



**Office of Human Resources
Standard Operating Procedure
HR SOP # 101**

Subject: Filling a Vacant Full-Time Position

Effective Date: September 1, 2020

Policy Statement:

Qualified persons will be selected to fill vacancies within the Georgia Department of Natural Resources (DNR) in accordance with applicable laws and policies.

Definitions:

Applicant: An individual who meets all of the following criteria: expresses written interest in employment; is considered for employment in a particular position for which the individual is qualified; and does not withdraw from consideration at any point in the selection process.

Appointing Authority: The Appointing Authority for DNR is the Commissioner. For the Environmental Protection Division, it is the Director. The Department Deputy Commissioner(s) or the Human Resources (HR) Director may be designated as the Appointing Authority in certain situations.

Classified Employee: An employee who was in a classified position on June 30, 1996, and who has remained in a classified position without a break in service since that date.

Hiring Package: A set of administrative forms that are provided by Human Resources and are available on the agency intranet. The newly hired employee is required to read and complete the forms as part of the on-boarding process.

Minimum Qualifications: Statements of types, amounts and/or levels of work experience, training and education, knowledge, skills, abilities, competencies and such other personal attributes as deemed necessary both for minimally satisfactory job performance and for the accomplishments of other goals. Lack of possession of these attributes in full will disqualify an applicant from the selection process for the job in question.

Minimum Qualification Review: Process to determine if an applicant meets the minimum qualifications established for a job.

Preferred Qualifications: Statements of types, amounts and/or levels of work experience, training and education, knowledge, skills, abilities, competencies and such other personal attributes that would reasonably indicate that the applicant could perform job duties at well above the minimally acceptable level. A person with preferred qualifications could reasonably be expected to perform both a wider variety and a higher level of job responsibilities at the time of hire than the minimally qualified applicant.

Recommendation Board: Any number of interviewers greater than one, with a designated Chairperson, who conducts interviews and makes a recommendation for filling a vacant position.

Recommendation Package: A set of documents used during the process of identifying an applicant to fill a vacant position. This package serves as a record of the recommendation process.

Sensitive Government Position: A position for which the law prohibits the employment of individuals with certain criminal convictions or for which the Commissioner has pre-determined that certain criminal history would be an immediate disqualification from employment.

Unclassified Employee: An employee who was hired after June 30, 1996, or who has occupied an unclassified position at any time since July 1, 1996. Employees in the unclassified service are employed in “at-will” status.

Vacancy: An unoccupied position that has been properly allocated. A position may also be treated as a ‘vacancy’ during the period of properly approved (unpaid and long-term, i.e., Military or Contingency) leave granted to the incumbent, or when an established position is to become vacant in the near future (retirement, resignation, etc.). **NOTE:** The Human Resources Director must approve the announcement of any position in which the current incumbent is on approved unpaid leave.

Veteran: As defined by and in accordance with State Personnel Board Rule 478-1-.18, *Veterans’ Preference*.

Procedure:

Initial Preparation:

Position Classification:

Prior to initiating the hiring process, managers must ensure that they have identified a vacant position, and that the position is properly classified and that job data (job title, job code, pay grade, organization number, etc.) are appropriate. Managers should contact their division Human Resources Representative if there has been a significant change to the duties and responsibilities of the position and a change to position data is necessary prior to proceeding with the hiring process.

Budget Approval:

Division Directors must ensure that they have completed the *Budget Approval Form for Announcement of Vacant Positions* (Attachment 1) and obtained approval to fill the vacant position from the Director of Administrative Services before proceeding with the hiring process. The *Budget Approval Form for Announcement of Vacant Positions* is also Attachment 1 of DNR Administrative Services SOP 004.

Announcing the Vacant Position:

Announcement Requests:

The *DNR Job Vacancy Announcement Request Form* (Attachment 2) and a copy of the *Budget Approval Form for Announcement of Vacant Positions* (Attachment 1) must be submitted electronically to **Jennifer.Gadson@dnr.ga.gov**. The DNR Vacancy Announcement is continuously updated as new announcement requests are made. Each announcement request will have an application deadline date of two weeks, unless otherwise indicated. The DNR Vacancy Announcement can be accessed through the DNR Website at **www.gadnr.org/careers** or via the DNR Intranet Human Resources section at **http://dnrintranet.org/hr/vacancy-announcement**.

