

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
300**

RECRUITMENT AND HIRING

Supersedes: AR 300 (12/17/12); (Temporary, 06/17/14); 09/16/14; (Temporary, 07/20/17)
Effective Date: 08/30/17

AUTHORITY: NRS Chapter 284; NRS 617.455 – 617.457; NAC 284. 295-441, 646; 650; 42 U.S.C. § 15601, *et seq.* and 28 C.F.R. § 115.17; and NRS 179A.080

PURPOSE

To ensure guidelines are established for compliance with federal and state recruitment and hiring regulations.

RESPONSIBILITY

The Deputy Director of Support Services shall ensure administration of this regulation.

The Nevada Department of Corrections (NDOC) Human Resource Division is responsible for implementation and Department compliance.

The Appointing Authority is responsible for making hiring recommendations to the Department's Human Resources Division.

The Human Resources Division is responsible for validating all offers of employment and completing necessary paperwork.

The Inspector General's Office, Prison Rape Elimination Act (PREA) Management Team, is responsible for confirming and documenting within NOTIS any positive response resulting from criminal background records checks for all new applicants, promotions and required employment background checks.

300.01 TYPES OF RECRUITMENT/LIST CERTIFICATION

1. Open Competitive – This type of recruitment is open to anyone without regard to current State employment. The ranking on the list is based on total overall scores.
2. Divisional/Departmental/Statewide/Open Competitive – This type of recruitment is open to everyone, current State employee or not. Candidates employed within the division which is recruiting for the vacancy are ranked first followed second by those candidates employed within the department recruiting for the position; third by those candidates employed within State

service; and last would be those candidates who are not currently employed within State service.

3. Divisional – This type of recruitment is limited to promotional candidates employed within the division of recruitment and who have been employed at least six (6) months within State service.

4. Departmental – This type of recruitment is limited to promotional candidates employed within the Department of recruitment and who have been employed at least six (6) months within State service.

300.02 METHODS OF CERTIFICATION

1. Ranked List - Top five ranked candidate shall be interviewed or contacted for interviews. There may be more than one (1) candidate per rank.

2. Unranked List – Names are listed in random order. Anyone on the list may be interviewed, but every attempt should be made to interview five (5) candidates for the position. If there are fewer than five (5) candidates on the list, all should be interviewed.

300.03 FILLING A VACANCY

1. The Appointing Authority, upon notification of an impending vacancy, shall prepare and submit a Staffing Requisition to the Department Human Resources Division.

A. The requisition should include information regarding the type of recruitment, the existence of a certified list or whether it is another type of appointment such as:

- (1) Reinstatement or Rehire;
- (2) Reappointment;
- (3) Transfer; or
- (4) Voluntary demotion

2. Selective criteria must be established prior to opening any recruitment and will require the approval of the State DHRM.

3. The Human Resources Recruiter will forward the list of certified applicants and interview packet to the Appointing Authority.

A. Certified lists are strictly confidential and shall not be disseminated to anyone outside of the Human Resources Division or the relevant position's supervisory chain.

B. Certified lists are official State documents and may not be edited, tampered with, or

altered in anyway. Alterations of any kind may result in disciplinary action.

C. Failure to comply with either A or B will result in the cancellation of the recruitment and may result in disciplinary action.

4. Interview Packets shall consist of:

A. Memorandum of requirements for submission of a personnel packet.

B. Personnel Packet Checklist.

C. Certified List.

D. Interview Questions and benchmark responses shall include applicable PREA related questions as identified in PREA § 115.17 and on PREA Questionnaire (DOC 057).

E. Interview Rating Sheet.

F. Consent for Release of Criminal History Records.

G. Essential Functions for the position.

H. Work Performance Standards.

5. Upon receipt of the Interview Packet and Certified list, interviews may be scheduled.

6. To schedule interview, the candidates may be contacted via:

A. *Telephone* message on voice mail, candidate must respond within three (3) days; and/or

B. *Mail*, candidate must respond within six (6) days of postmark; and/or

C. *E-mail*, candidate must respond within three (3) days.

7. Prior to conducting interviews, each candidate must be allowed time to review and acknowledge via signature the Essential Functions for the position. The signed Acknowledgement page is retained for recruitment packet submission. The remainder of the Essential Functions document may be given to the interviewee.

