



Chapter 8 - Assessment, Selection and Appointment

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8.1 SOURCES OF INFORMATION

8.1.1 Legislation

[Public Service Employment Act](#): Subsection [6\(2\)](#), sections [10](#), [12](#), [16](#), [18](#), [20](#) and [23](#) and [41](#) (Oaths, [Schedule III](#))

[Public Service Employment Regulations](#), 2000: Sections [10](#), [12](#) through [17](#), [19](#) and [21](#)

[Official Languages Act](#)

[Public Service Official Languages Exclusion Approval Order](#)

[Public Service Official Languages Appointment Regulations](#)

[Standards for Selection and Assessment](#)

8.1.2 Other References

[Assessing for Competence Series](#)

[Chapter 3, Establishing Qualifications and Conditions of Employment](#), Staffing Manual
Treasury Board, [Official Languages Policies](#)

Treasury Board, [Pay Rate Selection Upon Initial Appointment](#)

HR On line - [HR Tools](#) - Agriculture and Agri-Food Canada

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8.2 POLICY STATEMENT

The Public Service Commission (PSC) is committed to ensuring that assessment and selection are conducted in a fair, equitable and transparent manner and results in the non-partisan appointments of competent individuals to a representative Public Service. This is to be accomplished within the legislation and policy framework established by the PSC.

Developing or choosing assessment methods, and evaluating candidates are responsibilities delegated by the PSC to the Selection Board. This includes determining an order of merit among qualified candidates in relative merit situations, or evaluating candidates against a standard of competence in individual merit situations. Establishing eligibility lists and making appointments

are responsibilities delegated by the PSC to the Deputy Head; such responsibilities are normally sub-delegated to departmental managers.

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8.3 VALUES-BASED APPROACH

To achieve a values-based approach to assessment, a manager must ensure that good staffing practices and the legislation and policy framework are followed. Staffing practices are established to ensure fair, equitable and transparent assessment, selection and appointment decisions and processes. The goal of this approach is to ensure that the composition of the Public Service reflects the composition of the labour market, that employees are appointed and promoted objectively, and that staff have the qualifications required to fulfill the current and future needs of the Public Service.

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8.4 ROLE OF THE SELECTION BOARD

A Selection Board, made up of one or more people selected by the manager, is responsible for assessing candidates in selection processes. Non-public servants may serve as Selection Board members. The activities carried out by the Selection Board will be determined by the type of selection process and the assessment tools/methods. For example, in a without competition selection process the Selection Board (often the delegated manager) prepares an assessment of the individual usually based on the employee's qualifications and performance. In a competition, if interviews are a tool being used as part of the candidate assessment, the Selection Board members would develop the interview tool and participate in the interviews.

There is a distinction between the responsibilities of the manager as delegate of the Deputy Head, and those of the Selection Board as an agent of the Public Service Commission. For example, only the manager can establish or change qualifications or specific elements of each qualification, while only the Selection Board can assess the qualifications and elements. It is important that, at the beginning of a selection process, the manager provide clear guidance and information to the Selection Board with respect to the qualifications and the specific elements established. The manager should indicate which of the elements are compensatory or non-compensatory, and outline any preferences and how they will be applied. If no such indication is provided, the Selection Board must assume that all listed elements are compensatory. If the manager feels that some qualifications or elements are more important than others, this weighting should also be communicated to the Selection Board.

It is the responsibility of the Selection Board to implement the manager's decisions about the qualifications as part of the assessment process. It does this by evaluating the candidates against the Statement of Qualifications to determine if the candidates meet all the established requirements. In a relative merit process, the Selection Board then determines the order of merit of the qualified candidates. In an individual merit process, the Selection Board determines who meets the standard of competence.

For more information on establishing a Selection Board, see section 3.8.

8.4.1 Responsibilities of the Selection Board

The following outline the chief responsibilities of the Selection Board:

- develop or choose assessment tools to ensure all qualifications established by the manager are assessed;
- notify candidates, on a timely basis, of the availability of accommodation of assessment tools;
- determine the nature of the accommodation required in consultation with the candidate and, where necessary, with outside sources, such as the PSC's Personnel Psychology Centre (PPC);
- assess the candidates;
- integrate the information obtained to determine which candidates are qualified and which are not, and if appropriate, the order in which names may be placed on an eligibility list;
- document the assessment information for the staffing file;
- provide post-process feedback to candidates regarding their performance and their assessment, whether as part of a formal process or not; and,
- provide assistance and information to the departmental representative during the preparation for, and during, an appeal hearing (e.g., providing disclosure).

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8.5 PROCEDURES

The following outlines some of the basic steps in the assessment process. It is a guide to assist in assessing candidates and identifying the various tools which can be used for this purpose.

8.5.1 Using the Statement of Qualifications

The Statement of Qualifications specifies the qualifications that the manager has determined are necessary. The Selection Board uses the Statement of Qualifications as the basis against which assessment tools are developed. For more information on the creation of the Statement of Qualifications, see [chapter 3](#).

To ensure the Selection Board has a clear and accurate understanding of the Statement of Qualifications, the Selection Board should discuss it with the manager at the beginning of the selection process. The steps that must be taken and decisions that must be made to get from this list of attributes and accomplishments to appropriately assessing the candidates in the selection process, are shown below:

- identify the assessment tools to be used to ensure all the qualifications will be measured or assessed;
- determine the appropriate cut-off levels or scores;
- determine how the results from the various assessment tools will be integrated to obtain a reliable result;
- collect the assessment information obtained from the assessment tools used; and,
- integrate the information.

8.5.2 Assessment Methods

Assessment methods are selected or developed by the Selection Board. Regardless of which assessment methods are chosen, they must treat all candidates in a fair, equitable and transparent manner.