A request to announce a vacant position on the Team Georgia Careers website (**http://team.georgia.gov/careers/**) may be made in addition to advertising on the DNR Vacancy Announcement. A Team GA Careers section is located at the bottom of the *DNR Job Vacancy Announcement Request Form* (Attachment 2). Please check "YES" to advertise on the Team Georgia Careers website or "NO" to advertise only on the DNR Vacancy Announcement.

NOTE: Resumes received through the advertisement on the Team Georgia Careers website will be forwarded to the contact person listed on the *Job Vacancy Announcement Request Form* after the deadline date to apply has passed.

To obtain an adequate applicant pool, a media advertisement may also be necessary in addition to the DNR Vacancy Announcement. When utilizing another media source, approval of the advertisement must be obtained from the OHR Employment Services Unit prior to advertising.

Announcement Options:

Division Directors and Division HR Representatives must decide the most efficient and effective method(s) to recruit the best applicant for a vacant position. Several options are available so that the position can be filled in a timely manner. Any limitations imposed on the application process such as limiting applications from Division or Department employees only, must be non-discriminatory and business related. Vacant positions are to be announced in one or more of the following ways;

- Division only
- Department only
- DNR public vacancy announcement
- Other advertising methods

Division Only Announcement:

All vacant positions must be announced internally within its Division or central office to elicit applications from an internal pool of candidates who are considering lateral transfer or demotion. This method is used because the department supports the consideration of internal DNR employees to fill vacancies. The internal division announcement is typically via email to all division employees. Those seeking demotion or lateral transfer receive first priority and are to be considered before other applicants through a separate process according to the criteria below.

To minimize the time to hire, the managers are encouraged to announce vacant positions through the DNR public announcement and other methods simultaneous to the division only announcement.

Note: Announcement of a vacant position for promotion within the division only will be permitted on a limited basis. In these cases the requestor must show that the position to be filled is a promotional job in an agency-specific job series that is used only by the applicable division, thereby demonstrating that the only qualified applicant pool is within the division.

Lateral transfer or demotion:

Filling vacant positions within a division or central office through internal transfer or voluntary demotion is a priority and will be a competitive process in accordance with this Standard Operating Procedure. Full-time salaried employees will be given the opportunity to compete within their division or within central office to transfer to, or voluntary demote to, a vacant position prior to consideration of applicants from outside of the agency. Part-time hourly employees are not eligible to apply for full time positions announced within the division only. The method of internal announcement in divisions will be determined by the Division Office or HR Director for central office. When an internal applicant applies for a transfer or voluntary demotion within a division or the central office the following criteria will apply:

- Applicants requesting a transfer must currently be in the same job; (Job Title, Job Code and Pay Grade) as the vacant position being announced.
- Applicants requesting a voluntary demotion must currently be in the same job series; (e.g., Wildlife Technician 1, Wildlife Technician 2, Wildlife Technician 3, Wildlife Technician Supervisor) as the vacant position being announced.
- Applicants must have twelve months of service in their current job title.
- Applicants must have a minimum overall score of 3 – Successful Performer on their last two performance evaluations.

Department Only Announcement:

On occasion it is determined that a vacant position will be announced only to Department employees. This method is typically used for promotional jobs or when it appears that the required knowledge, skills and abilities training and experience needed for a vacant position are currently available within an internal talent pool, Division Directors may receive approval from the HR Director to announce a vacant position to DNR employees only. Announcements to all DNR employees may be placed on the DNR Vacancy Announcement with a note indicating that the position is open to DNR employees only or a separate advertisement may be distributed by the Employment Services staff via email throughout DNR. Part-time hourly employees may apply for full-time vacancies that are announced through a Department Only Announcement but must have at least 1 year of part time experience with the Department to be eligible to apply. Once DNR employees are considered through a competitive process and if no one is selected to fill the position the vacancy will be available to competition beyond department employees.

DNR Public Vacancy Announcement:

Announcement of a vacant position through the DNR Public Announcement is the standard method to announce a vacancy. All positions that are not filled through division only or department only vacancy announcements must be announced through the DNR vacancy announcement. This method is typically used when it is determined that the knowledge, skills, abilities, and competencies needed for the job may not be available through internal candidates. This method may be used simultaneous to announcing a vacant position through some other method such as newspaper, careers.ga.gov, or other internet sites, etc.