A. If the candidate indicates they cannot perform the essential functions of the position, they should be referred to the Department's Human Resources Administrator.

8. The supervisor should review and modify the work performance standards as outlined in Administrative Regulation 310, Work Performance Standards, prior to the interview process.

9. The interview panel shall consist of at least three employees, each of whom must be at the same grade or higher unless approved by the Deputy Director, and one must be in the chain-of-command.

10. Each candidate must be asked the same questions.

A. The Benchmark Interview Questions form must be utilized to record the responses. Each interviewer is responsible for independently scoring candidate responses. At the completion of the candidate's interview, interviewers will tally the scores, sign the Benchmark Interview Questions form and forward to the panel chair.

B. A written explanation is required to be included in the hiring packet if an applicant who did not have the highest ranked score has been selected.

11. The Structured Interview Process for Correctional Officer/Trainee interviews is as follows:

A. A panel of three (3) must be utilized; including a minimum of two custody interviewers with the rank of Warden, Associate Warden or Lieutenant. The third panel member will be outside of the custody chain of command.

B. A Human Resources representative must be present during the interview process.

C. The rating panel must utilize the Structured Interview Questions and Rating Sheet form.

D. Structured Interview Questions will be selected randomly by the Human Resources Division for use prior to each interview date.

E. The Correctional Officer/Trainee Structured Interview Panel Recommendation form will be completed for each candidate interviewed.

F. All documentation will be submitted to the Recruiter at the conclusion of the interview process.

12. Each candidate interviewed must complete the Consent for Release of Criminal History form, and pre-interview documents (Essential Job Functions, Work Performance Standards, Variable Work Schedule, and PREA Disclosure Form) prior to the interview.

(A) The agency shall not hire anyone who may have contact with any inmates who:

(1) Have engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution;

(2) Have been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or

(3) Have been civilly or administratively adjudicated to have engaged in the activity described in paragraph (2) of this section.

300.04 PRE-EMPLOYMENT TESTING

1. Medical Physical Testing

A. Police/Fire applicants selected for appointment must be referred to the Human Resources Division to schedule the required medical physical examination as a condition of employment.

B. The examination requirements are documented in the State of Nevada Risk Management contract maintained in the Human Resources Division.

C. Failure to obtain a fit for duty certification from the contract medical provider will result in rescission of the conditional offer of employment.

2. Tuberculosis (TB) testing

A. A negative test for TB, using current CDC (Centers for Disease Control and Prevention) guidelines, is mandatory for individuals employed within the perimeter of a correctional facility and having direct contact with inmates.

B. An applicant for employment who tests positive must, at their own expense, provide written documentation from a qualified medical professional verifying that they are non-infectious.

C. A negative test result or documentation of being non-infectious must be obtained prior to an offer of employment.

3. Drug Testing

A. Per NRS 284.4066, all applicants for positions designated as affecting public safety must participate in a drug screening within 24 hours, as a condition of employment.

B. Failure to obtain a drug screening test clearance shall result in rescission of the conditional offer of employment.

4. Psychological Testing

A. All custody applicants must participate in a pre-employment psychological examination.

B. Review and recommendations regarding appointment are conducted via the contract medical provider.

C. Failure to secure a successful recommendation shall result in rescinding the conditional offer of employment.

5. Background Check

A. All applicants considered for appointment must pass the mandated PREA related background check, as defined in PREA § 115.17, including but not limited to, an NCIC background check. Background checks are conducted by staff of the Office of the Inspector General.

B. All applicants considered for promotion must pass the NCIC background check as a condition of employment.

C. Failure to secure clearance of a post-hire background check shall invalidate a conditional offer of employment or promotion.

D. NRS 289.470 defines the Inspector General of the Department and any person employed by the Department as a Criminal Investigator as a Category II Peace Officers. NAC 289.110 requires the use of a lie detector as defined in NRS 613.440 for a Peace Officer being appointed as a Category II officer.

