A Manager's Guide to Interviews and Background Checks

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Introduction

At some point, most City supervisors/managers will become involved in the City's hiring and/or selection process, which consists of employment interviews, reference checks, background checks, medical exams (if required), and making a final decision. This is an extremely important function as the employees selected through the hiring process will be expected to perform the work of City agencies for years to come. Civil Rights legislation, including Title VII, City of Madison General Ordinances, the Americans with Disabilities Act, and related court decisions has added challenges to the hiring process. In order to minimize the risk of litigation, as a best practice, the hiring process, including interviews and reference checks, should focus on job-related factors. This guide is a means to assist City managers in making tough short-term and long-term decisions by providing practical and applicable tools to help navigate through the City's hiring process.

Everything starts and ends with the position description. The position description is the basis from which the knowledge, skills, and abilities required for effective performance are obtained, from which exams are developed, and from which essential functions of the position are determined. In addition, these factors should be used in developing appropriate interview questions and questions for a reference check.

Once an agency has received a referred list of qualified candidates from the Human Resources Department, the agency is responsible for the selection process, although the agency's HR Analyst will provide support and assistance along the way. The first step is to develop and conduct an employment interview. The purpose of the employment interview, like any other part of the selection process, is to identify those candidates with the potential and/or ability to best meet the needs of the job. The interview may consist of questions/answers, and possibly other types of methods to determine a candidate's ability to perform the essential functions of the position. However, additional examinations should not be administered at the agency level without first being reviewed and approved by the Human Resources Department. In developing questions for the interview, the objective should be to develop a core line of questioning which will produce the necessary information to help assess which candidates possess the necessary knowledge, skills, abilities, and motivation to do the job, and are the most suitable to meet City objectives.

This manual provides guidance and discusses the legal requirements around conducting job-related employment interviews. As a best practice, the behavioral interviewing method is recommended. As outlined in this manual, the behavioral interviewing method encourages supervisors/managers to focus questions on job-related competencies, and ultimately, mitigates the risk of possible lawsuits.

Finally, this manual provides guidance on completing thorough background checks, which may include checking references and conducting criminal background checks on selected candidates.

This manual also discusses the City's "Ban the Box" resolution and its impact on making job offers. Information in this manual is designed to provide a comprehensive review of the City's hiring process and emphasize job-related information which can be gathered and considered when making final selection decisions.

Departments are encouraged to contact their respective HR Analyst to discuss any specific employment situations or concerns and how relevant laws may apply to a particular circumstance. The HR Analyst will be happy to assist in any way possible through this process, including the development of essential job functions, job-related interview questions with benchmarks, and background checks.

The Employment Interview

Preparation-"Fail to plan, plan to fail"

The employment interview is the agency's opportunity to meet and assess candidates to determine who should fill a vacant position. It is virtually impossible for an interviewer to give every candidate a fair and equitable evaluation without proper preparation before the interviews begin. Adequate preparation requires:

A. Become Familiar with the Qualifications to be Assessed: As noted in the introduction, the position description should form the basis for developing effective, job-related interview questions. Some positions require an assessment of personal qualities, such as verbal skills, tact and discretion, aggressiveness, and open-mindedness. The Knowledge, Skills and Abilities (KSA) section of the position description may include a description such as:

> Ability to develop and maintain positive relationships with the public and co-workers. Ability to show empathy and compassion in difficult situations. Ability to deal tactfully and firmly with potentially hostile individuals.

Other positions may require an assessment of particular job-related knowledge or skills. Here, the evaluation of a candidate is based primarily on the candidate's degree of knowledge and/or skill in areas specified in the job requirements.

It is important that the position description accurately identifies the essential functions of a job because the Americans with Disabilities Act, (ADA) requires employers to focus on the essential functions of a job to determine whether a person with a disability is qualified. Focusing the interview and questions on the essential functions and/or competencies of the job will help minimize the possibility of discriminatory practices.

B. Prepare Questions: In addition to accurately assessing the qualifications and essential job functions, it is equally important to think of ways to obtain pertinent information that will allow a proper assessment and evaluation of a candidate's ability to meet those qualifications. Specific questions relating to knowledge, skills, and abilities, and/or attitude are needed to predict performance. Gaining this information requires the use of meaningful, challenging, and insightful questions. Such questions cannot be created during the interview while applicants are responding to previous questions. Questions **must** be developed beforehand! In addition to preparing interview questions, it is strongly encouraged to have benchmarks, or rating criteria, for each interview question. Benchmarks help to identify how well the candidate answered the question and provides guidance to your interview panel. Benchmarks help to ensure scoring consistency and minimize the effect of personal biases in selecting the final candidate.

The next section of this manual will describe a “behavioral” model of interviewing which is designed to draw out information from candidates based on their past experiences. Research shows that the best predictor of future behavior is past behavior in similar circumstances. The behavioral model calls for questions which are designed to get information from candidates on how they have responded to situations in the past that they could reasonably expect to encounter in the position being filled.

Developing Interview Questions

1. Become familiar with the position’s duties, responsibilities, and qualifications
2. Develop questions designed to find out if the candidate can perform the duties/ responsibilities
3. Develop benchmarks to define a good response
4. Avoid using slang or other terms that an outsider may not know
5. Use behavioral questions when appropriate

Developing appropriate interview questions is not an art. Asking the “right” questions can be tricky but being mindful of essential job functions can make this task less cumbersome. As there should be a connection between the interview questions and the qualifications needed to perform the job, the first step in developing questions must be to become thoroughly familiar with these qualifications as outlined in the position description. Once this step has been completed, a tentative list of questions should be constructed and designed to assess a candidate’s qualifications and his or her ability to perform the job. These questions will be the standard, or core questions to be asked of each candidate to ensure a consistent basis for evaluations. While developing these questions, consideration should be given to benchmarks or rating criteria to help differentiate between good responses, average responses, and poor responses. Technical or objective questions may elicit clear-cut right or wrong responses while more subjective questions, which may involve hypothetical situations, may be used to assess a candidate’s thought process and/or judgment, and may generate numerous equally appropriate correct responses.

Caution should be given to developing questions which are specific only to an agency. In other words, make sure answering the questions correctly doesn't depend on an organizational policy the candidate doesn't know anything about.

When conducting the interview, if a candidate is not giving a complete response, it is appropriate to ask follow-up questions to ensure clarity in the candidate's response. **The purpose of the interview is to gain as much information as possible about the candidate; it should not be considered a test as to whether or not the candidate can guess the "right" answer.** For instance, if a candidate gives a vague description of a project s/he worked on, it is acceptable to ask follow-up questions to determine the candidate's specific role on the project and the project's outcome. Likewise, if other candidates give similarly vague answers, it is important that all candidates are asked similar follow-up questions to avoid allegations of discrimination in the process.

In the interview, in addition to asking the core questions, it is appropriate to address any specific questions or concerns regarding a candidate's application materials, such as reasons for leaving previous employers, educational background, and if necessary, further clarification regarding listed duties and responsibilities with previous and/or current employers. In order for this to be effective, it is important to review each candidate's application materials prior to the interview, including resumes and any supplemental application materials.

C. Select an Appropriate Interview Panel: It is important when interviewing to give consideration to who will be involved in the selection decision. A best practice is to have a panel of people conduct the initial interviews. This panel should be balanced, which means including men, women, and people of color on the panel so that multiple viewpoints are considered when discussing the candidates. The panel members should include people who are familiar with the job so that they can appropriately evaluate the candidates. This may include City employees or external panel members. It is important to include a panel member outside of the department/division if you have internal candidates to interview in order to provide an outside perspective. It is also a good idea to provide the panel members with a copy of the position description or job announcement in advance so that the members can be familiar with the job.

When using a panel, it is important that the panel is aware of the criteria upon which the candidates will be evaluated. This means developing questions in advance and benchmarks that will be used to score the responses. Developing benchmarks with points should bring consistency in the overall scoring.