Approval:

All announcements (internal and external) must be reviewed and authorized by a designated representative of the Office of Human Resources (OHR).

Classified vs. Unclassified:

All vacant positions will be announced as unclassified; therefore the selected applicant will be unclassified. If a classified employee accepts an unclassified position, that employee will then become unclassified permanently. All new hires are unclassified. If the selected applicant is moving from a classified position to an unclassified position, the employee must sign the *Classified to Unclassified Acknowledgement Statement* (Attachment 23).

Requests to announce vacancies should be requested via the electronic Job Vacancy Announcement Request Form located on the DNR Intranet: Human Resources > Vacancy Announcement > DNR Job Vacancy Announcement Request Form

Submission and Receipt of Applications:

Applicants must submit a DNR Application for Employment or resume to the appropriate physical or electronic address listed on the DNR Vacancy Announcement, or an electronic resume through the Team Georgia Careers website if the position is advertised on this site, unless otherwise instructed.

Paper applications submitted via USPS Mail must be postmarked no later than the announcement closing date for the applicant to be considered.

Electronic applications or resumes must be received no later than the announcement closing date for the applicant to be considered.

Applications or resumes that are postmarked and received after the deadline date should be returned to the applicant with a letter stating the application was postmarked after the deadline date. A copy of the application or resume, along with the mailing envelope should be included with the recommendation package.

Reviewing Applicant Qualifications:

Initial Screening:

Division HR Representatives or Managers are authorized to make preliminary minimum qualification review decisions for all applicants for DNR vacant positions.

Minimum qualification review decisions are to be made based on the minimum qualifications listed on the DNR Vacancy Announcement or as listed on the Team Georgia Careers website.

Division Personnel Representatives or Managers must review applications, resumes and/or employees' work histories to determine if applicants meet the minimum qualifications for the job.

If an applicant does not meet the minimum qualifications for the job they may not be given further consideration.

A further review of applicant qualifications may be performed to screen applicants based on the preferred qualifications listed on the DNR Vacancy Announcement and/or as listed on the Team Georgia Careers website. These preferred qualifications must be job relevant and measurable work experience, training and education, knowledge, skills, abilities, and/or competencies. If additional screening is necessary to have a manageable number of candidates to interview, contact the Employment Services Unit in OHR.

Applicants may be given credit towards meeting the job qualifications for applicable part time work. The chart below must be used to determine how much work time credit is given.

Hours worked/ week	Credit Given
0-4 hours	0
5-14 hours	.25
15-24	.50
25-34	.75
35+	Equivalent to Full time

Example: Applicant has 12 months of applicable part time experience and worked 20 hours per week during the 12 months. The applicant is given 6 months of credit towards meeting the job qualifications ($12 \times .50 = 6$ months)

The Applicant Screening Summary Sheet (Attachment #4) is to be used to keep a record of the applicants for each announced position, and will reflect whether the applicant(s) meet the minimum qualifications and preferred qualifications. The Applicant Screening Summary Sheet will reflect which applicants were interviewed and the job qualifications that served as a basis for screening applicants.

Verification:

Division HR Representatives/Managers are responsible for verifying the accuracy of the information contained in the applicant's application/resume (training, experience, education, accredited college or university, etc.).

NOTE: To determine if a college or university is accredited through an accepted organization, please visit the Council for Higher Education Accreditation website at <https://www.chea.org/search-institutions>.

Applicants who apply for a position that requires a college education and who have obtained their degree outside of the United States must submit an International Education Evaluation letter certifying that the degree is equivalent to one obtained at a college or university in the USA. International Educational Evaluations are accepted from the National Association of Credential Evaluation Services (www.naces.org/members.htm) or the Association of International Credentials Evaluators (<http://www.aice-eval.org/>).

NOTE: Consult a representative of the OHR, Employment Services Unit regarding minimum qualification review decisions as necessary.

Law Enforcement/Peace Officer Standards and Training (POST) Positions:

Applicants for POST Certified positions are required to apply for vacancies using the DNR P.O.S.T. Certified Position Application for Employment and to disclose criminal history.

