

## 1020 DHS Personnel Management

### I. Purpose and Scope

This policy applies to all DHS employees and adheres to all applicable state and federal laws as well as established policies of the Arkansas Department of Transformation and Shared Services (TSS) Office of Personnel Management (OPM).

### II. Definitions

- (A) “Employee” is a person employed in a legislatively authorized position either on a full or part-time basis by a state agency.
- (B) “Hiring officials” are supervisors who, upon completing the DHS Supervisor Training course, may conduct applicant interviews and select an applicant for hire. Hiring officials do not have to be the immediate supervisor of the position to be filled, but they must have a thorough understanding of the job knowledge, ability, and skills required for the position being filled.
- (C) “Relative” refers to a husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece.

Any questions concerning DHS HR policies and procedures should be directed to the division’s HR liaison.

### III. Policy

- (A) DHS employees, supervisors, and managers involved in the hiring process are prohibited from discriminating against, and unlawful treatment of, individuals based on a person’s race, gender, age, creed, religion, national origin, as well as pregnancy, disability, or veteran status. Violation of this is grounds for termination.

#### Hiring Procedures

- (B) All DHS hiring officials must follow the applicable hiring procedures outlined in the [DHS Administrative Procedures Manual \(APM\) Chapter 801](#).
- (C) DHS divisions or offices must have approval to exceed their internal target number.

Positions including and higher than a GS10, IT08, and MP03 must follow an internal approval process prior to hiring. Refer to APM 801.

- (D) The DHS Office of Human Resources (OHR) serves as the point-of-contact between hiring officials and the Office of Personnel Management (OPM). Refer to APM 801 for more information.

## Job Postings

- (E) Job vacancies that must be advertised on the Arkansas Government Careers website must be posted at least five (5) business days, although the hiring official may choose to post longer.
  - (1) Positions that do not require public advertisement include GS13, IT08, and MP04 and above, all SEs, extra help, emergency hires, and any other position authorized by the Governor.
  - (2) DHS must receive pre-approval from OPM/Governor before extending an offer to fill a position with a salary in excess of \$100,000 for hires or promotions, rehire of retirees, back-filling vacant former director positions, director's discretion requests for incumbent employees, and hiring of Secretarial-level staff.

## Applications

- (F) Applicants should go to [ARCareers](#) to complete an official application for consideration for the position.
- (G) Applicants may submit a paper application only to OHR Recruitment.

## ADA Accommodations

- (H) In accordance with the Americans with Disabilities Act, accommodations will be made for applicants upon request. It is the applicant's responsibility to advise of the need for any special accommodations.

## Falsifying Application

- (I) Falsely claiming to have earned a college degree on a state employment application will result in immediate termination and a permanent ban from rehire at DHS. Submitting other false information on an employment application may also result in immediate termination. Please see [OPM Policy 62 "Discharge, Dismissal, and Disqualification."](#)

## Minimum Qualifications

- (J) To be considered for a position, the applicant must meet the Minimum Qualifications (MQs) established by OPM. OHR will first determine if applicants meet the MQs for a position and add only those HR considers qualified to the hiring register. OHR may substitute qualifications for additional experience or education when applicable.

## Minimum Qualifications Reconsideration

- (K) Applicants who are informed that they do not meet MQs may submit a written request for reconsideration explaining their qualifications. Reconsideration must be completed by the DHS Chief HR Officer or designee. If OHR is unsure if an applicant qualifies, the DHS OHR Chief may request OPM perform the qualifications review (Refer to [OPM Policy 42 "Minimum Qualifications"](#)).

## Questionnaires

- (L) After receiving qualified candidates for review, hiring officials may use questionnaires to narrow the pool of applicants and/or obtain more information regarding the applicant's Knowledge, Abilities, and Skills (KAS). The hiring official must email questionnaires.

## Forms for Interviews

- (M) All applicants selected for interview must complete all applicant disclosure forms as outlined in DHS APM Chapter 801.
  - (1) The disclosure forms ensure that the employee is not related to someone within the supervisory chain of command and that the employee is not connected to a state contract or grant. A supervisor who hires a relative must be terminated and is subject to prosecution for violation of state law. (Refer to Ark. Code Ann. §§ 25-16-1001 et seq.; Governor's EO 98-04; and DHS Policy 1006 "Ethical Standards for DHS Employees," and [OPM Policy #5 "Employee Disclosure."](#))

## Interviews

- (N) All applicants who are interviewed must be asked the same questions.

## Employment Verification/Reference Checks

- (O) Hiring officials must have applicants who are selected for interview sign the "Employment Verification/Reference Authorization" form DHS-1162. (Refer to Ark. Code Ann. § 11-3-204, or [OPM Policy #12 "Reference Checks."](#))
- (P) Employment verification must include at least two (2) professional or work-related references, preferably the applicant's previous supervisors, or at least seven (7) years of work history. If the information is unavailable (i.e., the candidate is a recent college graduate with no work history) conduct the most thorough history check possible.
- (Q) A review of the personnel file must be conducted on any applicant who is a current or former DHS employee. Refer to DHS Policy 1089. The hiring official or HR Liaison must contact the selected candidate's current or former supervisor if that supervisor is still employed by DHS.
- (R) Hiring officials must state that all job offers are contingent upon passing a drug screen, and background checks (state, federal, or child or adult maltreatment) as applicable.