It is appropriate to bring the top candidates back for a second interview with the hiring manager. A panel can be used for this second interview as well. Again, appropriate questions should be developed in advance, especially in areas where the hiring manager would like to get more information from the candidates. These questions may be based off responses to questions in the first interview. Ensuring that qualified experts and/or strong benchmarks are part of the interview process will help make sure the best candidate is selected for the position.

Behavioral Interviewing[1]

Research shows that a person's past behavior is the best predictor of his or her future performance in similar situations. Behavioral interviewing is designed to identify a candidate's actual behaviors and choices based on his/her behavior in past situations that were similar. This type of interviewing process requires candidates to respond to scenarios by drawing on specific experiences in their past and identifying how they managed similar situations. Focusing on behaviors in past situations provides interviewers a means to assess a candidate's competencies and skills against job-related qualifications.

As noted in the previous section, the first step in developing an effective behavioral interview is to review the position description to determine what competencies are required for effective performance. Questions are then developed to determine a candidate's suitability in three areas:

1. The candidate's ability to do the job;
2. The candidate's motivation; and
3. The candidate's "fit" with the organizational culture. A "good fit" is not just someone who will get along well with your staff, but someone who brings the skills lacking to your team.

The goal is to get information regarding situations, the candidate's tasks and actions within each situation, and the outcome of the situation. Effective questions are open-ended and allow candidates the opportunity to freely answer questions without being given clues as to what the "correct" responses would be.

Behavioral interview questions are designed around specific competencies that are required to perform the work of the position. Sample competencies include teamwork, leadership, effective communication, decision making, racial equity and social justice, customer service, and problem solving. Within each competency, questions should be designed to identify a specific situation where the candidate exhibited each competency, including specific dates and actions taken.

It is important when conducting a behavioral interview that candidates provide detailed, specific information. This may require the interviewer to use effective follow-up questions. As noted earlier, a candidate who vaguely describes a project that s/he worked on, should be asked follow-up questions to determine the candidate's specific role on the project, and the outcome of the project. Remember, the goal of the interview is to gain as much information as possible so the candidate's potential for success may be evaluated.

Human Resources has developed an interview question database that provides sample behavioral interview questions with benchmarks for over 15 different competency areas. Your HR Analyst can help develop interview questions and benchmarks should you request assistance. Appendix 2 of this manual also contains examples of behavioral questions by competency. In addition, a list of 25 interview questions that should be avoided for legal reasons has been provided in Appendix 1. It is important to review this list when updating and/or creating interview questions.

[1] *Behavioral Interviewing information is from ZERORISK HR, Inc., "Behavioral Interviewing: A Competency-Based Selection Process" training.*

Interview Structure

Once the interview questions have been developed, it is important to think about the structure for the interview. Thought should be given to ensuring that candidates are comfortable and relaxed, and that in addition to gathering information, candidates have the ability to ask questions. The following provides a model for structuring the interview.

Step 1: Opening

Before the actual interview starts, it may be appropriate to let candidates review the interview questions and take notes. Considering that the goal of the interview is to obtain as much information about the candidates as possible, allowing candidates the opportunity to reflect on the questions in advance will increase the likelihood of candidates giving quality answers during the interviews and should make the interviews more efficient and productive. This practice should be decided by the hiring manager, and may not be appropriate for all positions (i.e., where spontaneity may be an applicable ability/skill to assess).

> **Interview Structure**
> 1. Opening (5% of time)—Greet candidate, introduct panel, and provide overview of interview process.
> 2. Information Gathering (80% of time)—Ask questions and listen to responses. Take notes and follow up as necessary.
> 3. Information Giving (10% of time)—Answer candidate questions.
> 4. Conclusion (5% of time)—Provide timeline and next steps.

Once a candidate is brought before the panel, the opening begins. The goal of the opening is to put the candidate at ease. It is important to introduce all panel members to the candidate. After introductions, it may be appropriate to briefly share information with the candidate about the agency and the opportunity. While it is likely that the candidate will know general information from the job posting, it's good to start with an introduction instead of jumping into asking the questions. During this phase, be sure to be friendly and smile. This will help the candidate relax before the actual interview questions begin. The opening should make up approximately 5% of the total time allotted for the interview.

Making small talk is a good way to help make the candidate feel relaxed. However, be aware that seemingly innocent questions may result in obtaining information that could form the basis for a discrimination lawsuit. For example, it would not be appropriate to ask the candidate about whether s/he has children as that could result in getting information about the candidate's marital status and/or family plans-both which could be construed as reasons why a candidate was not hired if s/he does not get the position.

Step 2: Information Gathering

The ultimate goal of the interview is to assess whether or not a candidate has the skills to perform the job, and to also assess a candidate's motivation and level of interest while determining if the candidate will be a good fit for your team. This is the portion of the interview where the questions that were developed in advance are asked, and follow-up questions are used to solicit information from the candidate.

The most important part of the information gathering section of the interview is listening to candidate responses. The interviewer(s) should take notes of the candidate's responses and should listen to ensure the candidate is giving a full response to the question. Non-verbal indicators, such as facing the candidate and making eye contact, will help improve listening skills. By actively listening, the interviewer will know what follow-up questions, if any, are necessary to ask. In addition, when asking follow-up questions, the interviewer should incorporate specific parts of the candidate's response that require further clarification into the follow-up question. For example, if the candidate talks about participation on Project X, but fails to describe his or her role, the follow-up question should be phrased, "When you described your work on Project X, what was your specific role?" This shows that the interviewer is listening to the candidate's answers. If the interviewer is focused on the next question, s/he may miss important opportunities to gain more information from the candidate through effective follow-up questions.

The interviewer should do everything possible to encourage candidates to speak freely and to expand on areas of importance. Here are some ways of doing this:

- **Follow up with more direct questions.** If a candidate tells you how s/he felt in a given circumstance, ask, "Why did you feel that way?" "What made you think that?" When asking follow-up questions, it is important to make sure follow-up questions are phrased in such a way that candidates will have to elaborate on the original answer. Having candidates give one or two word responses to follow-up questions will not likely provide significant additional information.
- **Restate the answer you receive.** This often encourages candidates to go further and tell you more about their feelings and reactions. "You say you were angry when this happened?" "You felt you were being ignored in this situation?" "You thought this treatment was unfair?"
- **Echo key words or phrases.** This is similar to restating answers, but it involves only repeating words or phrases in the candidate's response. For example, if a candidate says, "The boss had it in for me on the last job", you echo, "Had it in for you?" Or if the candidate says, "I knew I wasn't going any place in that company," you echo, "Weren't going anyplace?" This simple invitation to explain further often elicits valuable information about the candidate.
- **Pauses.** Very often, not saying anything can encourage a candidate to continue to speak. Silence can be uncomfortable; if you don't fill it, candidates will try to find additional things to say—this additional information may be revealing.
- **Comments.** Occasional comments by the interviewer can maintain the conversational tone of the interview and encourage free discussion. Simple comments such as, "I see," or, "I understand," can often affect the tone of the interview. Innocuous statements can indicate to candidates that you are really listening. But avoid excessive reactions, pro or con; if you disagree with a candidate's statement on matters of fact or opinion, this should not be reflected in the tone and/or manner in which you interact.

During the interview, the interviewer should always maintain control of the interview. This can be done by letting candidates know at the start how long interviews are scheduled. Then, during interviews, if candidates start giving long answers, the interviewer should remind candidates of time restraints and the amount of time scheduled for the interview. The interviewer should also make sure that candidates are giving proper responses to questions. If it is apparent that a candidate does not understand the question, the interviewer should clarify the intent of the question and allow the candidate the opportunity to give a proper response. Again, it is the responsibility of the interviewer to ensure that all candidates are given the same opportunity to have questions clarified.

Finally, it is important to take adequate notes during the interview. Be careful what you document, (avoid describing the candidates: blonde, older, pregnant, etc.). Interview notes should be kept by the department for a period of three (3) years and may be used in cases of lawsuits where there is question about why someone was/was not hired. This is why it is important that notes are focused on the content of the interview and not anything else.

Information gathering should be approximately 70-80% of the interview.