POST Certified positions within DNR require applicants to meet the following criteria:

- Be at least 21 years of age;
- Be a U.S. Citizen;
- Meet job specific minimum qualifications; and
- Have no felony convictions.

Applicants must also meet all requirements for certification as a Peace Officer by the Georgia Peace Officer Standards and Training (POST) Council. These requirements can be found on the POST website at www.gapost.org/postAct/3588.html.

Non-POST Certified applicants for Law Enforcement/POST Certified positions must also take and pass the POST Entrance Exam prior to applying for Law Enforcement/POST Certified positions. This exam is given through the Technical College System of Georgia at various Technical Colleges throughout the state. A POST Entrance Examination Technical College Location Listing can be found at www.gadnr.org/careers.

POST Certified applicants for Law Enforcement positions must provide a copy of their POST Certification Certificate when applying for Law Enforcement positions with DNR.

In addition to the testing requirements, applicants must also meet the established minimum qualifications for the position.

Considering the Applicants:

Applicants may be considered through any or all of the following methods:

- By review of their application and background data;
- Through interviews conducted by a designated individual(s);
- Through the use of structured interviews and written ratings of a qualified Recommendation Board.

The method(s) used must be consistent for applicants for the same position.

Interviewing:

Only those applicants who meet the minimum qualifications for the job may be interviewed. Agency representatives must not interview those who do not meet the minimum qualifications.

It is not required that an applicant be granted an interview for a job if the applicant has been considered recently for the same job.

Interview Questions:

Interview questions must be;

- Written by someone with knowledge of the duties and responsibilities of the vacant position such as the supervisor/manager.
- Written prior to the screening of applicant's qualifications.
- Correlate to the critical job requirements listed on attachment #8 referenced below.
- Based on the knowledge, skills, abilities, competencies, training and/or experience needed to perform the job.
- Documented and applied equally to all candidates.

DNR Guidelines on Acceptable/Unacceptable Interview Questions (Attachment 5) and Guide for Developing a Behavioral Based Interview (Attachment 6) are provided as reference documents for writing interview questions.

Interview Panel:

Interviews will be conducted by individuals with knowledge of the job requirements of the position. One or more of the interviewers must have managerial or supervisory responsibilities for the vacant position or a similar position.

When a Recommendation Board is used, all members of the Board must be in a position that is at an equivalent or higher level in the organization than the vacant job and a Chairperson shall be appointed.

For positions at pay grade F and above, a Recommendation Board is the preferred method of interviewing.

Consent for Criminal Background Check:

DNR checks the criminal history of all applicants **selected** to fill any vacant position, unless the applicant is a current employee of the Department. All interviewed applicants must complete the *Consent for Pre-employment Background Check* (Attachment 7). The Division Representative should enter the information on the form of the applicant being recommended into the background check system as soon as possible to initiate the background check. If the Division Representative does not have access to the background check system they should forward the form to Jennifer Gadson at Jennifer.gadson@dnr.ga.gov. Once the consent form is entered the applicant will be contacted via email by the criminal background check vendor to provide the information needed for the vendor to conduct a criminal background check. Applicants who do

not consent to a background check are given no further consideration. Applicants who provide false information on the *Consent for Pre-employment Background Check* are given no further consideration. Shred the *Consent for Pre-employment Background Check* forms after the results are received and an applicant is selected for the position. Do not permanently retain these forms.

Exceptions:

The following are exempt from background checks:

- Minors under the age of 18 (The State of Georgia background check contract does not include background checks on minors).
- Current DNR employees selected to fill a vacant position.

Evaluating the Results of the Interview:

Each applicant will be evaluated by using the same criteria, through the use of a *Confidential Interview/Evaluation Form* (Attachment 8). A *Confidential Interview/Evaluation Form* must be completed by each interviewer for every applicant interviewed.

Based upon the information given by the applicant to include application, resume and other relevant documents, answers given to each interview question and any job relevant knowledge the interviewer has about the applicant, the interviewers will determine a numerical score to rate each of the applicant's answers. Upon completion of the interviews, a total score for each applicant will be calculated and recorded at the top of the *Confidential Interview/Evaluation Form*.

If applicant scoring results in the same score for two applicants and one of the applicants is a veteran, preference will be given to the veteran.

