

Subject: APPROPRIATE USE OF LISTS

REFERENCES	SECTIONS
<p>Law & Regulation http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9 http://www.dpa.ca.gov/statesys/dpa/oalrules.htm http://weblinks.westlaw.com/result/default.aspx?cite=2CAADCS241&db=1000937&findtype=L&fn=%5Ftop&pb=DA010192&rtl=CLID%5FFQRLT32860272311122&rp=%2FSearch%2Fdefault%2Ewl&rs=WEBL13%2E01&service=Find&spa=CCR%2D1000&sr=TC&vr=2%2E0 http://weblinks.westlaw.com/result/default.aspx?cite=2CAADCS264&db=1000937&findtype=L&fn=%5Ftop&pb=DA010192&rtl=CLID%5FFQRLT1846952511122&rp=%2FSearch%2Fdefault%2Ewl&rs=WEBL13%2E01&service=Find&spa=CCR%2D1000&sr=TC&vr=2%2E0 http://weblinks.westlaw.com/result/default.aspx?cite=2CAADCS548%2E72&db=1000937&findtype=L&fn=%5Ftop&pb=DA010192&rtl=CLID%5FFQRLT68311132711122&rp=%2FSearch%2Fdefault%2Ewl&rs=WEBL13%2E01&service=Find&spa=CCR%2D1000&sr=TC&vr=2%2E0</p>	<p>GC: 18900, 19054, 19054.1, 19055, 19056, 19057.3(e)</p> <p>SPB Rule 241,</p> <p>SPB Rule 264,</p> <p>SPB Rule 548.72</p>
<p>Payroll Procedures Manual (PPM) http://www.sco.ca.gov/ppsd_ppm.html</p>	<p>3.0-3.10</p>
<p>Personnel Management Policy and Procedures Manual (PMPPM)</p>	<p>301 (not completed)</p>
<p>Responsible Control Agency and Program</p>	<p>State Personnel Board</p>
<p>Selection Manual (Old)</p>	<p>6915, 6930</p>
<p>SPB/DPA Policy Memos http://spb.ca.gov/laws/policies.cfm</p>	<p>7/3/2007</p>

Appropriate Use of Lists

Definition/ Explanation

Appropriate employment lists are used to:

- Respond to departmental needs, including equal employment opportunity
- Fill vacancies on a timely basis when there is no existing employment list and testing occurs infrequently
- Reduce the number of temporary authorization utilization (TAU) appointments and consequently the number of examinations

Appropriate employment lists are not intended to facilitate the promotion of an individual in “minimal” time to the next level. The appropriate list must be used in a manner that is consistent with merit principles and the intent of the classification and pay plan.

Policy

In accordance with State Personnel Board (SPB) law and rule, it is the policy of the DGS that appropriate employment lists shall only be used to assist in filling vacancies when:

- No employment lists exist for the classification, including service-wide open lists or lists that are limited under SPB Rule 241 and it is impractical to administer a new examination
 - Qualified candidates are currently available on appropriate lists, especially for classifications with infrequent vacancies, such as one-position classifications
 - Use of an appropriate list will potentially increase the pool of minorities, women or disabled and under-representation exists within the department
 - Uses will not adversely affect the promotional opportunities of current employees to an unreasonable extent
 - There is no examination in progress
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Appropriate Use of Lists, Continued

Standards The following standards apply when requesting the use of an appropriate list:

- No employment lists exist for the class, including any service-wide open lists or lists that are limited under SPB Rule 241
- A departmental employment list for a closely-related classification **may** be given preference over another department's employment list for the same classification in which the vacancy occurs. "Closely-related" is defined as a classification requiring closely related knowledge, skills and abilities with an examination plan similar to the classification in which the vacancy exists.

The employment list for the next higher classification in a series may also be used as an appropriate list in the user department even when an employment list for a closely-related classification or other departmental employment lists exist for the classification in which the vacancy occurs.