Step 3: Information Giving
After the question session, candidates often have questions of their own. The objective of this step is to be prepared to answer all questions regarding the essential functions of the position, and general questions regarding the work environment. It is important to be honest while providing a realistic preview of the job. Specific questions regarding salary and/or benefits may be directed to HR. This portion of the interview should be approximately 10-20% of the allotted time.

Step 4: Closing
The goal in closing the interview session is to keep energy and enthusiasm flowing. Make sure candidates are well informed of the next steps in the process, remind candidates of any needed follow-up material, and finally, thank them for their time and interest. This portion of the interview should be less than 5% of the allotted time.

Common Mistakes When Interviewing

Failure to Listen: One of the most serious mistakes made by many interviewers is failing to actively listen to candidates. Sometimes interviewers are so eager to share information about their agency, and describe the position to the candidate, they end up doing most of the talking. When the interview is over, they find that they don't know much more about the candidate than they had already learned from his or her application materials.

Often interviewers will note initial responses to questions, but then tune out as candidates proceed to further explain or expand on their responses. This mistake can prevent interviewers from gathering important information candidates may volunteer which can be extremely valuable when determining how well suited s/he is for the position. This may also inhibit the interviewer from asking appropriate follow-up questions to solicit pertinent information.

Jumping to Conclusions: This common mistake can happen at any time during the interview. Interviewers should resist the temptation to make an "on-the-spot" decision on a candidate. Rather, take time to explore the matter further with the candidate; often, as the candidate explains or elaborates on his or her response, the information results in being neither as favorable nor as damaging to the candidate as initially thought. It is also important to listen to the feedback from everyone on the interview panel as this can mitigate the impact of jumping to conclusions.

"Leading" Questions: Another common interviewing mistake is asking "leading" questions; questions for which the desired answer is obvious. Asking leading questions in most cases is not worth the interviewer's time. For example, if asked "Are you conscientious?" the answer is obviously going to be "yes," but the interviewer hasn't really learned anything about the candidate.

Answers to questions of this type cannot be obtained by simply asking the candidate directly; rather using the behavioral approach described above will help obtain this information. Ask the candidate to describe a time where project deadlines forced him or her to juggle work to meet the deadlines and how that was accomplished. This will allow the interviewer to determine whether the candidate was conscientious and how the candidate handled potentially conflicting deadlines.

Personal Biases of the Interviewer: Most people like to believe they're unbiased, but if they're honest with themselves, they will have to admit to certain prejudices and biases that may influence and affect decisions. Ask these questions: If there is a choice between two equally qualified people to hire, which candidate would be selected: An over-weight person or a thin person? An older man with a physical disability or a beautiful young woman?

Most people, in these situations, tend to lean one way or the other in regards to their choices. Everyone has personal tastes and preferences based on past experiences and individual backgrounds. It is important to be aware of personal biases when making hiring decisions.

The following are examples of different evaluator biases:

- Halo Error: This is the tendency to let a global or overall impression or a single strong characteristic of the candidate influence all judgments or observations about him or her. A candidate with an outstanding personality, for example, tends to be rated higher on all other characteristics during the interview; a candidate with an unpleasant personality tends to be rated lower on all other factors during the interview.

- Assumed Relationship Between Characteristics: This is the tendency to assume that if a candidate has characteristic "A," s/he must also have characteristic "B."

- Leniency/Severity: This is the tendency to be a "hard" or "easy" interviewer. This will result in consistently giving ratings that are higher or lower than warranted to all candidates.

- Central Tendency: This is the tendency to avoid extreme evaluations and to give average or middle-of-the-scale evaluations to all candidates.

  The problem with Leniency/Serverity or Central Tendency is that the errors do not allow for separation among candidates. This is why it is important to have benchmarks to help interviewers distinguish the candidates. Also, having a panel with a variety of viewpoints helps mitigate these errors.

- Contrast Effect: This is the tendency to let the quality of other candidate(s) influence the judgments about a present candidate under evaluation. This can be problematic when previous candidates are very good or very poor. If all candidates are poor, selecting the "least poor" may not result in a candidate who can actually perform the work.

- First/Last Effect: This is the tendency to be overly influenced by information about the candidate that occurred very early or very late in the interview.

- "Similar to Me" Error: This is the tendency that interviewers may have to give higher evaluations to candidates who are similar to themselves in terms of physical and/or psychological characteristics (appearance, age, values, attitudes, etc).

- Attractiveness Bias: This is the tendency to give more favorable evaluations to candidates who are physically more attractive (a particular instance of halo error).

- Overemphasis on Unfavorable Information: This is the tendency to place too much weight on unfavorable information when arriving to a final decision. Many interviewers tend to look for unfavorable information to weed candidates out which often leads to unfavorable information being given more weight than it may deserve. An example of this is putting too much weight on breaks in employment history. It is OK to ask questions about a break in employment, but this should not be a determinative factor in the hire decision.

- Lack of Defined Standards: This problem arises when job standards are not properly defined. If ten candidates are interviewed and nine of them are far below the desired quality, but the tenth, although still below standard, is better than the others, the tenth candidate is likely to be rated higher than warranted, because the candidates are being measured against each other, rather than against defined and established standards. (See Contract Effect above)

- Making Early Decisions: Studies show that interviewers tend to make decisions within the first five minutes of the interview, and these decisions are not reversed during the remainder of the interview in 85 percent of the cases. This suggests that decisions are being made on the basis of appearance, handshakes, personality, and other attributes that may have very little to do with a candidate's ability to perform the job.

The best way to guard against this tendency is to ensure that all core questions are asked and all information is evaluated before a decision is made. It is never appropriate for a supervisor to identify an individual as "the person to be promoted" or "the right person for the job" or "the only one who could possibly do the job" prior to completing all steps in the selection process.

- Irrelevant Information: Often, irrelevant information that has no bearing on job-related standards is taken into consideration by interviewers working to screen candidates out rather than screen candidates in. It is important to be aware of this tendency, because consideration of factors that have no bearing on ability to perform the job may be considered discriminatory.

Selecting the Candidate to be Hired

Once all the interviews have been conducted, the interview panel should discuss the results and try to reach consensus on the candidate to be hired based on the criteria developed prior to the interviews. The best candidate may not necessarily be the one who scored highest in the interview. Rather, the panel should also consider who will fit best within the organization. When evaluating fit, it is important to consider what the organization or work team may be missing that the candidate could bring to the table, as well as how the candidate would mesh with the existing workforce.

It is possible the panel will not be able to reach consensus on one candidate. In that case, second interviews may be required to determine who should receive the job offer. Not all candidates need to be invited to the second interview; only those being seriously considered for hire. If second interviews are conducted, the information described above still applies. The second interview may incorporate different questions, but should still be job focused. The second interview may include more information giving and less formal questioning with the focus being on how the candidate will fit into the organization.

Once a candidate has been selected, the hiring manager should consult with the department's HR Analyst to discuss the next steps to take. These steps may include contacting the Department of Civil Rights should the position be red-flagged, reference checks, a background check, and determining the appropriate job offer.

Employment Laws and their Impact on the Selection Process

The ADA: Who is covered? Who is not covered?

The City of Madison is covered by the Americans with Disabilities Act (ADA). The ADA applies to all aspects of employment, including job advertisements, job applications, employment testing, job interviews, and post-offer medical exams. The ADA prohibits employment discrimination against "qualified individuals with disabilities." The term "qualified" means that the individual satisfies the skill, experience, education, and other job-related requirements of the position sought or held, and can perform the primary job tasks of the position.

The ADA's definition of an individual with a disability is very specific. A person with a "disability," is an individual who:

- has a physical or mental impairment that substantially limits one or more of his/her major life activities;
- has a record of such an impairment; or
- is regarded as having such an impairment.

Temporary Impairments: How long an impairment lasts is a factor to be considered, but does not by itself determine whether a person has a disability under the ADA. The basic question is whether an impairment "substantially limits" one or more major life activities. This question is answered by looking at the extent, duration and impact of the impairment. Temporary, non-chronic impairments that do not last for a long time, and have little or no long-term impact, may still be considered disabilities under ADA. Consult with HR if you have questions about whether something would be considered a disability.