After all scores have been tabulated, the Chairperson of the Recommendation Board will complete the *Recommendation Summary Sheet* (Attachment 9), listing each applicant (in descending order) according to the total score received.

Recommendation Board members must maintain confidentiality of the selection process and are not to discuss the process with anyone other than Recommendation Board members unless directed to by the Board Chairperson.

In some cases interviews result in the same or very similar scores for applicants and the interview panel or division management may determine that it is necessary to conduct second interviews. Generally, second interviews should be conducted by an official(s) other than those conducting the first interview. Division representatives must discuss second interviews with the DNR HR Director before they are conducted. In EPD, the division representative must discuss second interviews with the EPD HR Director before they are conducted.

NOTE: If the hiring manager is not satisfied with the results of the recommendation process, he/she must submit a written request, outlining the specific reasons, and obtain approval from the HR Director to disregard the results. If the request is approved, the position can be re-announced.

Reference Checks:

Reference checking is an essential part of successful hiring. The goals of reference checking are to:

- Verify information provided by the candidate;
- Gain additional knowledge about the candidate knowledge, skill, and abilities; and
- Better predict if the candidate will be successful on the job.

Prior to checking employment reference the hiring manager must have the candidate complete an *Authorization for the Release of Information from Current and Previous Employers* (Attachment 10). The applicant must complete an Authorization form for at least three current or prior employers. Hiring managers may choose to have each applicant complete these forms at the interview. Applicants who refuse to sign the authorization form will not be given further employment consideration.

The Reference check must be completed by the hiring manager by using the *Applicant Reference Check* (Attachment 11) for the selected applicant.

The reference checking process is as follows:

- Obtaining three references for the top candidate(s) is recommended.
- The vacant position's supervisor or one of those making the final hiring recommendation should check the references of the top candidate(s).
- The reference should be provided by a previous supervisor of the candidate who can provide information about the candidate's work performance.
- If the candidate asks that a supervisor not be contacted or the reference does not provide adequate information, hiring managers may ask the candidate for additional references.
- Those obtaining the references must complete the *Applicant Reference Check*, (Attachment 11) and adhere to the questions provided on the *Applicant Reference Check*, (Attachment 11) while conducting the reference check. Any additional questions asked by the reference checker should be job relevant.
- When conducting reference checks, the hiring manager should identify themselves, describe the position that is being filled, indicate that the candidate has given consent to conduct the reference check (provide the consent form if necessary) and indicate that all responses will remain confidential.

If a letter of recommendation is received, an effort should be made to determine the legitimacy of the letter.

Review of the public content of an applicant's social media page(s)/accounts via Facebook, Twitter, etc., is permissible. However, hiring managers are not permitted to ask applicants if they can view an applicant's social media accounts or request an applicant's social media account password.

Review of the applicant's former State of Georgia employment history is required. If the recommended applicant is a former State employee, Division HR Representatives must review the TeamWorks record to determine if the applicant has been dismissed from state employment and/or has a record in TeamWorks with a 'No Rehire' code. If so, additional detailed information regarding the dismissal and/or no rehire code must be obtained from the previous employer. Hiring an applicant with a 'No Rehire' code is a rare exception and must be approved by the HR Director.

Providing Employment References:

Georgia Department of Natural Resources employees may provide information to other employers who inquire about current or former DNR employees. Those who provide references must be at the management level and must only provide dates of employment and position held unless the requester provides a signed authorization from the former employee. If an authorization is provided, factual, non-confidential, job-related information and salary history may be provided.

Making the Final Selection:

Recommendations are made in rank order as indicated on the *Recommendation Summary Sheet* (Attachment 9). Making a recommendation of an applicant out of the standard rank order must be justified in writing in the recommendation package.

Final selection for appointment is made by the Appointing Authority (Commissioner/Designee or the Director/Designee for the Environmental Protection Division).

No offer of employment is to be made until notification of approval by the Appointing Authority is given.

Completing the Hiring Process:

Hiring managers will make a hiring recommendation and request approval to hire by completing and forwarding a *Personnel Action Request Form* (and recommendation package) to the Office of Human Resources for final selection by the Appointing Authority. In EPD, this information is to be forwarded to the Director's office. This information must include an updated black and white organization chart reflecting the name of the recommended applicant in the vacant position and a completed *Consent for Pre-employment Background Check* (Attachment 7) for the selected applicant (if applicable). A criminal background check will be administered through OHR. If the division is authorized to complete the criminal background check, it is not necessary for the information to include a consent form; however, it must include the results of the criminal background check.

