provisional appointments until candidates have demonstrated their qualifications for the job.

Legislative Mandate

Statutes adopted in 1978 require that:

a. appointing authorities certify to the commissioner of personnel that all persons on an incomplete list are unsuitable or unavailable for employment;

b. the commissioner of personnel review the provisional candidate's qualifications to determine whether she or he is qualified for the position in question; and

c. provisional employees perform satisfactorily for sixty days and receive a passing score on an appropriate exam to be certified as probationary employees.

Implementation

The Department of Personnel instituted tighter controls over the provisional appointment process even before the legislature acted. Standard provisional appointment request forms have been eliminated. Requests for provisional appointments must now be submitted by memorandum to the Department of Personnel. The following points must be addressed in detail:

- the urgent reasons for filling the position;
- the unavailability or unsuitability of candidates on the current list; and
- the affirmative action efforts taken to seek candidates for provisional appointment.

In addition to this memorandum, applications from provisional appointment candidates must be transmitted to the Department of Personnel. Except in cases where oral examinations are required, the department administers the appropriate examination to the candidate prior to appointment. After a candidate has satisfactorily served as a provisional employee for 60 days, the department usually approves a request by an appointing authority to convert that employee to probationary status.

Results

The Department of Personnel continues to approve provisional appointments sparingly. In 1977, provisional appointments made up 3.2 percent of the state's total appointments; in 1978, provisional appointments made up 1.7 percent of the state's total appointments. The number of provisional appointments made since the department implemented its new policy has been steadily decreasing. Provisional oppointments comprised 2.3 percent of the total appointments made in the first half of 1978; in the second half of 1978 the figure dropped to 1.5 percent.*

* This decrease cannot be attributed solely to the department's new provisional appointment policy. Other factors which may contribute to this decline are continuous testing, more current certification lists, and no longer requiring certain temporary workers to be provisional. In addition, greater efficiency in the normal hiring process may decrease the need to use provisional appointments.

Problems Encountered

The Department of Personnel does not report any problems with provisional appointments. Thus far, examining provisional candidates prior to appointment has not been difficult for the department. Problems may arise in the future, though, if requests for a provisional appointment are ever made in those classes which require an oral examination as part of the testing process. Because of the time and expense involved in convening an oral panel for one applicant, testing before provisional or probationary appointment could be troublesome.

CHAPTER VI: APPLICATION VERIFICATION

The Program Evaluation Division did not study or make a formal recommendation concerning the veracity of information contained in job applications. During the course of our evaluation, though, several legislators expressed concern over the truthfulness of application information. Thus, legislation was adopted to address these concerns.

Legislative Mandate

To ensure that information given on applications is accurate, Chapter 734, Laws of Minnesota, 1978 requires that:

a. appointing authorities make a reasonable effort to verify job-related information given in the application of all prospective appointees;

b. this responsibility be clearly printed on the job application; and

c. the commissioner of personnel establish procedures for appointing authorities to use when verifying application information.

Implementation

Job applications have been revised so that applicants are notified that appointing authorities are responsible for verifying job-related information contained in their applications. To alleviate problems resulting from data privacy laws, each applicant is asked to sign a form which permits job-related information to be released.

In April 1978, the Department of Personnel issued guidelines regarding application verification procedures. In this document, the department sets forth general procedures to satisfy the requirements of M.S. 43.162:

> A "reasonable effort" to verify such information may include a standard procedure to discuss thoroughly with each candidate job-related background information from the application until the appointing authority has achieved a reasonable assurance from the responses of the candidate that he has, indeed, completed the education, training and work experience indicated on the application and has verbally reiterated to the interviewer that the information contained in the application is true and complete.*

The only exception to this procedure, referred to as interview verification, is with those classes for which licensure or registration is required. In these instances, current licensure or registration status must be verified. The department indicates that this may be accomplished in the job interview, by having applicants produce the appropriate license.

In addition to the standard interview verification procedure, the Department of Personnel suggests establishing a program of periodic random checks of application information made directly with educational institutions, licensure or registration authorities, and previous employers. The department indicates that, depending on the number of appointments made, a checking interval of every fifth, tenth, twenty-fifth, or even fiftieth hire may be appropriate.

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* "Verification of Candidate Information," memorandum from Clarence Harris, Acting Commissioner of Personnel, to appointing authorities, personnel officers, supervisors, managers, and others responsible for interviewing and selecting employees, April 24, 1978.

Results

The Department of Personnel does not collect data concerning the application verification procedures used in operating agencies. Enabling legislation does not require the department to monitor this activity; subsequently, it does not.

This situation, however, may change. The department is developing new procedures to use when performing personnel management reviews on operating agencies. New procedures may include plans to check whether operating agencies have established verification procedures. However, few such reviews are performed in any given year; for example, the department expects to do five personnel management reviews during fiscal 1980.

Problems Encountered

In issuing application verfication procedures, the department aimed for a system with little red-tape. Thus, current guidelines are quite general and the department has received little feedback from operating agencies.