How ADA affects the interviewing process

Accommodations for Interviews: Employers must provide accommodations, if needed, to enable candidates an equal opportunity in the interview process. The City of Madison includes language at each step of the hiring process inviting candidates in need of accommodations to submit such requests in advance.

Needed accommodations for interviews may include:

- Accessible locations for people with mobility impairments;
- Sign language interpreters for people with hearing impairments;
- Readers for the individuals who are blind.

Often, employment discrimination against people with disabilities is not intentional. Discrimination, frequently, occurs because interviewers, and others, involved in the hiring process, lack knowledge regarding the differing capabilities of individuals with disabilities, and make decisions based on stereotypes, misconceptions or unfounded fears. Supervisors are encouraged to contact HR for assistance in developing questions or for clarification of concerns.

Addressing Possible ADA Concerns During the Selection Process

The prohibition on pre-employment inquiries regarding a candidate's disability does not prevent an employer from obtaining necessary information regarding a candidate's qualifications, including medical information if necessary to assess qualifications.

The ADA requires only that such inquiries be made in two separate stages of the hiring process.

1. **Before Making a Job Offer, including during an employment interview**

At this stage, an employer:

- May ask questions about a candidate's ability to perform specific job functions;
- May not make an inquiry about a disability;
- May make a job offer that is conditioned on satisfactory results of a post-offer medical examination or inquiry.

2. **After Making a Conditional Job Offer and Before an Individual Starts Work**

At this stage, an employer may conduct a medical examination or ask health-related questions, provided that all candidates who receive a conditional job offer in the same job category are required to take the same examination and/or respond to the same inquiries.

Attendance Inquiries: An interviewer may not ask whether a candidate will need or request leave for medical treatment or for other reasons related to a disability.

An interviewer may provide information on regular work hours, leave policies, and any special attendance needs associated with the job, and ask if the candidate can meet stated requirements (provided that the requirements actually are applied to employees in a particular job).

> **Example:** "Our regular work hours are 9 to 5, five days weekly, but we expect employees in this job to work overtime, evenings and weekends for 6 weeks during the Christmas season and on certain other holidays. New employees get 1 week of vacation, 7 sick leave days and may take no more than 5 days of unpaid leave per year. Can you meet these requirements?"

Information about previous work attendance records may be obtained on the application form, in the interview or in reference checks, but the questions should not refer to illness or disability.

If a candidate has had a poor attendance record on a previous job, s/he may wish to provide an explanation that includes information related to a disability, but the employer should not ask whether a poor attendance record was due to illness, accident or disability. For example, a candidate might wish to disclose voluntarily that the previous absence record was due to surgery for a medical condition that is now corrected, treatment for cancer that is now in remission or to adjust medication for epilepsy, but that s/he is now fully able to meet all job requirements.

Federal Non-Discrimination Laws and MGO 39.03

Federal law prohibits discrimination in employment for a number of protected classes, including sex, race, color, national origin, religion, and pregnancy. City of Madison Ordinances provide broader protections for candidates for employment. MGO 39.03(1) states

> The practice of providing equal opportunities in employment to persons without regard to sex, race, religion or atheism, color, national origin or ancestry, citizenship status, age, handicap/disability, marital status, source of income, arrest record, conviction record, credit history,

> less than honorable discharge, physical appearance, sexual orientation, gender identity, genetic identity, political beliefs, familial status, student status, domestic partner status, receipt of rental assistance, the fact that the person declines to disclose their social security number, homelessness or unemployment status is a desirable goal of the City of Madison and a matter of legitimate concern to its government.

Therefore, it is important to be aware that the factors listed in this ordinance may not be considered in determining whether a candidate is qualified for or should be selected for a position. There is no such thing as an "illegal" interview question. However, certain interview questions may cause the interviewer to receive information that could be used to illegally discriminate against candidates, even if the intent was not to collect such information. Be aware that certain questions that may seem innocent or be considered as small talk may inadvertently give interviewers information that could lead a candidate to believe a selection was being made based on an unlawful factor.

The dangers involved in asking candidates inappropriate questions can usually be avoided by applying these two tests:

1. Is this information necessary to assess the candidate's competence for the performance of this particular job?
2. Does this question tend to have a disproportionate effect in screening out people of color, women, older people, veterans, people with disabilities, etc.?

If the answers indicate the questions are not job-related and tend to disproportionately screen out individuals based on characteristics that aren't job-related, such questions should be eliminated from the selection procedure.

Again, caution should also be given to developing questions which are agency specific. In other words, make sure that correct responses to questions do not require access to information or organizational policies that external candidates won't know anything about.

As noted earlier, Appendix 1 contains a list of questions that could result in an interviewer receiving information that could be used unlawfully in making an employment decision.

Checking References, Background Checks and Pre-Employment Testing

Why Check References?

The purpose of checking references, like any other part of the selection process, is to identify those

candidates with the potential ability to do the job. The City of Madison requires hiring authorities to conduct pre-employment reference checks on all candidates they wish to hire for permanent positions, even if the person is currently employed in another City agency. It is a best practice to check references for all hourly candidates as well. It is the City's policy to obtain as much job-related information as possible from current and previous employers before a formal employment offer is extended. **It is not necessary to check**

references of all the people who are referred; check only those being considered for final selection.

The Human Resources Department processes over 10,000 applications on an annual basis. Because of this, HR Analysts are unable to verify education or job information listed on applications. Applications are screened to determine whether candidates meet identified minimum job qualifications only. It is the responsibility of the hiring agency to verify other information on applications (with the exception of criminal background checks). For positions which require driver’s licenses as a condition of employment, the HR Department will obtain a copy of the driving abstract. Also, for candidates being considered for positions requiring Commercial Drivers Licenses (CDL), the City may request information from former employers regarding previous positive tests for alcohol and/or drugs. Reference checking is a valuable tool for collecting information regarding an individual’s past performance as it relates to qualifications needed to fill a vacancy.

Federal laws and regulations including the Fair Credit Reporting Act, American with Disabilities Act (ADA), Title VII of the Civil Rights Act and the Uniform Guidelines on Employee Selection Procedures, affect how information collected from candidates should be used. Questions on marital status, religion, age, race or health-related issues are also prohibited in reference checking conversations. As noted with behavioral interviewing, the most effective means of predicting a candidate’s future performance is how s/he has performed in the past. Reference checks may be used to verify information presented either in the application or in the interview process, and to assess a candidate’s specific qualifications including skills, competencies, or experience.

Applicants are required to provide truthful information on the application form. If during the reference check, information is discovered that raises doubt to the truthfulness of the information provided, the hiring manager should contact the department’s HR Analyst as the candidate may be disqualified from receiving further consideration.

HR Analysts are available to assist with the reference checking process as needed. However, departments are responsible for conducting the actual reference checks.

Preparing for the Reference Check Interview

Similar to preparing for an interview, an effective reference check cannot be conducted without adequate preparation. The person checking references should:

- Thoroughly review the candidate’s application, resume and interview notes.
- Based on this review, and follow-up from the candidate interview, prepare a list of the facts and qualifications to be verified—including the relationship of the reference contact and the candidate, and responsibilities and reporting relationships, if applicable.
- Review job qualifications and prepare questions relevant to the position. All questions should be job relevant. For instance, if the position in question does not have any supervisory responsibilities, there is no need to ask reference contacts about supervisory skills.
- It may be appropriate to verify a candidate’s educational background such as date of graduation, number of credits, and names of colleges, universities, and technical or trade schools they attended.

- If the position requires a specific license or certification, the information should be verified. In this case, the candidate may be requested to provide documentation of the license or certification.
- The job application digital signature includes a release from the applicant which allows us to check references, if needed by previous employers.
- Candidates for CDL positions will be sent a form letter specifically allowing previous employers to release information on positive drug/alcohol tests.
- Begin checking all references as soon as it is determined which candidates are being considered for final selection. The longer the delay, the greater the risk of losing top candidates.
- Document the scope and depth of background investigations, and note reference requests, even if they produce little or no information. Keep the reference information in a confidential, separate file. Maintaining records on hires will help protect against negligent hiring claims.