The recommendation package will consist of the following documents:

- Copy of the applicable DNR Vacancy Announcement;
- All applications/resumes received from applicants of the announced vacancy;
- DNR Application for Employment for the recommended applicant;
- *Applicant Screening Summary Sheet* (Attachment 4)

- Interview questions;
- Interview notes completed by each interviewer for each applicant interviewed;
- *Confidential Interview/Evaluation Form(s)* completed by each interviewer for each applicant interviewed (Attachment 8);
- *Recommendation Summary Sheet* (Attachment 9);
- *Copies of all the Authorization for the Release of Information from Current and Previous Employers* forms for the recommended applicant (Attachment 10)
- *Applicant Reference Check* for the recommended applicant (Attachment 11);
- Copy of background check for the recommended applicant (if applicable).

NOTE: Attach mailing envelopes to copies of applications/resumes postmarked and received after the application deadline.

Offer of Employment:

No offer of employment is to be made until notification of the Appointing Authority's selection decision. The HR Director will provide notification of the decision. In EPD, the Director/Designee will provide notification of the selection decision. Once the Appointing Authority's approval to hire is received, a verbal employment offer may be made to the selected applicant. The verbal offer should be followed with *Employment Offer Letter* (Attachment 12).

Appointments to fill vacant positions will only be effective on the 1st or 16th of the month unless approved by the Human Resources Director.

Once approval for hire is given and an offer has been accepted, it is recommended that the Manager notify all applicants that a selection has been made. See *Non-Selected Letter* (Attachment 13).

Criminal Background Results:

To access the results of a criminal background check Division representatives will be required to use the background check vendor that provides criminal background search information to State of Georgia departments. System access, and instructions regarding system use will be provided to the Division Human Resources Representative by the Employment Service Unit of the DNR Office of Human Resources.

The decision of the recommendation board to recommend an applicant for hire will be made prior to review of the background check results. Applicants who are recommended by the recommendation board who have criminal convictions cannot be eliminated from consideration by division staff. Any consideration of excluding an applicant due to criminal conviction(s) must be reviewed centrally by the HR Director, or the EPD HR Director for EPD positions. Therefore, if exclusion of an applicant is being considered a discussion of the criminal convictions must take place between the HR Director and Division management. This discussion which may result in exclusion is based on whether the criminal conduct is job related and consistent with business necessity.

The criminal background check system requires that background results reflecting a conviction be adjudicated. Those with a criminal conviction that are approved to be hired by the agency appointing authority must be marked in the vendor system by the division representative as 'meets requirements' in order to close out the request. Those applicants who have a criminal conviction reflected on their background report and are being considered for exclusion must be marked in the vendor system by the Office of Human Resources as 'Does not meet.' The Does Not Meet designation will generate a Pre-Adverse Action letter and will provide a copy of the background check, and Summary of Rights to the applicant as required by law. The letter and the Summary of Rights provide instruction indicates to the applicant how to dispute the criminal record and indicates that the applicant has 5 days to respond to DNR regarding their fitness for the position. After 5 days if the applicant has not contacted DNR to dispute the criminal convictions the HR Director will inform the Division if they may proceed with hiring another applicant. At that time the criminal background check system vendor will forward an Adverse Action letter to the applicant informing them that they were not selected for the position due to the criminal background.

Once an employment decision has been made, shred the results of the criminal background check. Do not permanently retain the results. Send complete recommendation package to OHR within 3 days of the start day.

Compliance:

OHR will randomly review recommendation packages to ensure adherence to applicable hiring laws/regulations.

Report any allegations or concerns involving unlawful discrimination or other prohibited actions in the hiring process to the Human Resources Director.

Confidential evaluations prepared in the hiring process, such as the *Confidential Interview/Evaluation Form* (Attachment 8), are exempt from disclosure under the Georgia Open Records Act. Other information obtained during the hiring process will be released to the extent required by law. Specific questions about whether a document obtained in the hiring process is required to be released should be directed to the Human Resources Director.