A rating guide is the formal, written assessment plan showing the link between the qualifications established by the manager and the assessment tools chosen or developed by the Selection Board. The rating guide is prepared to assist in the structuring of the assessment and to help ensure that all of the qualifications are evaluated. A rating guide usually outlines:

- the qualifications being assessed;
- the tools being used to evaluate the qualification - e.g. questions, reference checks;
- the expected candidate response to questions, or expected behaviours in role plays, simulations, etc.;
- the criteria against which the candidate's performance will be assessed; and,
- the rating scale - for example, a narrative scale from, for example, "poor" to "excellent", or a numeric scale from, for example, 1 to 10.

TIP: A clear rating guide can be an invaluable tool. It helps the Selection Board come to a common understanding about the assessment approach. It can also be used to give clear feedback to candidates, for example, in post-board interviews, during a disclosure process and/or in an appeal hearing. Finally, it gives auditors insight into the manner in which information was gathered and used in the selection process.

There are various ways to assess candidates. Consistency of a candidate's performance over a period of time and in various situations can be determined by using a variety of sources and methods of assessment. These include interviews, samples of previous work, simulation/situational exercises, written tests, assessment centres, and the review of past accomplishments and experience. Collectively, assessment methods must be able to produce results relevant to all of the qualifications being assessed. The amount of information needed to assess a candidate's competence with respect to a particular qualification depends on the nature and importance of the qualification. The [Standards for Selection and Assessment](#) and the [Assessing for Competence Series](#) provide additional information on the development and use of various assessment approaches.

Tests of personality, interest, intelligence or aptitude, or tests of a like nature, may only be used with the prior approval of the PPC. The [PPC](#) offers a range of assessment products and services as well as expertise in the selection or development of assessment instruments.

The weighting of each qualification should reflect the manager's directions to the Selection Board, and should be included in the rating guide. Sometimes, the weighting is also reflected in the numeric scales used to assess the various qualifications. In the examples that follow, the decisions must, of course, be made before starting the assessment process. If, for example, judgment is determined to be twice as important as dependability, then judgment may be scored on a scale out of 20, whereas dependability may be scored on a scale out of 10. Using the same example, if the Selection Board wants to use the same scale (out of 10) to assess both judgment and dependability, then the score for judgment could be doubled (or the score for dependability cut in half) in order to reflect the predetermined weight of the qualification.

8.5.3 Duty to Accommodate

The Selection Board must keep in mind that fair assessment of candidates may not mean that all candidates are treated or assessed identically. Instead, to achieve fair assessment,

accommodation may be required for those candidates who are members of designated employment equity groups. Accommodation is made on a case-by-case basis, according to the particular needs of the individual; it must not be made based on group characteristics. The Assessment of Candidates with Disabilities, which is part of the Assessing for Competence Series, provides additional information about accommodations in assessing individuals who have a disability.

TIP: Don't jump to conclusions. The Selection Board should obtain the necessary information on the candidate's individual need to determine how best to accommodate this situation. Often the best source of such information is the candidate. For example, in contacting a candidate, the Selection Board may learn the specific type of computer hardware or software necessary to allow the candidate to complete an on-line exercise. Assistance in interpreting this information can be obtained from the [PPC](#).

8.5.4 Language of Assessment

Regardless of the language requirement of the position, candidates have the choice of having their assessment conducted in English or in French, or in both languages. The only exceptions to this are:

- if the Selection Board has to assess an individual's language skills for a unilingual position and the individual has asked to be assessed in the other official language; in this case, the assessment of language proficiency would be separate from the assessment of the other qualifications for the position;
- where positions require specific specialized or expert language proficiencies which are normally acquired through specialized training (designated by code P in the linguistic profile of a bilingual position, but which can also be required in a unilingual position), these specialized skills must be assessed in the language of the requirement. However, candidates maintain the right to have their other competencies assessed in the official language or languages of their choice; or,
- where skill in a language other than English or French is required for a position and the language proficiency in this third language must be assessed.

8.5.5. Open Competitions and Citizenship

The Public Service Employment Act (PSEA) provides that open competitions may be limited to Canadian citizens, as long as there are expected to be enough qualified Canadians to fill the position(s). This may be a consideration during screening. For additional information about the preference given to Canadian citizens, please refer to Chapter 6, Recruitment.

8.5.6 Screening and Rating

Once the candidates have applied, they are assessed according to the rating guide. Assessment is usually conducted in two parts: screening and rating.

When screening, a candidate's qualifications are reviewed on a pass/fail basis against the screening requirements specified in the notice or in the Statement of Qualifications. If the candidate possesses the qualification, he or she can be considered further. Candidates who do not possess the qualification cannot be found qualified, and thus the assessment of these candidates may end at this point in the selection process.

TIP: In preparing the Statement of Qualifications, the manager indicates which of the elements

are compensatory or non-compensatory, and outlines any preferences and how they will be applied. Non-compensatory elements are those so important or necessary to performing the work that a weakness here cannot be counterbalanced by a strength elsewhere. Minimum education standards are examples of non-compensatory elements. Conversely, candidates with a weakness in compensatory elements may be able to counterbalance this weakness with other strengths. For example, knowledge of a specific Act may be compensatory with knowledge of the related regulation and with the ability to interpret acts and regulations. The Selection Board would set one overall cut-off score for the compensatory elements as one unit. If no such indication is provided, all listed elements are presumed to be compensatory.

In practice, education, experience, occupational certification and official language proficiency (for positions staffed on an imperative basis) are frequently-used screening criteria. However, any qualification (or combination of qualifications) in the Statement of Qualifications can be used as a screening factor during the selection process. If a candidate is to be eliminated as a result of not sufficiently meeting one qualification, that qualification must be non-compensatory. When two or more qualifications are compensatory, a candidate can be eliminated only when it has been determined that the candidate does not or will not meet the minimum standard for that group of qualifications.

Qualifications used as screening criteria may also be used for rating purposes if they are to impact on the ranking of qualified candidates.