Consistency: Consistency is frequently a concern in checking references. To increase the continuity and comparability of information collected, ask references to rate potential candidates using standard scales, such as: "On a scale of 1-5, with 5 being the highest and 1 the lowest, how would you rate the candidate's ability to adapt to new or changing work conditions?" This will enable evaluators to compare more effectively a candidate's behaviors in such areas as punctuality, attendance, quality of work and cooperativeness. Open ended questions are very valuable to use especially when checking references for professional positions.

Reliable Sources: In reference-checking, contact individuals who have had the best opportunity to observe the candidate in the types of duties and responsibilities the candidate would face on the job. Generally speaking, references should cover a five- to seven-year period. The relationship to the candidate will affect the type of information you will receive regarding a candidate's performance.

- Supervisors - typically the best people to contact for a reference.
- Personal references - try to avoid these references (e.g., relatives, clergy and teachers). They are less reliable for providing job-related information.
- Representatives from organizations where the candidate has volunteered.
- Co-Workers/Subordinates - Alternative references for different perspectives about the candidate.
- Human Resource Departments - to confirm the candidate's positions, dates, job classification and salary.

Do not rely on only one source; instead check all references provided to ensure a more comprehensive investigation.

Occasionally, a candidate will frankly say during an interview that contacting his or her immediate supervisor will produce a poor reference. This may be the case if there has been a conflict of personality or a dispute in relation to the conditions under which the candidate is seeking to leave.

When this situation arises, it is important to establish precise areas of difference. Continue to ask: "Are there any other points?" until you feel the subject has been thoroughly exhausted. It is then important to later investigate points raised by the candidate during his or her interview when conducting reference checks with his or her former employers. The interviewer faced with this situation may find it beneficial to speak not only to the candidate's immediate supervisor, but also, if possible, to the supervisor's immediate supervisor. This may provide the candidate further opportunity to receive an acceptable reference after acknowledging that their immediate supervisor is likely to provide a poor reference. It is also appropriate to ask the candidate for alternative contacts within the organization that may be able to provide a more objective reference for the candidate.

Other times, a candidate may not want a direct supervisor to be called because he or she does not want their supervisor to know he or she is seeking alternative employment. In these situations, it is important to respect the wishes of the candidate to the extent possible. Again, explore with the candidate if there are other people available who can speak to the candidate's performance. However, if it comes down to making a final selection and speaking with the candidate's direct supervisor is necessary to make the final decision, contact the candidate first and explain the situation. In that case, if the candidate still does not want the supervisor contacted, explain that it may hurt their chances in obtaining the position, but respect the wishes of the candidate.

A further safeguard will be to review all past employment references as far back through the employment history as is necessary to get a balanced picture of the candidate. If a candidate lists a company name, but not a supervisor, request a supervisor's name since personnel departments will often only verify dates of employment.

Tips for Effective Reference Check Interviews

To encourage candid responses from the reference, adopt a friendly, professional tone. The following is a potential script for the phone call:

> *"My name is ____________________. I am with the City of Madison's ____________________ Department. I am calling to verify employment information for ____________________, a former employee of yours. S/he has applied for the position of ______________________. 1 would like to ask you a few questions, is now is a convenient time? Do you have ten minutes (or however long the interview will take) to answer a few brief questions?"*

- If the reference contact does not have time to answer the questions, ask whether it would be more convenient for the reference contact to receive a fax or e-mail form to complete. If the reference check contact is simply busy, but would prefer to answer questions over the phone, request a convenient time to call back.
- Describe the position and the functions of the job in question to the reference contact so that the reference can provide information in the context of the position being filled.
- Make sure all questions asked are **job-related.**
- Follow the questions you prepare to avoid getting side-tracked and to ensure consistency and reliability. Ask open-ended questions – avoid "yes/no" questions.
- Use follow-up questions for clarity and thoroughness.

- In interviews with reference contacts, strive to obtain job-related facts and relevant information based on past behavior and experiences, rather than opinions. Ask for examples of specific incidents.
- Stay on the alert for signs of evasiveness, unusual pauses or even overly enthusiastic responses.
- Be familiar with laws that protect candidates against discrimination, as described earlier in this manual. The American with Disabilities Act (ADA), Title VII of the Civil Rights Act and other laws suggest certain questions should be avoided when checking references. This generally includes questions concerning age, race, sex, religion or national origin. Typically, these are not job-related questions, so avoid them as appropriate.
- Make notes of the responses!

Appendix 3 of this manual provides a form that may be modified for effective reference checks.

<u>Utilizing the Information</u>

- Do not accept all the information at face value. Personality conflicts and different work cultures may inappropriately influence responses.
- It is best to use all information received in the selection process to make an overall assessment, e.g., applications, written tests, interviews and reference checks.
- If there is doubt about a candidate's qualifications, check additional references.

Other Pre-Employment Checks

Criminal Background Checks

Consistent with the City's Ban the Box resolution, criminal background checks will only be run following a conditional offer of employment to your final candidate. It is a best practice to complete criminal background checks on all permanent employees. For positions that handle cash, interact with children and/or go into people's residences, a criminal background check is mandatory. A criminal background check request can be made to the HR Analyst assigned to the hiring process. Human Resources will complete the criminal background check for you. For reasons of confidentiality, Human Resources will not share results beyond informing the department if the candidate passed or failed. **Departments are prohibited from looking up candidate backgrounds using online resources** as the information obtained online may be unreliable, inaccurate and/or lead to potential discrimination lawsuits.

Criminal background checks will be reviewed in conjunction with the Office of the City Attorney. Checks are reviewed to determine whether candidates have any convictions that would be substantially related to the work the candidate is expected to perform for the City, with the inquiry being whether the circumstances of offense are substantially related to the circumstances of a particular job. For instance, a candidate seeking to work with cash in the Treasurer's Office will be reviewed to determine whether s/he has ever been convicted for embezzlement or theft. Similarly, a youth librarian candidate will be reviewed to determine whether s/he has been convicted for sexual assault of a minor. These types of convictions may disqualify someone from employment.

The City is legally prohibited from refusing to employ a candidate solely because a candidate was arrested and has a pending criminal charge. Arrests are not considered proof that a candidate committed a crime. The City would have to independently investigate the circumstances and conclude that the candidate committed the offense relying on independent facts rather than the arrest record. Relying on the fact of the arrest alone is not permitted.

Pre-Employment Drug & Alcohol Testing

If a position requires pre-employment drug or alcohol testing, it is a best practice for departments to extend a conditional offer of employment before scheduling the candidate for the drug or alcohol test. An alcohol test is not required as part of pre-employment testing, but the department should determine the type of testing to be done before scheduling the candidate for a test.

Scheduling: Prior to scheduling a pre-employment drug/alcohol test, the department should consult with Human Resources to ensure the test is scheduled around any planned random testing. Then, the department should schedule the test directly with the City’s drug testing facility. Once the test is scheduled, the department should contact Human Resources with the date, location and time of the test. Departments have test order forms that should be completed and provided to the City’s drug testing provider in advance. The form will show the Employee (Candidate) name, agency number, ID number (which can be the last four digits of driver’s license number), reason for test (Pre-Employment), type of test, collection site and appointment date and time.

Notification: Once the test is scheduled, the candidate should be notified of the schedule for the next step in the hiring process. **Contact with the candidate should be made one day in advance of the test if possible.** Explain to candidates that s/he is moving on to the next step in the hiring process, **and ask if s/he has time available for that step at the scheduled time. Do not indicate at this time that the next step is a drug/alcohol test. Rather, wait to see if the candidate is available at the scheduled time.**

If the candidate is available at the scheduled time, inform the candidate that s/he will be taking a pre-employment urine drug (and alcohol, if required) screen, indicate where to report, and provide the scheduled time. Tell the candidate to bring a photo ID and whom s/he will be meeting. Also, remind the candidate as follows: “We want to caution you to not over prepare for this test. Only a small amount of urine is required, and drinking a lot of water ahead of time can result in a dilute specimen. The City may, or may not, do a repeat test when there is a dilute specimen, but we can’t make a final employment offer without a test on a correct specimen.”

