

REQUISITION, REFERRAL AND SELECTION

Description and Scope - Minnesota Statutes § 43A.10 establishes a selection process by which appointing authorities can appoint state employees. This Administrative Procedure outlines the specific processes used by appointing authorities and Minnesota Management & Budget (MMB) in conducting that selection process.

Objective - To provide direction and assistance to agencies on the process for requesting and using a referral to fill a vacancy.

Definitions -

"Applicant pool" means those applicants who satisfy any limits on consideration for the position under M.S. § 43A.10, subdivision 6a, and who have been determined to meet the minimum qualifications for a vacant position.

"Finalist pool" means those members of the applicant pool who have been determined to best meet all the qualifications for a vacant position and who may be legally appointed to the position.

"Referral" means the roster which consists of the names of all self-nominations, in addition to any applicants, if included, from the employment database who appear to best meet the minimum qualifications (and, if applicable, requirements for limited consideration) and are available for the geographic location, employment condition, travel status and job grouping specified in the requisition.

"Requisition" means the record of the vacancy to be filled which provides the information necessary to create the vacancy notice, refer applicants from the employment database and allow other individuals to determine their interest in and eligibility to apply to the position.

"Self-nomination" means any applicant who has indicated an interest in being considered for a particular vacancy posting.

Responsibilities -

A. Appointing Authorities:

- Determine whether a vacant position will be filled and, if so, whether it is properly allocated.
- Define the duties and any unique knowledge, skills and abilities required for the vacancy which is to be filled.
- Whenever an unlimited classified vacancy is to be filled, submit a requisition to MMB as provided in the processing instructions in the Multi-source Recruitment and Selection Guidebook and the Resumix Training Manual for Human Resources.

- Provide information and assistance to MMB to analyze the duties and requirements of the vacancy so that a job-related selection process can be developed.
- Screen the names on the referral to establish the applicant pool for the vacancy:
 1. Verify that applicants meet any limited consideration requirements approved for the vacancy. Reject those who do not.
 2. Conduct the assessments necessary to verify that applicants meet the minimum qualifications for the vacancy. Reject and notify those who do not.
- Conduct any additional assessments to determine the finalist pool for the vacancy, taking into consideration any provisions required by law, administrative procedures, affirmative action goals and provisions of the collective bargaining agreement or plan applicable to the vacancy.
- Appoint the selected applicant in accordance with law, rules, Administrative Procedures, and the collective bargaining agreement or plan applicable to the vacancy.

B. Minnesota Management & Budget:

- Review and approve requisitions including proposed selection criteria and limits on consideration of applicants as provided in M.S. § 43A.10, subdivision 6a; Personnel Rule 3900.3100 and Administrative Procedure 10.
- Prepare, or provide direction and assistance to agencies in preparing appropriate referrals in accordance with Provision A below.
- Cancel requisitions and referrals as provided in Provision C below.
- Refuse to accept requisitions and to refer as provided in Provision D below.

Provisions –

A. Referral:

- The referral is created from any employment database search that may be conducted and self-nominations, based on the appointing authority's requisition and provisions of law, rule and the collective bargaining agreement or plan applicable to the vacancy and contains the following:
 1. All employees eligible for recall from appropriate layoff lists as required by the collective bargaining agreement or plan applicable to the vacancy.
 2. All eligible employees as provided in Administrative Procedure 10B, Placement of Employees with Active Workers' Compensation Claims.
 3. All self-nominations, plus applicants identified by any employment database search who appear to best meet the minimum qualifications and any limits on consideration established for the vacancy and who are available for the geographic location, employment condition, travel status and job grouping specified in the requisition.

- Names from all three categories above may continue to be added to the referral until a job offer is made. The appointing authority may establish a date beyond which no further applications will be considered so that assessments can be completed.

B. Cross Appointment:

The referral made to one requisition may be used to fill other vacancies without additional public notice of those vacancies if all of the following conditions are met:

- a) The referral was made from a requisition that has not been cancelled or filled.
- b) That requisition included a statement that it would be used for cross-appointment to other vacancies;
- c) The agency, class/class option, bargaining unit, employment condition, shift, geographic location, travel status, limits on consideration, and qualifications for all vacancies are identical; and
- d) The requisition for each of the other vacancies is received in MMB prior to the effective date of the cross-appointment.

C. Cancellation of Requisitions and Referrals:

- a) Upon the request of an appointing authority, MMB may cancel a requisition and any associated referral at any time. The appointing authority is responsible for notifying applicants of the cancellation.
- b) MMB will cancel a requisition and any associated referral if an appointment is not made within 180 days of the date the requisition was created.
- c) MMB may reinstate a cancelled requisition at the request of an appointing authority if an offer of employment to a finalist was imminent.

No appointment made to a cancelled requisition will be honored. However, the Minnesota Management & Budget Commissioner may certify payment for personal services provided in good faith by the employee as provided in M.S. § 43A.37, subdivision 1.

D. Refusal to Refer:

MMB may refuse to accept requisitions and may withhold referrals from an appointing authority who fails to comply with provisions of statute, rules or Administrative Procedures. MMB shall notify the appointing authority in writing of the reasons and the corrective action which must be taken.

Other Relevant Laws, Rules, Contracts and Administrative Procedures:

The following items have an impact on material contained in this procedure. Review of these items is essential for a total understanding of the subject.

- A. M.S. § 43A.37, subd. 1 - Payrolls.
- B. Personnel Rules 3900.3100

- C. Personnel Rules 3900.4200-4600.
- D. Personnel Rules 3900. 7500.
- E. Multi-source Recruitment and Selection Guidebook.
- F. Resumix Users Training Manual for Human Resources.

