

# MEMORANDUM

**State of Alaska**  
**Department of Administration**  
**Division of Personnel & Labor Relations**

**To:** Workplace Alaska Hiring Managers  
Administrative Services Directors  
Department EEO Representatives  
All Division of Personnel & Labor Relations Staff

**Date:** September 1, 2010

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Director

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**Subject:** Personnel Memorandum 11-01  
Affirmative Action Hiring Policy (supersedes Personnel Memoranda 90-2 and 00-3)

Authority: AS 39.25, AS 39.28, 2 AAC 07.170, 2 AAC 07.175

This memorandum establishes procedures that give consideration to affirmative action hiring goals under Alaska Statute 39.28, 2 AAC 07.175, and the Executive Branch Affirmative Action Plan. All employees and applicants for employment shall be afforded equal employment opportunity (EEO). The State's Affirmative Action Hiring Policy is one tool to achieve that end. Affirmative action (AA) hiring goals are a result of an analysis of the State's workforce. Where members of protected classes in the State's Executive Branch workforce are significantly underrepresented as compared to the available labor force, placement goals are established.

### Hiring Manager Protocol

This policy takes effect only when there is an approved Affirmative Action Plan by the Director of Personnel & Labor Relations. When an approved plan indicates there is a placement goal in an Affirmative Action Job Group, Workplace Alaska (WPA) will flag the applicant with the "eyeglasses" icon.<sup>1</sup>

The eyeglasses icon alerts the hiring manager<sup>2</sup> that they must "look" at the flagged candidate(s) and review the associated Applicant Package(s). In cases where there is an EEO/AA placement goal, the hiring manager must include the following steps as part of their hiring responsibilities:

1. Review the Applicant Package (Applicant Profile and Job Qualification Summary) submitted by each flagged applicant and determine if the requirements for qualification are met.<sup>3</sup>

- a. For those flagged candidates who do not meet the position's minimum qualifications, note in the hiring documentation the specific reason for not meeting the position's minimum requirements.
  - b. For those flagged candidates who do meet the position's minimum qualifications, carefully review the information submitted by the applicant to ascertain if they should proceed in the hiring process.
    - i. If the flagged candidate does not meet the pre-determined interview screening criteria or is not selected to move forward in the hiring process, note in the hiring documentation the specific reason why the candidate did not proceed.
2. In the event there is a numerical scoring or ranking system in place for the hiring, score each candidate without regard to sex, race, ethnicity, or any protected status. Any scoring elevations for certain individuals as provided by law or regulation such as AS 39.25.159 (veteran preference) or 2 AAC 07.106(d) (Alaska resident preference) must be applied.
  3. Upon completion of the recruitment and selection process, hiring managers must accurately document the disposition of each applicant, including all flagged candidates. All applicants must have an appropriate disposition regardless of the outcome of the recruitment process (i.e. hire made, no hire made, etc.) in Workplace Alaska.<sup>4</sup>
  4. Document the legitimate business reason as to why the successful candidate was offered the position.

#### Other EEO/AA Related Hiring Manager Responsibilities

In addition to other responsibilities, which are detailed in WPA Hiring Manager training, the hiring manager must:

- ensure the job description and stated physical requirements are accurate prior to posting the position.
- ensure all interview questions are job related.
- apply any approved department-specific EEO AA policies.
- ensure that hiring panels, if used, are comprised of State employees<sup>5</sup> and when feasible, are diverse in terms of such factors as race, ethnicity, age, and sex.
- be prepared to provide all applicants with the legitimate business reason for which he or she was not selected.

#### Merit Principle

An agency is not required to appoint an unqualified candidate from an underutilized protected group. The appointing authority, on the basis of all relevant factors, which may include the goal

for the State government's workforce to be composed of qualified persons of each race, ethnicity, and sex representative to their number in the relevant job markets, is expected to hire on the basis of ability. Under these procedures, no applicant is to be hired solely on the basis of race, ethnicity, or sex. Ultimately, affirmative action and the merit system are two sides of the same coin. Both demand that employment and promotion decisions be made on the basis of ability.

### Endnotes

<sup>1</sup> Please note the WPA eyeglasses icon is a generic marker used to alert the hiring manager that the flagged applicant is subject to an EEO/AA placement goal, a Collective Bargaining Agreement preference, and/or a military preference.

<sup>2</sup> In order to become a WPA hiring manager, employees must successfully complete the Division of Personnel & Labor Relations' course "Workplace Alaska for Hiring Managers." The course includes other relevant EEO requirements and details all hiring manager responsibilities.

<sup>3</sup> Candidates meet the qualification requirements when they meet or exceed the position's minimum qualifications. Candidates selected for hire must also be eligible for employment as provided in the Personnel Rules (see 2 AAC 07.112).

<sup>4</sup> See AAM 100.130

<sup>5</sup> Unless specifically approved by the Director of the Division of Personnel & Labor Relations (see AAM 100.105).