If the candidate isn’t available at the previously indicated time, find out when s/he will be available. Inform the candidate that the appointment will be rescheduled and they will be contacted when another appointment is scheduled.

"You're fired, Jack. The lab results just came back, and you tested positive for Coke."

All test results will be provided to the Human Resources Department. Human Resources will need the names, ID numbers and dates in advance in order to accept the reports. Human Resources processes and retains the medical reports, and will only provide the hiring departments with the findings.

Making a Final Decision

Reference checking is only **one** tool in the selection process. In addition to reference checks, consideration should be given to final interviews, and possible test scores (written, performance, supplemental question responses, and oral board panels). Consideration may also be given to driving records for positions which require a CDL and information obtained from previous employers regarding positive drug/alcohol tests (this requires a specific CDL release form).

Job Offer and Appointment Letter

Once all information has been considered and a candidate has been selected, the hiring manager should offer the position. Remember if a criminal background check is needed, the candidate should be given a conditional offer of employment and then HR will run the background check. As noted earlier, the hiring manager may want to consult with the assigned HR Analyst to ensure proper information is given regarding salary and benefits. New hires starting at a higher than step 1 and higher vacation accrual must receive HR Director approval before finalizing. If the candidate accepts the offer, the department is responsible for sending out an appointment letter. The appointment letter should include the following information:

- Start date
- Probation/Trial Period information
- Location
- Salary
- Supervisor
- Vacation/benefits information
- FLSA status
- Information regarding orientation
- Information on completing the I-9 form
- Information about workplace accommodations under the ADA

A sample appointment letter is found in Appendix 4 and can be created through NEOGOV.

Providing Reference Information for Current Employees

Other employers contact the City of Madison to obtain information when our current or former employees apply for other jobs. All employers wish to make informed decisions when seeking to hire applicants. When contacted by prospective employers, request a copy of their release form if available.

Refrain from giving opinions, instead, focus on providing factual information about an individual's job performance. Wisconsin law protects employers provided they give factual information in good faith. The section reads in part:

> *An employer who, on the request of an employee or a prospective employer of the employee, provides a reference to that prospective employer is presumed to be acting in good faith and, unless lack of good faith is shown by clear and convincing evidence, is immune from all civil liability that may result from providing that reference. The presumption of good faith under this subsection may be rebutted*

> *only upon a showing by clear and convincing evidence that the employer knowingly provided false information in the reference, that the employer made the reference maliciously or that the employer made the reference in violation of s.111.322.*

Just as employers can be sued for failing to conduct a proper reference, recent court decisions have found employers negligent if they had knowledge about an individual and did not disclose it to the prospective employer. Example: A school district hired a custodial worker after conducting a selection process which included checking references. However, the custodial worker’s previous employer was so happy at the prospect of him going to another job that they did not inform the school district he had been disciplined for sexual harassment while employed by them. The custodial worker later attacked a student and raped her. The school district sued the previous employer for providing a negligent reference and won.

Federal law also requires that we provide information on positive drug and alcohol tests for CDL employees (the Human Resources Department will provide this information provided a specific release is signed by the perspective employee).

<u>What Information Should Be Provided?</u>

When contacted to provide a reference, in addition to providing specific dates of employment and job titles, provide truthful, factual information. Think of the questions listed in the questionnaire section of this document. If asked a question that requires a personal evaluation, provide an opinion based on work examples or behaviors witnessed.

As an example, “do you believe this person is highly motivated?” Think carefully of the individual in this context. Try to recall specific incidents which would support your evaluation, such as:

- “They typically do more than directed to do.”
- “They ask for additional assignments when they finish their regular assignments.”
- “They frequently offer to help fellow workers.”

<u>What If I Don’t Know the Answer?</u>

If you are asked to provide information and you are unable to provide it, explain that to the interviewer.

<u>Should I Provide Salary Information?</u>

Yes, salary information may be provided.

<u>Should I Provide Information About Disciplines or Discharges?</u>

Yes, but only if you know the details of the discipline or discharge. You may also provide copies of the letters regarding these issues, if requested.

Is There Any Information Which I Should Not Provide?

Do not provide information that is not job-related. Do not respond to questions regarding disability or any questions concerning age, race, sex, religion or national origin as they are not job related.

If you have questions on what might be appropriate, you should contact the Human Resources Department.

Appendix 1: 25 Inappropriate Interview Questions

To avoid the appearance of discrimination during interviews, do not ask the following 25 questions:

1. Are you married? Divorced?
2. If you’re single, are you living with anyone?
3. How old are you?
4. Do you have children? If so, how many and how old are they?
5. Do you own or rent your home?
6. What church do you attend?
7. Do you have any debts?
8. Do you belong to any social or political groups?
9. How much and what kinds of insurance do you have?

The following questions could result in an Americans with Disabilities Act (ADA) lawsuit:

10. Do you suffer from an illness or disability?
11. Have you ever had or been treated for any of these conditions or diseases? (followed by a checklist)
12. Have you ever been hospitalized? What for?
13. Have you ever been treated by a psychiatrist or psychologist?
14. Have you had a major illness recently?
15. How many days of work did you miss last year because of illness?
16. Do you have any disabilities or impairments that might affect your performance in this job?
17. Are you taking any prescription drugs?
18. Have you ever been treated for drug addiction or alcoholism?

Many companies ask female applicants questions they don’t ask males. Not smart. Here are some questions to avoid with female applicants:

19. Do you plan to get married?
20. Do you intend to start a family?
21. What are your day care plans? Do you have reliable day care?
22. Are you comfortable supervising men?
23. What would you do if your husband were transferred?
24. Do you think you could perform the job as well as a man?
25. Are you likely to take time off under the Family and Medical Leave Act (FMLA)?

Final point: If a candidate reveals information that would be considered inappropriate, don’t pursue the topic further. The “s/he brought it up” excuse is not a good defense in court.

Appendix 2: Sample Behavioral Interview Questions

Example Behavioral Interview Question with Benchmarks

In this position, you are expected to have at least two years of experience planning trips to Nashville. Tell us about your experience planning trips to Nashville, including your knowledge of Nashville, the number of trips you have successfully booked and any challenges that arose and your ability to handle those. What is your knowledge of the activities and major events there?

Benchmarks:

- Over two years of experience planning trips to Nashville (2 pts)
- Knowledge of lodging in the area (2pts)
- Knowledge of dining in the area (2 pts)
- Describes the culture and history (3 pts)
- Has successfully booked over 100 trips (3 pts)
- Describes challenges that arose – (cancelled trips, unhappy customers, flight and hotel double-bookings) (3 pts)
- Ability to handle challenges and resolving the situation with the customer (4 pts)
- Knowledge of activities and major events (4 pts)
- Other related response (2 pts)

Technical Skills

1. You will be conducting Internet research and working within Microsoft Word and Outlook on a frequent basis. Tell us about a project you completed that required Internet research. In addition, tell us about your experience with Word and Outlook. What types of documents have you created in Word? Do you have experience setting up meetings in Outlook?
2. What sort of computer experience do you have? Specifically highlight the software packages you have used and your level of proficiency.
3. This position utilizes Microsoft Word and Excel as well as customized software applications related to both the City of Madison and the Department. Please explain your familiarity with Word and Excel & their applications as it relates to your current and / or past positions. How are you keeping up with changes in software, technology, etc.?
4. This position requires the use of _____ and other computer software programs that may be challenging to new users. Tell us about the most difficult technical challenge you have ever faced. What happened? How did it turn out?

Problem Solving

1. When was the last time you made a decision or solved a problem that required a lot of hardthinking and careful analysis on your part? Tell me about it, starting with when you first learned about the problem.
   - How did the candidate go about analyzing the situation?
   - What alternative solutions did the candidate consider?
   - What solutions did the candidate decide to try?

- Why did the candidate pick that particular solution?
- What steps did the candidate take to gather additional information to help in making his or her decision?
- How did the candidate implement his or her solution, including particular difficulties that had to be overcome?