E. All applicants selected for appointment will be required to pass periodic post-hire background checks. Failure to secure clearance of a post-hire background check shall result in termination of employment.

300.05 SUBMISSION OF A HIRING PACKET

1. Upon completion of the interview process, the Appointing Authority will make a selection.

A. The selected and non-selected applicants must not be advised of the decision until final review by the Department's Human Resources Division.

2. The hiring packet will be forwarded to the Department's Human Resources Division and shall include:

A. Personnel Packet Checklist – completed

B. Appointment memo to the Human Resources Division Administrator with the name of the selected candidate(s) and respective position control assignment.

C. Certified List – coded with selection.

D. Interview questions and responses.

E. Interview Rating Sheets.

- F. Fingerprint receipt, FBI results, and Background Checks document.
 - G. Essential Functions Acknowledgement Form – completed and signed by selected candidate.
 - H. Appropriate appointment letters, signed by the Appointing Authority (located on the Stewart shared drive).
 - I. Work Performance Standards – signed by the selected candidate(s).
 - J. Compensatory Agreement – completed and signed by selected candidate(s).
 - K. Variable Work Schedule – completed and signed by selected candidate(s).
3. A request for an appointment at an accelerated rate of pay above a step 1, shall detail the justification to support an accelerated step. A salary above a step 1 must not be quoted to any applicant.
- A. Human Resources Division staff shall review equivalent classifications/appointments to determine equity and/or superior qualifications prior to making a request to the Department’s Fiscal Division. The Request for Accelerated Salary Form NPD-4 shall be utilized and appropriately justified.
 - B. An accelerated salary request must be submitted to the Fiscal Division for approval and then sent to the State DHRM for further approval prior to an offer of appointment.
4. The Human Resources Division shall review the packet for compliance with the Rules for Personnel Administration (NAC), and obtain any required approvals from the Appointing Authority pursuant to the Personnel Packet Distribution memorandum.
5. The Human Resources Division shall notify the Appointing Authority when the hiring packet review is complete, and shall mail letters.
6. The selected candidate may now be contacted and offered the position. An appointment will be scheduled for completion of the required paperwork with the Human Resources Division.
- A. Should the position require pre-employment drug testing, a medical physical, or other pre-employment requirements, including, but not limited to, PREA related mandatory background check; the Human Resources Division shall make an offer of employment contingent upon successful completion of any and all pre-hire requirements.
 - B. Appointment of an applicant who has not completed mandatory pre-hire testing, i.e., medical physical, TB testing, shall require the approval of an emergency appointment by a Human Resources Officer.

- C. Unsatisfactory employment history or background checks, or falsification of employment history or background, may be grounds for rescission of the conditional offer.

300.06 PROCESSING NEW HIRE PAPERWORK

1. Upon approval of the hiring packet and successful completion of the required tests, the Human Resources Division shall schedule an appointment to complete necessary paperwork:

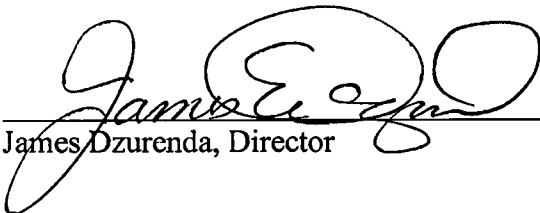
- A. Appointment of an applicant who has not completed mandatory pre-hire testing, i.e., medical physical, TB testing, shall require the approval of an emergency appointment by a Human Resources Officer.

2. Any unsatisfactory employment history background checks or falsification of employment history or background may be grounds for rescinding of the conditional offer.

4. The Human Resources Division shall process all necessary paperwork and provide the employee with an Employment Packet containing Administrative Regulations.

APPLICABILITY

- 1. This regulation applies to all new employees and promotions.
- 2. This regulation requires an Operational Procedure for the Human Resources Division and the Inspector General's PREA Management Team.
- 3. This regulation requires an audit by the State DHRM.



James Dzurenda, Director

8/30/17
Date