We question whether simply discussing job-related information with an applicant during an interview satisfies statutory requirements which state that a "reasonable effort" must be made to verify application information for all persons appointed to the civil service. If interview verification procedures satisfy statutory requirements that a reasonable effort be made to verify job-related information in an application, then current procedures may be sufficient. However, if the legislature envisioned a program of greater depth, then appointing

authorities may be only partially satisfying legal requirements. If so, the legislature may want to clarify statutory language regarding "reasonable effort".

CHAPTER VII: AFFIRMATIVE ACTION

In our 1978 evaluation of the Department of Personnel, we reported on its failure to produce a statewide affirmative action plan with meaningful goals and standards for individual agencies and the state as a whole. Consequently, the following recommendation was made:

- develop and implement an affirmative action plan which targets improvement in the representation and employment status of particular minority groups, and of women in particular classes and occupational groups.

Legislative Mandate

The 1978 legislature enacted legislation requiring the Department of Personnel to adopt, as rules, a statewide affirmative action plan which included goals and timetables which the state civil service as a whole and each individual agency could be expected to meet.*

This law also allows the Department of Personnel to expand certification lists to include protected group members when it can be determined that a disparity exists between the availability and utilization of protected group members in particular operating agencies. In addition, the handicapped were added to the statutory definition of protected group.

Implementation

Although the Department of Personnel has written a new

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* See Chapter 703, Laws of Minnesota, 1978.

affirmative action plan which provides much improved guidance and direction to operating agencies, goals and timetables for employing protected group members are still absent. Currently, the department is operating under the same goals for minorities and women which our earlier report showed to be incorrectly formulated and too general to be meaningful.* Furthermore, employment goals for the handicapped have not been developed.

A review of how the department implemented its expanded certification program for affirmative action purposes was beyond the scope of this study. However, the lack of meaningful goals may have a negative effect on this program's effectiveness. For example, the department has never established goals for women in craft, technical, or operative categories. Therefore, certification lists for vacancies in these occupational categories cannot be expanded.

Finally, the department is trying to adopt its statewide affirmative action plan as rules. However, since goals and timetables are still missing from that plan, its adoption may not be immediate.**

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* These goals are: 2 and 4 percent minority representation outstate and in the metropolitan area respectively; and 5.6, 22, and 29 percent for women in managerial, supervisory, and professional classes respectively. For detail as to how these goals were formulated, see Chapter 4 of staff paper entitled: "Department of Personnel: Functional Performance," April 10, 1978.

**These latter two issues, certification list expansion and rule promulgation, were beyond the scope of this review because they were not a result of our earlier evaluation of the Department of Personnel. We briefly mention them here because they may be affected by the department's failure to set meaningful goals for protected group members.

Problems Encountered

The Department of Personnel is trying to establish operating agency goals for women and minorities, based on their availability in the labor market for each occupational class cluster found in state government. Progress, however, has been slow and the department is behind schedule for a number of reasons.

First, the Equal Opportunity Division of the Department of Personnel lacks sufficient experience or training in data collection and analysis techniques. The division has received assistance from the Personnel Planning and Information Services Division of the Department of Personnel. However, present work demands in the Personnel Planning and Information Services Division itself have curtailed the amount of assistance the Equal Opportunity Division now receives. The Equal Opportunity Division reports that it is behind schedule in terms of training its own staff as well as operating agency staff in the mechanics of setting goals. The Equal Opportunity Division may need additional (perhaps ongoing) statistical assistance in order to establish affirmative action goals for all protected group members.

Second, specific and reliable data concerning the participation of protected group members in the labor market are difficult to find. According to the Department of Personnel, the best available data are based on periodically updated 1970 census figures. New goals for women and minorities will be largely based on these data.

In some instances better data may be available. Some professional organizations that require registration or licensure

may collect demographic data. Recognizing some of the limitations of the census data, the department will permit individual operating agencies to use data sources which they know, through professional contacts, to be more accurate. In this connection, the department should carefully monitor whether individual agencies are seeking more recent data.

The Equal Opportunity Division has both affirmative action advocacy and monitoring responsibilities. In the past, the division has emphasized advocacy and good faith efforts to meet affirmative action goals and deemphasized monitoring and accountability. This stance seems likely to continue, even when goals based upon labor market availability figures have been established. For example, the division plans to base its future minority goals for professional and managerial classes in outstate agencies on metropolitan availability figures; thus, these goals may not afford a realistic basis for monitoring and holding individual departments accountable.

appointees be qualified for the jobs to which they are appointed, even if they do not follow the usual application procedures.

RELIABILITY - A test's reliability refers to how consistently it measures what it is intended to measure. If a reliable test were given to the same group of applicants twice, they would be ranked in the same order each time. If an unreliable test were given to the same group of applicants twice, they would be ranked in a different order each time. Test reliability can be figured numerically and can range from 0 to 1.00 (0 for no reliability and 1.00 for perfect reliability).

RELIABILITY-BASED BAND WIDTH CERTIFICATION - A process for the preparation of a list of certified eligibles for filling vacant positions within a job class, based upon the statistical reliability of the particular examination used.

PROTECTED GROUP - A group consisting of females, handicapped persons, or members of the following minorities: Black, Hispanic, Asian or Pacific Islander, American Indian, or Alaskan Native.