2. Describe the time you felt you were most resourceful in solving some problem or in coming up with an improvement.
   - Where did the candidate's ideas come from?
   - How and with whom did the candidate check his or her ideas as s/he proceeded?
   - What was the result?
3. Tell me about a time when you made a quick decision that you were proud of.

Following Through

1. Describe the largest project that you had to see through from beginning to end. Be specific about your role.
   - How did the candidate coordinate necessary activities?
   - How did the candidate monitor progress?
   - What obstacles did the candidate encounter?
   - How did the candidate overcome them?
2. Tell me about the most serious error that has slipped by you.
   - What was it?
   - How did it happen?
   - What were the consequences?

Organizing

1. How do you organize your work and schedule your own time?
2. What specific system or method do you use in organizing your work?
3. What specific things were you trying to accomplish yesterday?
   - When did you decide to schedule those tasks for yesterday?
   - Did you write these tasks down anywhere?
   - Did you plan the amount of time you would spend on each task or when you would do them?
   - How did you modify your plan as the day progressed?
   - If you failed to complete any items, what happened to prevent you from doing them?
4. When do you typically decide on what you will do each day?
5. Tell me about the period of time your work has been the most hectic.
   - What did you do to keep it under control?
   - What did you do when you were "stretched out the thinnest?"
   - What work got placed "on the back burner?"
   - What made you decide to delay those specific items?
6. Think of a day when you had many things to do and tell me how you organized and scheduled your time.
7. Tell me about an important goal you set for yourself in the past and how successful you were in accomplishing it.

Handling Details and Organization

1. Describe the last project in which you had to make sense out of a mass of complex or difficult information.
   - How much information was there?
   - What made it so complex?
   - How did you go about finding what you needed?
2. Tell us about a significant error you made in a project or task that was assigned.
   a. What was the project or task?
   b. What was the error and what were consequences of the error?
   c. How did you fix the error?
   d. If possible, what steps did you take to ensure it wasn't repeated?
3. In this position there will be multiple tasks to complete, sometimes with interruptions. As an example, phones could be ringing and customers could be waiting for assistance. However projects assigned by your supervisor need to be completed. How would you balance a heavy workload with competing priorities? Please provide a specific example of how you have handled working in such a situation and how you kept yourself organized.
4. In this position you will be tasked with multiple projects to complete. Tell us about a time that you had multiple assignments and had to prioritize to meet a deadline. How do keep yourself organized and on schedule? What if you aren't sure of the next steps to take with a project and/or can't meet a deadline, what have you done in the past?

Interpersonal Relations and Communication

1. In your work experience, you might have found that some people are harder to work with than others. Give us an example of when you might have encountered such a person and describe the interaction style you used to work effectively with that person.
2. City of Madison includes numerous Departments and Divisions responsible for a wide range of services that impact the business community. Describe your experience working with government agencies and/or larger organizations/institutions. How would you go about building working relationships with staff throughout various Departments and Divisions?
3. In this position, you'll be communicating and gathering information from various City Departments and Divisions. Tell us about a time you had to work with various individuals to complete a project and you were unable to get someone to respond to your request and/or do their part. How did you get the information you needed?

Innovation and Creativity

1. Tell me about a project you initiated on your own. What was it? What was the situation?
   - What curiosity and knowledge does the candidate show?
   - Is the candidate seeking opportunities and new ideas out of self-interest?
   - Does the candidate show continuous improvement?
   - Does the candidate initiate action?
2. Give me an example of a situation (or project) when things began to change significantly or the planned schedule/deadline was put in jeopardy. What did you do?
3. Give me an example of an achievement at work (or at a specific company) that you really felt good about. What was it? How did it come about?

Achieving Results

1. What was the most difficult task or project you have been assigned?
   - What made it so difficult?
   - How did you go about performing it?
   - How long did the candidate wait before beginning work on it?
   - What encouragement did the candidate get (from boss, for example) to start working or keep working on it?
   - How long did it take you to finish the assignment?
   - How long before or after your deadline did you get it done?
2. Describe your best achievement and how you accomplished it.
   - How did you go about it?
   - How much effort did you put in?
   - What obstacles did you encounter?
   - How did you overcome them?
   - What was the result?
3. Tell me about an assignment where the direction of the project became unclear. What did you do?
4. What were some of the major obstacles to overcome on your last job and how did you deal with them?
5. Tell me about a time when an upper-level decision or policy change held up your work. How did you deal with it?

Racial Equity and Social Justice

1. This position will interact with various diverse groups including applicants, employees and the general public. Please describe your experience working with diverse populations and why this experience is important. What is a benefit that you have noticed when working with multicultural populations?
2. The goal of reducing racial disparities that exist in our community is a high priority for the City of Madison and our Department. In your experience, what concepts are important to consider when approaching work that will impact diverse populations and low income communities? What specific experience have you had that might prepare you for such work?
3. The City of Madison and the ______Department is dedicated to Racial Equity and Social Justice, in which we examine our day to day operations and impacts with the goal of creating a fair and just community so everyone can have equal outcomes. What educational, volunteer, and life experiences demonstrate your ability to contribute to the City of Madison's goal of achieving racial equity and social justice?
4. The _______ will interact with a diverse group of individuals to solve problems. These groups and individuals may include City staff, neighborhood residents, property owners, social service agencies, and other stakeholders. Please describe one or more situations in which you have led and worked with a diverse group to resolve a difficult problem. Describe the approach you used, the principles that guided you, and the ultimate outcome.

Work Commitment

1. What was the most long-term, sustained, extra-hours effort you have ever put in?

- What was the assignment or project?
- In what ways did you put out extra effort to get the job done?
- How successful were you on it?

2. Tell me about the last time you had to choose between producing a quality product and meeting a deadline.
   - What was the project?
   - What did you sacrifice?
   - How did you arrive at that decision?
3. Describe a time when to meet a customer’s needs you felt it might be justified to break company policy or procedure.
4. Tell me about a time when you stuck to policy when it might have been easy to look the other way. How did it turn out?
5. Tell me about a time when you had to do a job that was particularly uninteresting. How did you deal with it?

Working Independently

1. Did/does your most recent supervisor give you too much direction or not enough?
   - Describe an instance that best demonstrates this.
   - What problems did this cause for you?
2. Tell me about the last time you worked independently on a project. What was the project?
   - How did the candidate obtain the necessary information?
   - What direction did the candidate solicit?
   - What was the outcome?
   - How did the candidate feel about working alone?
3. As a ______, you will be working independently often and will encounter situations where you will need to make a decision regarding a problem. Tell us about a time when you needed to make a quick decision to address a problem situation and a Supervisor and/or coworker were not present.
4. Have you ever had to make a sticky decision when no policy existed to cover it? Tell me what you did.

Employee Engagement

1. Tell me about a time when you felt most engaged at your last job. What were you working on and why did you feel engaged at that time?
2. Do you have talents or abilities you’d like to use in your job, but that you rarely get a chance to utilize? If so, what are these talents or abilities, and how might we be able to put them to good use in our organization?
3. What things about your job make you feel like you are doing something important or meaningful?

Appendix 3: Reference Check Form

Sample Questionnaire for Reference Checking

______________________	______________________		______________________
Candidate's Name	Position being considered for		Date
______________________	__________	__________	______________________
Reference (person contacted)	Title	Organization	Telephone No.

<u>Preparing the Reference Checking Questionnaire</u>

Depending on the position's job requirements, you will have different questions for the reference contact. The first five questions below are typically the minimum asked and allow you to verify facts provided by the candidate.

<u>Questions to Ask the Reference Contact</u>

1. Please verify the dates of employment: From: _______________ To: _______________

2. What type of work did he/she do? What was his/her title?__________________________
   What were his/her duties in that position? (See how this compares with what the candidate has stated). You may also want to ask the percent of time spent performing that task.