The Selection Board must ensure that candidates are evaluated consistently against all qualifications, including screening qualifications. Screening qualifications are clearly expressed, in part to assist candidates in self-screening. However, the Selection Board should develop, as part of the rating guide, any interpretation necessary to screen candidates. For example, if the experience qualification asks for "recent" or "significant" experience, the rating guide should explain the Selection Board's interpretation of these words.

TIP: In interpreting qualifications, the Selection Board may further define a qualification, but it may not do so in a way that makes the qualification broader than how it was expressed on the Statement of Qualifications. Broadening a qualification could adversely impact on potential candidates who did not apply but who might have had they known the qualification was going to be broadened.

When rating, the remaining qualifications are assessed. Generally, such qualifications include knowledge, abilities and skills, and personal suitability, but may include others or only some of these. Again, candidates may be eliminated as soon as the Selection Board determines that they do not sufficiently meet one or more qualifications listed on the Statement of Qualifications.

While general second language proficiency (A, B and C) must not be used to rate or rank candidates, any other qualification or any combination of other qualifications, including specialized language skills or proficiencies ("P" code qualifications), as defined by the manager, may be used by the Selection Board to rate and rank the remaining candidates.

It is the candidates' responsibility to demonstrate that they possess the qualifications being assessed, because their assessment will be based solely on the information gathered during the assessment process. For example, if a candidate fails to mention on his application that he has graduated from university, the Selection Board would likely screen him out if the Statement of Qualifications called for university graduation.

The Selection Board has the responsibility to use all information at its disposal. This includes the direct, personal knowledge of the members of the Selection Board. This information must be

factual. It also entails ensuring any conflicting information is reconciled before finalizing the assessment of that candidate. For example, if a Selection Board member is a candidate's supervisor, the member would likely have knowledge of the contents of this candidate's performance appraisal file, and therefore would know if there is a discrepancy between what the candidate's former supervisor said to the Selection Board in a reference check and what was contained in a performance appraisal prepared by that same person. In such a case, the Selection Board member cannot ignore his personal knowledge.

TIP: While it is desirable to conduct a selection process as expeditiously as possible, it is also a good practice to consider a candidate's individual circumstances, wherever possible. For example, if a candidate asks to postpone an assessment because of a death in the family, most Selection Boards would grant that request. The goal is to obtain an accurate assessment of the candidate's qualifications, and that can best be accomplished through fair assessment.

8.5.7 Assessment of Official Language Proficiency

8.5.7.1 Second Language Evaluation (SLE Testing)

The assessment of a person's proficiency in their second official language is conducted in the employee's second official language. A person's first official language is the one with which the employee has a primary personal identification. This is generally the official language in which the person is most proficient. If there is doubt as to which language this is, the Selection Board may require that the SLE tests be administered in both official languages.

The PSC's SLE tests or other PSC-approved methods are to be used for the assessment of general second language proficiency (levels A, B and C). The exception to this is where the Selection Board is authorized to assess the general second language proficiency of candidates from outside the Public Service who are being considered for term appointments of less than three months. To arrange for testing through the PSC, the department is responsible for:

- contacting the test centre to determine an available date;
- confirming the scheduled date with the candidate;
- providing the candidate with a copy of the appropriate information sheet for the tests to be administered; and,
- advising the candidate in writing of the level attained and of the recourse available.

8.5.7.1.1 Exemption from Language Testing

Where a person's performance on the Second Language Evaluation (SLE) - Reading, Writing or Oral Interaction tests - warrants it, the PSC grants an exemption for an indeterminate period from the requirement for further second language testing in the skills concerned. These exemptions do not apply to specialized language skills or proficiency (Code P) which are tested using instruments specifically designed for the work or type of work to be staffed.

8.5.7.1.2 Modified SLE Testing

Modified SLE tests may be administered to:

- persons whose physical or psychological disability would interfere with the demonstration of their second language skills on standard SLE tests administered under standard testing conditions; or,
- persons who develop, administer or score SLE reading and writing tests.

8.5.7.1.3 SLE Rescoring and Retesting

SLE tests cannot be re-administered within the same selection process, unless a retest is authorized under one of the recourse mechanisms described later in this chapter. A person who is a candidate in more than one selection process may be retested and there is no waiting period between tests.

Candidates are retested on those parts of the SLE in which they were not successful. Candidates may request rescoring of their SLE test or retesting in writing within ten working days of the date that the results were sent to them. The candidate may be eligible for a retest if inappropriate conditions existed during the testing process. Procedures relating to rescoring and retesting are described below.

8.5.7.1.4 Duration of Validity of SLE Results

Unless the employee obtains an exemption from further testing, SLE test results are basically valid for five years. At the expiry of the five year period, an employee's SLE results are valid indefinitely for the position they occupy as long as the employee had valid SLE results at or above the level required, at the time of appointment or deployment to that position and the linguistic profile of the position has not been raised above the employee's skill level. However, there are a few exceptions to this:

Candidates whose test results are more than five years old are considered to be valid if:

- the results were valid at the time the person's name was placed on an eligibility list from which they are being appointed;
- a bilingual incumbent of a bilingual position is appointed to his or her own reclassified position; or,
- an employee is stationed abroad for the duration of the posting.

8.5.7.2 Assessment of Potential to Become Bilingual

The potential to become bilingual may be determined through one of two processes. Departments may make a prediction about a person's potential if their name appears on the "List of Persons Who Meet the Requirements for a Prediction" (Official List) or they may use the Guidance Process.

The "List of Persons Who Meet the Requirements for a Prediction" is published each year by the Orientation Services, Language Training Canada. Individuals are listed where, within the last eight years, they have demonstrated a determined level of aptitude for learning a second language. If a person's name does not appear on the "Official List", for example if they had not passed the aptitude test when the list was published, their potential can only be assessed through the Guidance Process.