Example #1: The DGS has no Staff Services Manager (SSM) I list, but does have a SSM II list, and a Staff Risk Manager list. The DGS **may** utilize either the SSM II list or the Staff Risk Manager list as an appropriate list for the SSM I **even though other departments have in existence SSM I lists.**

Example #2: The DGS has exhausted its Office Technician (General) list, but has a viable Office Technician (Typing) list, and an Office Services Supervisor (OSS) I (General) list. The DGS may utilize either the Office Technician (Typing) list or the OSS I (General) list as an appropriate list for the Office Technician (General) rather than search for another department's Office Technician (General) list.

- The examination plans (i.e., "examination scope") for the classification in which the vacancy occurs and the appropriate list classification are similar as specified in Selection Manual (Old) Section 6915.
- Appropriate lists shall not be used if an examination for the classification is in progress.

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Appropriate Use of Lists, Continued

Standards (continued)

- **Once an appointment from an appropriate list has been made, you are not required to use that same list for future hires.**
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Technical factors

In order for the C&P Analyst to determine that a list is technically appropriate, s/he must ensure the list meets the following standards:

- **Shall not result in a promotion beyond that which appointment from the appropriate list to its own classification would grant.** The classification determined to be appropriate must have a maximum salary rate the same as, within 10% of, or higher than the maximum salary rate of the classification in which the vacancy occurs; and,
- **Have closely-related knowledge, skills and abilities.** Classifications in different major occupational groups may be determined to be appropriate, if the Classification and Pay (C&P) Analyst determines that the “knowledge, skills, and abilities” are so closely related that they can be learned within a reasonable period of time (typically the probation period).
- When the classification in which the vacancy exists requires a special license, credential, or certificate, other classifications that do not require it may be deemed appropriate if there are candidates on the appropriate list. However, only those candidates, who do have the license, credential, or certificate may be certified for appointment.
- Where more than one appropriate list might be used to fill a vacancy, consideration should first be given to using the list for a “closely-related” classification within the DGS. Next, a list for a higher-level classification in the same vertical series should be considered. The use of these lists must be justified and documented and retained for audit purposes.

Example: Candidates on a closely-related list have been awaiting promotion for some time and also will meet the affirmative action needs of the department, whereas candidates on a list for the next higher level classification are already at or above the level of the vacancy and would probably not be available for appointment.

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Appropriate Use of Lists, Continued

Technical factors
(continued)

- When an appropriate list is for another classification (closely-related or next higher level in a series), the order of preference is the same as for certifying candidates on employment list in regular certification procedures.
- If a promotional list exists for one classification which is appropriate and an open list exists for a different, but equally appropriate classification, the promotional list shall be used, unless the quality of the candidates is not satisfactory or it cannot meet the DGS' affirmative action needs.

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Appropriate Use of Lists, Continued

Process The following table depicts the stages in the use of an appropriate list.

Stage	Description
1	The Classification and Pay (C&P) Analyst receives a Request for Personnel Action (RPA) indicating a certified employment list is requested to fill a vacancy.
2	<p>The C&P Analyst verifies:</p> <ul style="list-style-type: none"> • There is no existing list for the class in the department • There is no examination in progress for the class • Searches for up to three employment lists simultaneously in the same or comparable class • Verifies that there are candidates on the appropriate list <p>Note: If additional appropriate lists are needed for a specific vacancy(ies), the hiring office must demonstrate it has exhausted or made a hire from one or more of the three original appropriate lists. Every effort should be made not to exceed three active appropriate lists, per vacancy(ies), at any one time. When requesting additional appropriate lists, you must provide a copy of the certification list that was exhausted or cleared, with the proper list clearance documentation, i.e., contact date and contact/hiring results.</p>
3	The C&P Analyst provides the Program with all available information and may make a recommendation as to which appropriate list(s) to use for the best results.
4	Following discussions with the Program, the C&P Analyst requests to use another department's list(s).
5	Upon approval from the other department, the C&P Analyst forwards the request to the Certification Unit for processing.
6	The Program makes a selection for the vacancy. Note: the final decision on whether or not to make an appointment from an appropriate list is left to the hiring supervisor. (This does not preclude filling the vacancy other than from an employment list e.g., transfer, reinstatement, etc.)

Attachment [Request for Use of List as Appropriate](#)