   ____

   ____

   ____

   Did he/she hold other positions? What were the other titles?_________________________

   ____

3. What were his/her reasons for leaving the job?___________________________________

   ____

4. Is he/she eligible for re-hire? ☐ Yes ☐ No

5. Would you re-hire him/her? ☐ Yes ☐ No

6. Who else should I talk to about the candidates work record?_________________________

7. Has disciplinary action ever been taken against the candidate? ☐ Yes ☐ No

Please explain:____

8. Did the candidate abide by the attendance policy at your organization? ☐ Yes ☐ No

Please explain:____

9. Did the candidate follow established safety rules? ☐ Yes ☐ No

10. Did the candidate exhibit technical competence with knowledge and application of the required skills? ☐ Yes ☐ No

If you do not wish to ask the reference specific questions covering critical competencies (see below), ask references to rate the following factors. Please rate the candidate on the following skills/characteristics on a scale from **one to five where 5= superior and 1 = poor:**

______Communication Skills	______Initiative
______Dependability	______Leadership
______Desire to learn	______Quantity of work
______Quality of work	______Attendance
______Integrity	______Desire to progress

<u>Pick and choose from the following sample questions</u>:

The following survey is too long for the average reference contact to complete. Select only questions applicable to the specific job requirements of the open position. Choose specific areas that created concern or needed clarification during the interview process and follow-up with questions to the reference contacts.

For the following questions, please circle the appropriate rating for the candidate using a scale of 1 to 5, with 5 being the highest rating.

Interpersonal Questions

Please rate the candidate’s ability to get along with co-workers and peers.

Lowest				Highest
1	2	3	4	5

Please rate the candidate’s ability to get along with supervisors.

Lowest				Highest
1	2	3	4	5

In confrontational situations, describe how the candidate reacts. Please provide specific examples.

____

____

The City of Madison wants to ensure our employees are free from intimidating, threatening and/or violent behavior while on duty. Has this person ever engaged in any behavior of this type while employed by you? ☐ Yes ☐ No

If Yes, please explain:____

____

Flexibility

Please rate the candidate's ability to adapt to changing work priorities with very little notice.

Lowest				Highest
1	2	3	4	5

How does this compare to other employees doing the same or similar work?

Comments:____

Please rate candidate's ability to adapt to new or changing work conditions.

Lowest				Highest
1	2	3	4	5

Please rate the candidate's ability to follow and adapt to your agencies' policies/procedures.

Lowest				Highest
1	2	3	4	5

Initiative

Does the candidate require the supervisor to assign tasks regularly or does the candidate seek work on his/her own? Explain:____

____

____

Does the candidate initiate new ideas, responsibilities or projects? ☐ Yes ☐ No

Please provide examples.

Comments:____

____

Integrity

Does the candidate handle private data or classified work? ☐ Yes ☐ No

Can the candidate be trusted with confidential information? ☐ Yes ☐ No

Comments:____

Judgment

Please rate the candidate's ability to make decisions on-the-job.

Lowest				Highest
1	2	3	4	5

Describe a situation when the candidate had to make an urgent spur-of-the-moment decision.

____

Describe a difficult decision the candidate had to make while working for you. What was the outcome?

____

____

How does the candidate react under stress or when many responsibilities are demanding his/her time?

____

Productivity

Can the candidate prioritize effectively with direction? ☐ Yes ☐ No

Explain:____

____

Does the candidate meet required deadlines? ☐ Yes ☐ No

If no, please explain any problems with deadlines. Explain:_______________________________

____

How does the candidate’s productivity compare to others in the job?

Lowest				Highest
1	2	3	4	5

Supervisory Skills

How many employees does the candidate: directly supervise?____________________________

indirectly supervise?__________________________

Describe how the candidate assigns tasks/responsibilities:__________________________________

____

Please rate the candidate’s supervisory skills.

Lowest				Highest
1	2	3	4	5

Leadership

Is the candidate able to handle making unpopular decisions? ☐ Yes ☐ No

Comments:____

____

____

Can you remember a time when the candidate was able to motivate someone to complete a disagreeable task?

____

____

Give an example of how the candidate maximized human resources to achieve organizational objectives.

____

____

Describe a leadership challenge the candidate faced and how they met the challenge.

____

____

Customer Service

Please rate the candidate’s ability to deal with difficult customers.

Lowest				Highest
1	2	3	4	5

What unique approaches does the candidate use to meet the needs of the client? Please provide examples.

____

____

Describe a situation when the candidate went “beyond the call of duty” for a customer.

____

____

Team Player

Has the candidate worked on a team(s)? ☐ Yes ☐ No

Please rate the candidate’s ability to work as part of a team.

Lowest				Highest
1	2	3	4	5

Is the candidate generally willing to consider the opinions and proposals of others? ☐ Yes ☐ No

Explain:____

Describe a situation when the candidate contributed to the effectiveness of a project while participating as part of a group or team.

____

Attention to Detail

Please rate the candidate's attention to detail (e.g. when documenting information or completing forms).

Lowest				Highest
1	2	3	4	5

How does the candidate ensure their work is reviewed for accuracy and completeness?

____

Describe a situation when the candidate identified an error while reviewing the work of others.

____

Communication

Has the candidate given presentations? ☐ Yes ☐ No

To employees? ☐ Yes ☐ No
To groups outside your organization? ☐ Yes ☐ No
Do you have written summaries of evaluations for these presentations? ☐ Yes ☐ No
If yes, would you be able to forward the summaries to me? ☐ Yes ☐ No

Please rate the candidate's performance in giving a formal presentation to a group.

Lowest				Highest
1	2	3	4	5

What does the candidate write on-the-job?
Press releases ☐ Yes ☐ No
Business plans ☐ Yes ☐ No
Newsletter articles ☐ Yes ☐ No
Journal articles ☐ Yes ☐ No
Reports ☐ Yes ☐ No
Responses to customer complaints ☐ Yes ☐ No
Employee evaluation reports ☐ Yes ☐ No
Other:____

Please rate the candidate's writing skills.

Lowest				Highest
1	2	3	4	5

Comments:____

General

What are the candidate's strengths?____

____

In what areas does the candidate need to improve?__________________________________

____

Appendix 4: Appointment Letter Template

<Today>

<Applicant_FirstName> <Applicant_LastName>
<Applicant_Address1>
<Applicant_City>, <Applicant_State> <Applicant_ZipCode>

Dear <Applicant_FirstName>:

This letter is to confirm your probationary appointment as a(n) <Position_Title> in Compensation Group "xxxx" with the City of Madison, <Agency_Name> Department/Division, effective <ReferredHired_StartDate>. You will be required to serve a "six-month/twelve-month" probationary period.

Your annual salary will be $__. For payroll processing this figure will be converted to the hourly rate of $__ based on "2015/2080" hours in a year. You may accrue up to __ days of vacation and 13 days of sick leave, and you will receive 3.5 personal holidays annually as well as other benefits provided to all "represented/ non-represented" employees in Compensation Group "xxxx". You should note that you will not be eligible to take vacation until you have worked for at least six months. Your supervisor will be ___.

Your new position is "exempt/not exempt" from the overtime provisions of the Federal Fair Labor Standards Act. [For exempt positions only] You may be eligible for overtime compensation in accordance with Madison General Ordinances.

This offer of employment is contingent upon verification of identity and employment eligibility as required by the Immigration Reform and Control Act of 1986. Verification must be completed within the first three days of your appointment. You must return your I-9 form on your first day of employment, but may be given an additional two days to provide identification if necessary. The law prohibits the City from continuing to employ an individual who has not provided the appropriate documentation (or a receipt for ordering the appropriate documentation) for verification within the three-day period. Enclosed is the I-9 form and it includes a list of documents that may be presented to establish identity and employment eligibility.

You should plan on attending the new employee benefits orientation on Monday, ____. The orientation will generally take about four (4) hours and is conducted in the Human Resources Department, City County Building Room 501. As a City employee, you have an opportunity to enroll in a full range of outstanding benefits including group health, life, and wage insurance and other benefits.

It is the policy of the City of Madison to provide reasonable accommodations for qualified persons with disabilities who are employees or applicants for employment. If you need assistance or accommodations because of a disability, please contact Sherry Severson at (608) 267-1156. Employment opportunities will not be denied to anyone because of the need to make reasonable accommodations to a person's disability.

Congratulations, we are looking forward to working with you! If you have questions please call me at (608)---

Very truly yours,

"Name and Title"
<Agency_Name>