The Guidance Process is used to assess a person's aptitude to learn a second language, to estimate the duration of training needed to attain the required level of proficiency and to determine the most appropriate training program. To arrange for the guidance process, the department registers the person in accordance with the procedures established by the Treasury

Board Secretariat (TBS) - policies on language training and staffing of bilingual positions - and the PSC.

A prognosis following a request for the Guidance Process cannot be transferred to a second request. An individual's aptitude to learn a second language must be assessed separately for each selection process. The file will be carefully studied on a case by case basis.

8.5.7.3 Review of SLE or Guidance Process Results

An employee may request a review of the results of the SLE testing, and the decision made following a guidance process. This does not limit a person's right of recourse, for example, in the appeal process. If allegations are made regarding SLE testing, the PSC's Personnel Psychology Centre (PPC) must be informed and contacted for advice. Advice regarding allegations about the results of the Guidance Process must be obtained from the PSC's Orientation Services.

In the event that the results of a guidance process are negative, a person may request a review of his or her file or a recourse interview, to present any element that may have been overlooked. A written request must be forwarded to the PSC through the designated departmental officer within five working days following the guidance interview. The department responsible for the selection process normally assumes any travel costs incurred by the person.

8.5.7.4 Exclusion on Compassionate Grounds

A department may decide to request that a person be exempted on compassionate grounds from having to demonstrate his/her aptitude to attain the required level of second language proficiency for a position. A department may also request that an employee be exempted on compassionate grounds from meeting the language requirements of a position to which that person has been, or is about to be appointed. In such cases, the department can make a special submission to the PSC.

To determine what information is required, refer to the following form:

[Exclusion on Compassionate Grounds](#)

8.5.7.4.1 Willingness to Become Bilingual and Exclusion Period

A person who does not meet the second language requirements of a bilingual non-imperative position may still be appointed if they are willing to become bilingual and are eligible for language training. The person indicates this willingness by completing the "Statement of Agreement to Become Bilingual". The individual must show the potential to become proficient in the use of their second official language within the allowable training time in order to be eligible for language training. Individuals appointed to or within the Executive Group do not have to demonstrate the potential to meet the language requirements of the position prior to appointment; however, they must still fulfill the obligations in the "Statement of Agreement to Become Bilingual".

Special consideration and arrangements are provided for persons with learning disabilities as per Treasury Board policies. See:

- Policy on the Staffing of Bilingual Positions under the heading Policy Requirements, "Accommodations for persons with learning disabilities", and,
- Policy on Language Training under the heading Administrative Rules Governing Language Training, "Accommodation for persons with learning disabilities"

Before the end of the exemption period, a department may decide that it is necessary, for operational or compassionate reasons, to request an extension of the language training exemption period. Authority to approve such requests has been delegated to Deputy Heads, except for those involving members of the EX group.

To determine what information is required, refer to the following form:

[Extension of the Exclusion Period](#)

8.5.7.4.2 Exclusion For the Duration of the Appointment or Deployment

An employee may still be excluded from meeting the language requirements of a position for the duration of the appointment or deployment, without having to demonstrate their eligibility for language training or their willingness to become bilingual. Reasons for such an exclusion would include: age; long service; reorganization; reclassification; or, compassionate grounds as specified in the Public Service Official Languages Exclusion Approval Order.

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8.6 SELECTION

Selection is based on relative merit or, in the circumstances set out in the Regulations, on individual merit. In relative merit situations, such as competitions, the results of all qualified candidates are compared to each other to determine a rank order of merit in accordance with the rating guide. Even if there is only one candidate in a relative merit process, the candidate must be assessed against the Statement of Qualifications to determine that this candidate is qualified. In individual merit circumstances, candidates are assessed against a standard of competence, which includes a statement of qualifications, assessment tools and a cut-off score, to ensure they are qualified.

8.6.1 Ranking

Ranking occurs in relative merit processes only. During the screening and rating process, the qualified candidates have been identified and the non-qualified candidates have been eliminated from the process. Ranking qualified candidates in order of merit involves combining all of the relevant information into a final judgment. Only the qualified candidates are ranked.

In ranking, the assessment results for each qualified candidate are combined using the pre-established weightings of the qualifications. These combined results are compared to those of all other qualified candidates in order to determine a relative order of merit. Because this is a rank ordering, any two (or more) candidates cannot be found to be equally qualified.

8.6.2 Establishing Eligibility Lists

An eligibility list is a list of qualified candidates resulting from a competition, and serves as the basis for appointments. It is always dated, signed by a person with sub-delegated staffing authority, and sets out the order in which appointments may be made. Eligibility lists are not established for individual merit appointments.

In the case of an open competition, qualified candidates' names are placed on an eligibility list in the following order:

1. rank order of merit among persons in receipt of a pension by reason of war service (includes service in World War I, World War II or the Korean War and "veterans" includes veterans of World War I, World War II or the Korean War);
2. rank order of merit among persons who are war veterans but who are not in receipt of a pension and persons who are survivors of veterans;
3. rank order of merit among persons who are Canadian citizens; and,
4. rank order of merit among persons who are not Canadian citizens.

In the case of a closed competition, qualified candidates are listed in the rank order of merit.

The names of qualified candidates may be placed on the eligibility list while it is being determined if they meet the conditions of employment, as time may be required for a candidate to undergo a medical examination or a reliability check or obtain a security clearance.

The manager decides how many qualified candidates will be placed on the list and for how long the list will be valid. The initial validity period can last anywhere from one day to two years. The period can be extended any number of times such that the maximum period of validity of the eligibility list does not exceed two years. Factors that may influence the establishment of the validity period and the number of names placed on the list include:

- the time required to verify that candidates meet the conditions of employment;
- the number of current and anticipated vacancies and the number of similar positions that might be staffed from the list;
- the proposed date(s) of appointment(s); and,
- the anticipated movement of potential candidates into the area of selection.