The Department of Natural Resources provides equal employment opportunity for all applicants regardless of race, religion, color, gender, national origin, age or disability.

Special Circumstances:

Youth Employment:

Minors who are 16 or 17 years old are not required to have a Youth Work Permit, Employment Certificate or ID Card, with the exception of minors in entertainment.

Minors under 16 years of age shall not be employed or permitted to work in any work unit of the Department of Natural Resources.

Employment of qualified persons under the age of 18 will be in accordance with applicable Georgia and Federal Law. Youth employment restrictions include:

- Employees under 18 years of age may not dispense, serve, sell or take orders for any alcoholic beverages.
- Employees under 18 years of age must follow all restrictions related to employment in hazardous occupations, including driving restrictions.
- Seventeen-year-olds may drive on public roadways with restrictions.
- Employees under 17 years of age may not drive a motor vehicle on public roads as part of their job.

More information about the regulations, restrictions and requirements pertaining to youth employment is located at the following websites:

<http://www.dol.gov/whd/regs/compliance/whdfs34.htm>

https://dol.georgia.gov/sites/dol.georgia.gov/files/related_files/document/dol4111.pdf

Failure of supervisors to strictly adhere to these requirements when hiring anyone who is less than 18 years of age may be deemed a violation of State and Federal law and may be subject to disciplinary action, up to and including dismissal.

Requirements for Federally-Regulated Transportation Positions:

When an applicant is hired or transferred for a position requiring “the ability to possess or currently in possession of a CDL” or USCG licensure, (per 49 CFR Part 40.25 Subpart B) one of the following steps will apply:

- If the selected applicant does not possess a CDL or USCG licensure, no additional steps are required.
- If the selected applicant currently possesses a CDL or USCG licensure but his/her previous employer(s) in the past two years did not require him/her to use their CDL or USCG licensure to perform his/her job, no additional steps are required.
- If the selected applicant currently possesses a CDL or USCG licensure and was previously employed in a position that required him/her to use their CDL or USCG licensure within the past two years, the following steps must be taken by the hiring location:
 - Complete the *Drug and Alcohol Testing Inquiry* (Attachment 14).
 - Have the selected applicant answer the two questions on the *Drug and Alcohol Testing Inquiry* and sign and date the form.
 - Submit the time-sensitive *Drug and Alcohol Testing Inquiry* to the previous employer(s) for completion.

If any of the answers to the questions in the *Drug and Alcohol Testing Inquiry* are ‘yes’, the applicant/employee cannot perform safety-sensitive duties until documentation of the required successful completion of the Return-to-Duty process has been provided by the previous employer or by the applicant/employee. If the applicant has not completed the Return-To-Duty process after a positive drug test or if documentation of the completion cannot be provided, the selected applicant will not receive any further consideration for the position. If the selected applicant has already begun employment, the applicant is to be dismissed immediately.

If feasible, review the information from the previous employer(s) before the employee performs safety-sensitive duties. If this is not feasible, review the information as soon as possible. The employee must not be permitted to perform safety-sensitive duties after thirty days from the date the employee first performed safety-sensitive duties, unless the information has been reviewed; and

- Verified that no violations occurred; or
- Verified that the Return-to-Duty process was completed; or
- A good faith effort to obtain this information has been made and documented.

Upon receipt of the *Drug and Alcohol Testing Inquiry* (Attachment 14) from the previous employer(s), review the form and any accompanying documentation. If the answers to all the questions are 'NO', no other documentation is required. If the answers include a 'YES', consult the DNR Drug Testing Coordinator to verify that all the DOT Return-To-Duty requirements have been met. Upon completion of the review, submit the completed *Drug and Alcohol Testing Inquiry* to the DNR Drug Testing Coordinator.

If the *Drug and Alcohol Testing Inquiry* is not returned to your location within thirty days of mailing, provide a copy of the form to the DNR Drug Testing Coordinator and provide a statement that a good faith effort was made to obtain this information.

Note: Although the FMCSA Drug Testing Clearinghouse has been established obtaining information from previous employers regarding CDL usage as indicated above continues to be required but expires in January of 2023.

