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Hiring and Promotion Monitor **Frequently Asked Questions**

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1. **Question: Which transactions are subject to the hiring and promotion monitor requirement?**

Answer: Agencies are required to complete hiring and promotion monitors for **all** full-time, permanent hires, part-time permanent hires and promotions in the agency, including trainees, provisional employees, and semi-automatic promotions pursuant to the collective bargaining agreement. Hiring monitors are not completed for temporary/emergency/intern or student workers. The hire monitor is used when an employee is new to an agency.

2. **Question: Our agency isn't underutilized. Do we still have to complete hiring and promotion monitors?**

Answer: Yes, because the form is used to monitor both equal employment opportunity and affirmative action compliance.

3. **Question: Can we use our own hiring and promotion monitor?**

Answer: No, all agencies are required to use the Department of Human Rights' (DHR) forms for consistency (Title 56, Chapter 2, Subpart H, Section 2520.770 (h) of the Department of Human Rights Rules and Regulations).

4. **Question: Is it all right to put the agency name on the monitor?**

Answer: Yes.

5. **Question: Are hiring monitors required for Rutan-exempt positions?**

Answer: Yes

6. **Question:** Are hiring monitors required for inter-agency transfers?

Answer: Yes, a hiring monitor is required for everyone new to the agency, whether it is a hire from outside government or an employee from another agency.

7. **Question:** Is a hiring monitor required if someone utilizes their contractual right to return to their former agency within the first 4 months of transferring to another agency?

Answer: Yes because the person is returning to the agency.

8. **Question:** Are hiring monitors required for intra-agency or geographic transfers?

Answer: No. With an intra-agency or geographic transfer, the person stays within the agency and is not a new hire or promotion.

9. **Question:** When there is a change in the position number do you need to complete the hire/promotion monitor?

Answer: No, if all that changes is the position number, a hire/promotion monitor is not required.

10. **Question:** When there is a voluntary reduction or a demotion is a hiring monitor needed?

Answer: Yes, a hiring monitor is needed because the EEO category may change. If within the agency, no monitor is needed.

11. **Question:** Where should hiring and promotion monitors be maintained – in the personnel files?

Answer: No, they should be filed separately and maintained by the EEO/AA Officer.

12. **Question:** How long should the hiring and promotion monitors be kept in the agency?

Answer: An appropriate retention period is determined by the agency in compliance with the State Records Act and Title 56, Chapter II, Subpart B, Section 2520.110 of the Department of Human Rights Rules and Regulations.

13. **Question:** If the agency is underutilized by people with disabilities, when is that indicated on the hiring monitor?

Answer: Disability underutilization should be listed on each hiring monitor because disability underutilization is figured agency wide and is not specific to a particular job category.

14. **Question:** Why is people with disabilities listed on the promotion monitor, when the promotion of a person with a disability doesn't affect underutilization (disability goals are not set by job category rather agency-wide)?

Answer: People with Disabilities are included to give the EEO/AA Officer an opportunity to monitor promotional opportunities involving employees with disabilities.

15. **Question:** Does an agency have to complete hiring and promotion monitors on non-Code positions?

Answer: Yes, although the monitors need not be submitted to CMS.

16. **Question:** What should happen if the EEO/AA Officer and Personnel Officer disagree about a hire – should the EEO/AA Officer indicate he/she 'does not concur' on the monitor?

Answer: The agency should develop a procedure for decision-making in these cases, involving higher levels of management, as needed. In most cases, agreement can be reached internally as to a hire. In some cases, the EEO/AA Officer may indicate his/her non-concurrence on the form. The signature of the agency's Chief Executive Officer or designee on the form indicates final agency approval of the hire or promotion.

17. **Question:** When should the hiring and promotion monitor be completed?

Answer: After a candidate has been selected, but before an appointment has been made. It is important to note, however, that the selecting official must be aware of the agency underutilization before selecting candidates for interview.

18. **Question:** Is a monitor needed for hires involving veterans?

Answer: Yes, all hires.

19. **Question:** For promotions involving the most senior union bidder, do we have to indicate why other candidates were not considered?

Answer: Yes, just indicate the most senior bidder was selected pursuant to the contract.

20. **Question:** Should EEO/AA Officer have access to eligibility lists?

Answer: Yes, the EEO/AA Officer should be allowed to review the list to determine whether a representative number of minorities and females are on it. If current lists never have certain minority groups, where there is underutilization, the agency may want to target its recruitment efforts to attract more minorities or females to this title.

21. **Question:** If multiple hires are to be made from one list, do we have to complete separate forms for each hire?

Answer: Yes, however, most of the information on the form will be the same for multiple hires like this. In these cases, an agency can complete all information except for questions 2 and 8, copy the form for the number of hires and complete questions 2 and 8 for each individual hired. The EEO/AA Officer and CEO would then sign each form.

22. **Question:** What will CMS do if no monitor has been completed? What if the monitor is post-dated?

Answer: CMS will not process a transaction if a monitor has not been attached. CMS will not process a transaction for which the hiring/promotion monitor has been post-dated (the date of the Chief Executive Officer or designee's signature is after the effective date of the transaction).

23. **Question:** When did the revised race categories become effective?

Answer: As of January 1, 2012, Public Act 97-0396 revised the race categories: We now have Black or African American, Hispanic or Latino, Asian, American Indian and Alaska Native (use to be Native American), and Native Hawaiian or Other Pacific Islander.

24. **Question:** What's the difference between the Position and Bid Numbers?

Answer: The position number is the actual number that is on the job description of the position that is being filled, as well as the associated paperwork that goes along with that transaction. The bid number would be the posting ID or some identifier that the position was posted.