The eligibility list must indicate the group and level of the position being filled, and any other restrictions to its use. For a list established to fill bilingual positions, the linguistic profile must be indicated and whether the appointments are to be made on an imperative or non-imperative basis. If the list will or may be used to fill similar positions, this must also be indicated (and must be consistent with the notice given at the time the competition was advertised).

If necessary, a second eligibility list containing the names of candidates who were found qualified, but not included in the first list may be established. This should be done only if the manager believes that the new list(s) still reflects merit. If the duties or qualifications have changed, or if it is likely that the qualifications of prospective candidates have changed since the original list was established, the manager should consider running a new selection process to give other people a chance to qualify for appointment.

8.6.3 Administering Eligibility Lists

The Public Service Commission has delegated to departments the authority to:

- correct administrative errors on eligibility lists, such as adding a name that was omitted or correcting an incorrect name, address or date or an incorrect ranking of the order of merit other than as a result of a reassessment of merit;
- correct an eligibility list which was signed by an unauthorized person;
- delete the names of candidates who have indicated in writing that they are unwilling or unable to accept any of the appointments to be made from the list;
- delete the names of candidates who do not consent to the medical, security or reliability check examination or investigation, those who refuse to provide information or documentation required for the confirmation of a condition of employment and those who fail to meet such conditions;

- bypass candidates on an eligibility list when they are unwilling or unable to accept a given appointment but would consider future offers;
- bypass candidates on an eligibility list while it is being determined whether they meet conditions of employment as long as vacant positions are held open for them; and,
- delete the names of candidates who do not meet the condition of appointment established by section 5.1 of the Student Employment Programs Regulations.

Only the Commission has the authority to:

- remove a candidate's name from an eligibility list where it is satisfied, following an inquiry, that the candidate was involved in some fraudulent practice or irregularity related to the assessment of that or any other candidate's qualifications; and,
- direct that a candidate not be appointed from an eligibility list, where it is satisfied that the candidate is not qualified for the position, where the decision of an appeal board so requires, or where the department has not complied with delegated authority.

Requests for direction or approval concerning the above should be addressed to the appropriate PSC regional offices.

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8.7 APPOINTMENT

The PSEA provides that where an appointment from outside the Public Service is being made to a local office, the delegated manager may give preference to qualified candidates living in the area served by that office. This means that a person living in the area served by the local office may be appointed ahead of other candidates who live outside that area. This preference should not be mistaken as a local area of selection. It applies at the time an appointment is made and not when the position is advertised, nor when the screening is being done. The eligibility list is established in rank order of merit, but when the offer is made, the delegated manager has authority to apply local preference if it is in the best interests of the Public Service. For additional information about local preference, refer to [Chapter 6, Recruitment](#).

8.7.1 Making the Offer of Appointment

An oral offer of employment can be made first, and then followed up in writing. When the offer is made in writing, it must be made in the official language of the candidate's choice.

A) Conditional Offers

In certain situations, when it is not possible to make a firm offer of employment, a conditional letter of offer may be issued. As in the case of any offer, a conditional offer should be made by a person with sub-delegated authority. It is as legally binding as an offer without conditions, subject to the condition being met. There may be a number of reasons why a conditional offer is needed, e.g. to maintain the interest of prospective employees in a competitive marketplace or to help speed up the staffing process by allowing individuals to give notice from their current employment. Recipients of conditional offers should clearly understand that if the condition is not met the offer is no longer valid - we would not want them to quit their current job or sell their house, for example, until the offer is final. Keep in mind that some candidates may perceive conditional offers before the assessment is complete as indicating that the process was not fair or transparent. If the department is prepared to make conditional offers, consideration should be given to letting all the candidates know how and why this will be done.

A conditional offer can be made before or after an eligibility list has been established; in either case, the condition has to be met before the candidate can be appointed. The following lists some of the circumstances that may lead a department to conclude a conditional offer is appropriate:

- Before establishing an eligibility list in an open competition
 - when almost all of a candidate's qualifications have been assessed and all other candidates have failed to qualify (one position) e.g. individual needs to be language tested. The condition in this case is "... subject to you being found fully qualified" ;
 - when the assessment is almost complete and all but "X" candidates have failed to qualify and you have "X" or more vacancies to fill;
 - in a shortage area where there are fewer potentially qualified candidates than jobs available (in other words, when every qualified candidate can be offered a job). In this case, a conditional offer can be made to a qualified candidate before all candidates have been assessed and the order of merit established. The condition in this case is "... as soon as the assessment is complete/all candidates have been assessed (and an order of merit established)". NB. This does not refer to shortage groups as defined in the Regulations and for which appointments may be made based on individual merit.
- After establishing an eligibility list
 - during the appeal period;
 - prior to a student completing their studies if the appointment is the result of student bridging through a closed competition; or,
 - while awaiting confirmation that the candidate meets the conditions of employment stated in the PSEA, namely, security, reliability and medical.

If a candidate is being bypassed on an eligibility list because the conditions of employment have not yet been met, an information letter should be sent to the candidate indicating that the position will be kept open while the condition of employment is being verified.

B) Effective Date

A letter of offer signed by the delegated manager or human resource advisor, which specifies the effective date of appointment and on which the candidate has confirmed his or her acceptance, is considered to be the "appointment document". The effective date of an appointment is negotiated between the manager and the person being appointed. The effective date of appointment may not precede the date the person has been found qualified. In the case of a competition, this would be the date on which the eligibility list was established. If the effective date has not been established at the time the offer was made and accepted, then a brief subsequent letter (and acceptance) will be necessary to confirm it.