## Veterans Preference

- (S) DHS must provide veterans preference as required by state law (Refer to Ark. Code Ann. § 21-3-302) and must follow the procedures in DHS APM Chapter 801. (Refer to [OPM Policy #13 "Veterans Preference."](#))
  - (1) Veterans are required to submit appropriate documentation (a DD-214 Certificate of Release or Discharge from Active Duty or NGB-22 National Guard Discharge

certificate) to the hiring supervisor by the conclusion of the job interview in order to have Veterans' Preference points added to his or her KAS score. Veteran's status must also be considered for promotion and retention of employees. (*Refer to Ark. Code Ann. § 21-3-304.*)

- (2) A candidate will receive veteran's preference points if they meet the following criteria:
  - (a) Non-disabled veteran – 5 points;
  - (b) Disabled veteran – 10 points;
  - (c) Spouse of a disabled veteran when the veteran's disability disqualifies the veteran for selection – 10 points; and/or
  - (d) Unmarried spouse of a deceased veteran (no requirement of a service death) – 10 points.

#### Initial Probationary Period

- (T) The acceptance of a position places the new hire on a six (6) month initial probationary period, including current DHS employees in new positions. Before the end of the initial probationary period, the supervisor may choose to:
  - (1) Extend the employee's initial probationary period for up to another six months; or,
  - (2) Dismiss the probationary employee (formal disciplinary action is not necessary).
    - (a) An employee who has never worked for DHS before who is dismissed while under initial probationary status does not have access to the grievance process.
    - (b) A DHS employee who transferred or promoted into a new position but is removed prior to the end of the initial probationary period still has access to the grievance process unless the new position title is excluded from the process.

#### IV. Extra Help Positions

- (A) Refer to [OPM Policy #39 "Extra Help Positions."](#)

#### V. Emergency Hires

- (A) Refer to [OPM Policy #8 "Advertising a Job and Filling a Position."](#)

#### VI. Interim and Acting Appointments

This establishes criteria and parameters for appointing Interim and Acting employees when critical positions are vacated by termination, resignation, or the extended absence of an employee. It is applicable to all managers/supervisors authorized to make hiring decisions and ensures consistent

treatment of such appointments throughout the Department of Human Services (DHS). In no way are such appointments to be used to circumvent the DHS hiring process.

- (A) “Interim appointments” are appointments to a position within DHS deemed to be vital to the overall effective and efficient operation of the department. Interim appointments require the approval of the DHS Secretary. The Interim appointee must meet the state minimum qualifications and any applicable licensures/special conditions of the position and is paid at the rate normally allowed subject to any approvals or restrictions by the Governor’s Office or the Department of Transformation and Shared Services for the vacated position. The action is recorded as “Transfer to 06/acting status” in AASIS. Interim appointments shall not exceed six months without approval of the DHS Secretary.
- (B) “Acting appointments” are temporary appointments to vacated positions that are critical to assure compliance with certification or other external requirements or are critical to the day-to-day operations. Appointees are not paid at the rate normally allowed for the vacated position, but rather, Acting appointments are to be made by utilizing employees occupying positions at least one grade level above, or in a grade equal to, the position they would be 'Acting' in. Appointees must meet the State minimum qualifications and any applicable licensures/special conditions of the position. Acting appointments cannot exceed 90 days without written approval of the DHS Secretary.
- (C) This policy does not apply to staff assuming responsibility for another employee’s job duties during temporary absence or vacancy.

## VII. References

OPM has oversight of DHS’ personnel management. DHS will utilize the following [OPM Policies](#) for reference purposes as needed:

Crossgrading a Position:

<https://www.transform.ar.gov/wp-content/uploads/2020/04/38-CrossgradingaPosition.pdf>

Disclosure of Relatives, Marriage, Contracts (Nepotism):

<https://www.transform.ar.gov/wp-content/uploads/2021/05/5-Employee-Disclosure-5.6.2021-1.pdf>

Employing Children Under 18:

<https://www.transform.ar.gov/wp-content/uploads/2021/05/6-Employing-Children-Under-18-5.5.2021.pdf>

Employing Constitutional Officers and Spouses:

<https://www.transform.ar.gov/wp-content/uploads/2021/03/7-Employing-Constitutional-Officers-and-Spouses-3.15.2021.pdf>

Immigration Reform and Control Act of 1986:

<https://www.transform.ar.gov/wp-content/uploads/2021/05/9-Immigration-Reform-and-Contract-Act-I-9-verification.pdf>

Job Sharing Positions:

<https://www.transform.ar.gov/wp-content/uploads/2020/04/41-JobSharingPositions.pdf>

Military Selective Service:

<https://www.transform.ar.gov/wp-content/uploads/2021/05/10-Military-Selective-Service-Act.pdf>

Minimum Qualifications:

<https://www.transform.ar.gov/wp-content/uploads/2020/04/42-MinimumQualifications.pdf>

Pool Positions:

<https://www.transform.ar.gov/wp-content/uploads/2021/06/44-Pool-Positions-7.1.2021.pdf>

Proof of Prior Service:

<https://www.transform.ar.gov/wp-content/uploads/2021/05/11-Proof-of-Prior-Service-5.6.2021.pdf>

Reference Checks:

<https://www.transform.ar.gov/wp-content/uploads/2021/05/12-Reference-Checks-5.6.2021.pdf>

Veterans Preference:

<https://www.transform.ar.gov/wp-content/uploads/2021/05/13-Veterans-Preference-and-Reemployment-5.19.2021.pdf>