CDL Driver Responsibilities:

Prior to permitting an individual to operate a Commercial Motor Vehicle (CMV) due to the individual being hired or transferred into a position requiring CMV operation or assigning a current employee to operate a CMV, CDL drivers must do the following;

- Complete pre-employment drug testing as required by HR SOP 201, Drug Testing.
- Complete a Drug Testing Inquiry Form Attachment #14, as per the information above.
- Complete Attachment #15, Driver Consent and Acknowledgement Form.
- Register in the FMCSA Drug and Alcohol Clearinghouse at <https://clearinghouse.fmcsa.dot.gov/register> and authorize DNR to complete a full query of the database for drug and alcohol violation information.

HR Division Representative Responsibilities regarding hiring of CDL Drivers:

Prior to allowing a driver to operate a CMV for the agency as a result of hire, transfer or new assignment the Division Human Resources Representatives are required to do the following:

- Provide the driver with the following and ensure completion/understanding:
 - Driver Consent and Acknowledgement Form, Attachment #15.
 - The Federal Drug and Alcohol Testing Regulation Brochure, Attachment 16.
 - DNR SOP HR 201, Drug Testing and DNR SOP HR 202, Alcohol Testing.
- Ensure the requirements of the CDL driver above are completed.

- Notify the agency Drug Testing Coordinator that the applicant has registered in the FMCSA Drug and Alcohol Clearinghouse.
- Complete the CDL information in section 3 of the Personnel Action Request Form (if a PAR is applicable).
- Forward the following to the Agency Drug Test Coordinator:
 - Drug and Alcohol Testing Inquiry Form (Attachment #14).
 - The Driver Consent and Acknowledgment Form (Attachment #15).
 - A copy of the employee's Commercial Driver's License.
- Receive approval from the HR Director that the driver is cleared through the FMCSA Clearinghouse.

Responsibilities of the Agency Drug Testing Coordinator:

The Agency Drug Testing Coordinator will;

- Conduct a full query of the new driver's record in the FMCSA Drug and Alcohol Clearinghouse.
- Provide approval from the HR Director that the driver is cleared through the FMCSA Clearinghouse.
- Enter the Driver information into Teamworks.
- Complete Annual Limited Queries on all CDL drivers and conduct a full query if information exists in the clearinghouse after obtaining the drivers electronic consent through the clearinghouse.
- Report the following information to the FMCSA Drug and Alcohol Clearinghouse.
 - A verified positive, adulterated, or substituted drug test result.
 - An alcohol confirmation test with a concentration of 0.04 or higher;
 - A refusal to submit to a test;
 - Actual knowledge by the employer of alcohol or controlled substance use while the CDL driver is operating a CMV;
 - On duty alcohol use;
 - Pre-duty alcohol use (within 4 hours of operating a CMV)
 - Alcohol use following and accident (within 8 hours following an accident or until a post-accident test is completed);
 - Controlled substance use;
 - Successful completion of the return-to-duty process.
 - A negative return-to-duty test.
 - Completion of follow-up testing.

Retention:

As per the State of Georgia retention policy, the recommendation package will be stored in OHR for a two-year period and then maintained at the Division level for one additional year, for a total of three years. After three years, division HR representatives must discard these files. Do not retain copies of the background checks.

CDL driver drug and alcohol testing and query related documents will be retained in OHR for three years.

Attachments:

Attachment 1 – *Budget Approval Form for Announcement of Vacant Positions*

Attachment 2 – *DNR Job Vacancy Announcement Request Form*

Attachment 3 – *Classified to Unclassified Acknowledgement Statement*

Attachment 4 – *Applicant Screening Summary Sheet*

Attachment 5 – *DNR Guidelines on Acceptable/Unacceptable Interview Questions*

Attachment 6 – *Guide for Developing a Behavioral Based Interview*

Attachment 7 – *Consent for Pre-employment Background Check*

Attachment 8 – *Confidential Interview/Evaluation Form*

Attachment 9 – *Recommendation Summary Sheet*

Attachment 10 – *Authorization for the Release of Information from Current and Previous Employers*

Attachment 11 – *Applicant Reference Check*

Attachment 12 – *Employment Offer Letter*

Attachment 13 – *Non-Selected Letter*

Attachment 14 – *Drug and Alcohol Testing Inquiry*

Attachment 15 – *Driver Consent and Acknowledgement Form.*

Attachment 16 - *Federal Drug and Alcohol Testing Regulation Brochure.*