C) Indeterminate Appointments

If a manager finds it necessary to appoint an indeterminate employee to perform the work of a term position, the indeterminate status of the individual should normally be protected. The manager has to make sure that the appointment documentation reflects the fact that the employee's appointment is indeterminate, even though the position is for a specified period. If the employee cannot be placed elsewhere in the Public Service when the term position ends, the indeterminate status will serve to protect the employee's surplus and lay-off rights, as well as other benefits and entitlements. If an indeterminate employee is appointed to a specified period position, the letter of offer should specify the possible consequences involved. If an indeterminate

employee is appointed for a specified period (in accordance with [PSEA 25](#)), the individual ceases to be an employee at the end of the period and this should be reflected in the letter of offer. Tenure does not change when an employee is deployed, therefore an indeterminate employee's status will not be changed by deployment to a specified period position. The [letter of offer must indicate clearly the consequences](#) of such a deployment.

8.7.2 Content of the Offer Letter

The letter of offer must contain all of the terms and conditions that apply to the particular appointment, including:

- key position descriptors (e.g. department, title, group and level, position number)
- rate of pay on appointment or a reference to how salary will be determined, as well as information on employee benefits for appointees from outside the Public Service;
- the duration and conditions of the probationary period if applicable;
- the effective start and termination dates if it is a specified period appointment;
- a differentiation between the specified period work period and the validity period, if extensions to the initial term of employment are envisioned (see [Annex A](#) for the PSC Policy on Non-Appointment Term Extensions, and [Annex B](#) for the PSC Policy Framework on Non-Appointment Term Extensions);
- a copy of the *Values and Ethics Code for the Public Service*, and the statement: "You will find enclosed a copy of the *Values and Ethics Code for the Public Service*. This Code is a key policy for the management of human resources and is part of your conditions of employment.";
- the requirement to complete a Confidential Report and submit it within 60 days;
- the requirement for the successful candidate from outside the Public Service to take oaths or solemn affirmations;
- whether the position is excluded from collective bargaining and if not that the collective agreement requires the deduction of union membership dues from salary;
- information regarding the language requirements of the position, the successful candidate's linguistic proficiency and their eligibility for the bilingualism bonus, if applicable;
- any relevant information about language training;
- the amount and conditions of payment of relocation expenses;
- the requirement for employees to agree to direct deposit and to refrain from smoking in the workplace and other conditions of employment;
- any requirement for the employee to travel, to own an automobile or to work shifts, etc.;
- any requirement for the employees to consent to accept future deployments as a condition of employment; and,
- the fact that, by accepting the offer, the candidate agrees to his or her Social Insurance Number being provided to Human Resources Development Canada for the purpose of avoiding overpayments of unemployment insurance benefits.

8.7.3 Oaths and Affirmations

When an appointment is made from outside the Public Service, every person to be appointed is required to take and subscribe the oath or affirmation of office and secrecy and the oath or affirmation of allegiance. In accordance with the PSEA, there are two exceptions to this policy:

- [Certain Term Employees Exclusion Approval Order](#) excludes term employees from taking the oaths, if the person is appointed for a specified period of less than six months, unless their duties are of a confidential nature or vital to national security. The oaths must be taken prior to subsequent appointments that would take the period of employment beyond six months;
- [Certain Non-Canadian Citizens Exclusion Approval Order](#) provides exclusion for non-Canadian citizens who would forfeit their own citizenship if they take the oath or affirmation of allegiance to the Queen on being appointed to the Public.

8.7.4 Conditions of Employment

Some positions require a medical examination, reliability check or security clearance as a condition of employment. In these cases, the candidate must consent to the examination or investigation and provide all information and material required for that purpose. If the candidate does not consent or supply information and material within the period specified by the department, the candidate will not be eligible to be considered further for appointment to that position. Gathering the necessary information to complete the security clearance and reliability check can be time-consuming, particularly if the candidate has moved around, has held many different positions, or has worked or lived abroad. This should be considered when determining the period within which the candidate must supply the information or material.

Medical examinations, required to satisfy the condition of medical suitability qualification, are carried out under arrangements made by the [Occupational Health and Safety Agency \(OHSA\)](#), Health Canada (HC). The responsible departmental officer provides the candidate with the Occupational Health Assessment Report, having completed the pertinent information. The officer advises the candidate that the examination will be performed at public expense and ensures that arrangements are made with the nearest OHSA facility of HC or, if none is available, with a private physician designated by HC. The private physician sends the completed form directly to the appropriate office of HC for review by an OHSA Occupational Health Medical Officer.

The results of the medical examination will be communicated to the responsible departmental officer, indicating whether or not the candidate meets the medical requirements of the job. However, no confidential medical information is released. All medical information, forms and records transmitted or used in connection with health evaluations are sensitive and restricted to the medical community as authorized by HC. For a complete list of OHSA locations, please refer to the [OHSA Offices Listing](#).

OHSA may recover costs from departments that have been delegated external recruitment authority for the position in question. Candidates are not normally reimbursed for travel expenses incurred for medical examinations. In exceptional cases involving long distances, however, expenses within the provisions of the [TBS Travel Directives](#) may be paid by the department requesting the examination.

8.7.5 Salary on Appointment

For appointments made from within the Public Service, salary is determined in accordance with the provisions of the [Public Service Terms and Conditions of Employment Regulations](#). [Appointments made from outside the Public Service](#) will normally be made at the minimum rate of pay of the salary range for the group and level; however, in certain cases, appointments may be

made at a rate above the minimum. [Recruitment rates for student](#) employment programs are established by Treasury Board.

Before offering a rate of pay in excess of the minimum as a recruitment incentive, there are a few points to consider. These include whether:

- there is a shortage of skilled labour in the field involved, as evidenced by local or regional labour market surveys from recognized institutions;
- there are unusual difficulties in filling the position with properly qualified candidates (e.g., the minimum rate of pay is not competitive with the rates offered by local or regional employers for similar duties); or,
- operational conditions require the presence of a highly skilled or experienced employee who can assume the full duties of the position immediately upon taking employment (e.g., no alternative left but to pay above the minimum as training a novice employee would impose an unacceptable burden on the employing department).

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8.8 POST-SELECTION RESULTS AND FEEDBACK

The Human Resources Advisor may be responsible to advise all candidates in writing of the results of the competition. Candidates should also be encouraged to contact the department to obtain feedback regarding their individual results in the selection process. Providing post-board feedback contributes to transparency and can also provide an important learning opportunity for candidates, who can use this information to improve their performance in subsequent selection processes. Many candidates welcome this opportunity to learn more about the assessment of their qualifications and would prefer to get it this way rather than through a more formal recourse process (which is not designed for this purpose).

Candidates must be informed in writing of the results of open and closed competitions. As a minimum, they should be informed of the name(s) of the employee(s) to be appointed and the name(s) and rank of other employees, if any, on the eligibility list. All unsuccessful candidates in a closed competition, (i.e. those not appointed or proposed for appointment), must also be informed of their right of appeal, where to send an appeal and the period within which it must be filed. The method used to communicate the results determines the date on which the [14-day appeal period](#) begins. In cases where an appointment has been made without competition, employees in the area of selection must be informed of their right to appeal. More detailed information about appeals and the disclosure process can be found in [Chapter 11, Recourse](#).

When candidates request additional information about a selection process, one or more members of the Selection Board normally meets with them individually. When this occurs, and as applicable, candidates are provided with information about their performance in the assessment exercises, the selection criteria and the selection tools. Some standardized tests are used on a continuing basis, which means that the candidate may be required to take the same test again.

It is possible to provide some feedback for standardized assessment tools administered by the Selection Board. Feedback should be of a general nature, such as oral communication and self-confidence, which could be provided in a way that would not compromise the confidentiality of the assessment tool, nor provide an unfair advantage to the candidate. It is important to note that providing more detailed feedback on such tests may compromise the continued confidentiality, and usefulness, of the assessment instrument. As well, detailed feedback may provide an unfair advantage when the candidate takes the same test again. For these reasons, detailed feedback is not provided on standardized tests.

Candidates who have taken a PSC written test, should be notified in writing of their results. This notification should contain a statement indicating that candidates may, within fifteen calendar days from the day on which the test results are mailed to them, request that their test be rescored.

While post-board feedback is different in intent and nature from disclosure in an appeal process, the candidate may nevertheless wish to be accompanied by someone. Consideration should be given to whether that person is, or is likely to be, a candidate in a competition that will use the same standardized tools or other parts of the assessment process. This is likely to be less of a concern if the employee is accompanied by a union staff member.

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8.9 STAFFING DOCUMENTATION

This section provides a description of documents that must be retained on the staffing file and some of the PSC forms used in staffing processes. Documentation used by the Automated Notice System (ANS) and PubliService are covered in [Chapter 7, Appointments from Within the Public Service](#). Unless otherwise indicated, the forms listed in this chapter are available from Canada Communication Group Inc., a St-Joseph Corporation Company. They can be ordered by sending by fax (819/779-2833) the Retail Requisition form CCG0146, or by telephone (819/779-4335).

8.9.1 Document Retention Requirements for Staffing Files

In accordance with Privacy Regulations, staffing information, whether recorded on paper or electronically, must be retained for a period of two years from the last administrative use.

In addition, the retention period for competitions should be two years following the expiry date of the eligibility list or last administrative action. For other selection processes (e.g. without competition, term re-appointment, deployment, acting appointment) the information should be retained for two years from the date of acceptance of an offer or last administrative action.

For collection of information and for monitoring and evaluation purposes, the following documentation must be kept:

- statement of qualifications;
- justification for non-imperative staffing, as appropriate;
- priority clearance number;
- notice of the selection process;
- applications received in a competition by notice or list of candidates drawn from an inventory search;
- Signed Statement of Persons Present at Boards form;
- Statement of Agreement to Become Bilingual, signed by the employee and the manager;
- language, diagnostic, medical, reliability and/or security check results;
- the assessment information, e.g. methods used, written responses given by candidates, written notes taken by selection board members during the interview, role play or interactive exercise; the rating of candidates and the selection board's report;
- signed eligibility list, if appropriate;
- appeal notification, if appropriate;

- letter of offer/instrument of appointment; and
- any other document/information specific to the action (e.g. correspondence with candidates, union consultation, indication that candidates in a competition were actively offered feedback, decision to bypass a name on an eligibility list) should also be kept.

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Annex A

POLICY ON NON-APPOINTMENT TERM EXTENSIONS

Policy Objective:

To reduce staffing workloads, to respond to issues raised by the Joint PSAC-TBS Study of Term Employment, and to better position the existing staffing regime to that envisioned in the proposed Public Service Modernization Act, while respecting the existing legal and regulatory staffing framework.

Policy Statement:

Non-appointment term extensions may be implemented by departments where such extensions are clearly distinguishable from term re-appointments and in such manner as fully respects the staffing values.

Application:

This policy applies to all departments and separate agencies of the Public Service listed in Part I of Schedule I of the Public Service Staff Relations Act that have not established their own policy under the Policy Framework on Non-Appointment Term Extensions.

Definitions:

Same Position: a term employee is extended in the same position when there is no change in:

- the occupational group and level; and,
- the qualifications and requirements, including official language requirements, needed to perform the work;

and when there is no significant change in:

- the work being performed;
- the work relationships (e.g., with clients, coworkers, and supervisors); and,
- the work unit.

Specified Period Work Term: this is the period for which the manager is undertaking to hire a term employee. This period would be shorter than or equal to the duration of the validity period of the term appointment, and could later be shortened due to unforeseen operational requirements.

Term Extension: this is an administrative action, and is a non-appointment. In cases where the current specified period work term is shorter than the validity period of the term appointment, and where all policy requirements are respected, a term employee may be extended in his/her

position. As such an extension is not an appointment, it may be accomplished without an assessment of merit, and without issuing appeal rights. A term extension may not extend the validity period of the term appointment, nor may it result in the employee working beyond the end of the validity period. For purposes of the TBS Term Employment Policy, 2002, a term extension is considered a renewal of a term of employment.

Term Re-appointment: this staffing action is the re-appointment of a term employee to his/her own position. It is an appointment based on relative merit. As such, the manager must assess merit, and issue appeal rights. Because this is a new appointment, the manager must determine a new validity period and specified period work term for this appointment. For purposes of the TBS Term Employment Policy, 2002, a term re-appointment is considered a renewal of a term of employment.

Validity Period of the Term Appointment: the maximum period during which a term appointment may be valid. A term employee need not be initially hired for the entirety of the validity period; if a shorter period is originally offered, this shorter period is the specified period work term. A term employee may be extended in his/her position in cases where the current specified period work term is shorter than the validity period of the term appointment, and where all policy requirements are respected.

Policy Requirements:

To effect a non-appointment term extension, the following requirements must be met:

- the term employee must have been informed by the manager at the time of the initial appointment if any difference exists between the validity period of the term appointment and the expected specified period work term;
- the term extension must be made prior to the expiry of the term mentioned in the appointment instrument (letter of offer);
- the term extension must not extend the term of employment of the employee beyond the end of the validity period of the term appointment communicated to the employee at the time of the initial appointment;
- the term extension must be made for the same position covered by the initial term appointment;
- the validity period of a term appointment must not exceed two years in duration;
- an employee may be administratively extended no more than three times during the validity period of his/her term appointment;
- the decision to extend or not to extend a term appointment must not be made arbitrarily, but should be based on the needs and/or operational requirements of the organization; and,
- the decision to extend or not to extend a term appointment must respect the staffing values, and, as a minimum, ensure the fair and consistent treatment of all term employees doing the same work.

Enquiries:

Enquires relating to this policy should be referred to your departmental Human Resources Advisor, who may wish to contact the responsible Strategic Staffing Advisor or the responsible Regional Staffing Advisor at the Public Service Commission.

ANNEX B

POLICY FRAMEWORK ON NON-APPOINTMENT TERM EXTENSIONS

Policy Framework Objective:

To allow departments the flexibility necessary to establish their own Policy on Non-Appointment Term Extensions to best meet their own needs, while also reducing staffing workloads, responding to issues raised by the Joint PSAC-TBS Study of Term Employment, positioning the existing staffing regime to that envisioned in the proposed Public Service Modernization Act, and respecting the existing legal and regulatory staffing framework.

Policy Framework Statement:

Individual departments may establish non-appointment term extension policies to respond to operational needs and requirements. Such policies must clearly distinguish between term re-appointments and term extensions. Such policies will not be applicable to EX positions in the department, unless negotiated differently through a Strategic Executive Staffing (SES) agreement.

Application:

This policy framework applies to all departments and separate agencies of the Public Service listed in Part I of Schedule I of the Public Service Staff Relations Act.

Definitions:

Same Position: a term employee is extended in the same position when there is no change in:

- the occupational group and level; and,
- the qualifications and requirements, including official language requirements, needed to perform the work;

and when there is no significant change in:

- the work being performed;
- the work relationships (e.g., with clients, coworkers, and supervisors); and,
- the work unit.

Specified Period Work Term: this is the period for which the manager is undertaking to hire a term employee. This period would be shorter than or equal to the duration of the validity period of the term appointment, and could later be shortened due to unforeseen operational requirements.

Term Extension: this is an administrative action, and is a non-appointment. In cases where the current specified period work term is shorter than the validity period of the term appointment, and where all policy requirements are respected, a term employee may be extended in his/her position. As such an extension is not an appointment, it may be accomplished without an assessment of merit, and without issuing appeal rights. A term extension may not extend the validity period of the term appointment, nor may it result in the employee working beyond the end of the validity period. For purposes of the TBS Term Employment Policy, 2002, a term extension is considered a renewal of a term of employment.

Term Re-appointment: this staffing action is the re-appointment of a term employee to his/her own position. It is an appointment based on relative merit. As such, the manager must assess merit, and issue appeal rights. Because this is a new appointment, the manager must determine a new validity period and specified period work term for this appointment. For purposes of the TBS Term Employment Policy, 2002, a term re-appointment is considered a renewal of a term of employment.

Validity Period of the Term Appointment: the maximum period during which a term appointment may be valid. A term employee need not be initially hired for the entirety of the validity period; if a shorter period is originally offered, this shorter period is the specified period work term. A term employee may be extended in his/her position in cases where the current specified period work term is shorter than the validity period of the term appointment, and where all policy requirements are respected.

Policy Framework Requirements:

Departments and separate agencies that have not established their own policy with respect to the use of non-appointment term extensions are governed by the PSC Policy on Non-Appointment Term Extensions.

Departmental or separate agency policy must clearly distinguish between non-appointment term extensions and term re-appointments, and must include, as a minimum the following requirements:

- the communication to the employee at the time of appointment if any difference exists between the validity period of the term appointment and the expected specified period work term;
- the term extension must be made prior to the expiry of the term mentioned in the appointment instrument (letter of offer);
- the term extension must not extend the term of employment of the employee beyond the end of the validity period of the term appointment communicated to the employee at the time of the initial appointment;
- the term extension must be made for the same position covered by the initial term appointment;
- the duration and number of extensions of term appointments must be limited in a way that clearly distinguishes between extensions and re-appointments, and meets organizational needs and/or operational requirements; and,
- criteria must be established to avoid the arbitrary use or abuse of term extensions, and to ensure the fair and consistent treatment of all term employees doing the same work.

Enquiries:

Enquires relating to this policy framework should be referred to your departmental Human Resources Advisor, who may wish to contact the responsible Strategic Staffing Advisor or the responsible Regional Staffing Advisor at the Public Service Commission.

Last updated: 2005-07-08

http://devmain.psc-cfp.gc.ca/staf_dot/pol-guid/chap_08/index_e.htm

