



### 4. Recruitment and selection

### 4.1 Strategic recruitment and selection

Effective recruitment and selection is critical to an organisation's success. This success, through the management of products, programs, resources and people, depends on the ability to identify, attract and develop our human assets. Strategic recruitment and selection practices ensure an organisation attracts the skills that are essential to achieve its business objectives.

The costs associated with employee turnover and poor recruitment decisions are often quoted as being in multiples of the annual salary for the position. These are **direct costs**.

In addition, there are the **indirect costs** of lost productivity, fall in employee morale in some circumstances, and lost organisational performance when the incumbent does not perform at the required level, and these all add significantly to costs associated with recruitment. Therefore, the process of recruitment and selection requires careful attention and planning.

To ensure the organisation takes a strategic approach to the recruitment process, consideration should be given to the following issues before commencing a recruitment exercise:

- 1. How will the position contribute to the organisation's business goals?
- 2. What skills, knowledge and abilities does the incumbent need to contribute effectively to the business goals?
- 3. What recruitment strategy will be most effective in finding the right person for the role?
- 4. What skills and time does the organisation have internally to conduct a recruitment and selection process?

The essence of strategic recruitment is to align the process with the business objectives. For instance, timing of the activity is crucial to the cycle of the business plan to ensure the right people are available at the right time. In addition, each position description should be analysed in relation to other roles in the organisation, and how they fit with the business objectives.

The position description used during the recruitment process should represent a set of capabilities within the organisational structure. The appropriate skill sets will depend on the business objectives, both immediate and long- term. For instance, the skill sets related to management style will vary dramatically from organisation to organisation.

An organisation that thrives on creativity and flexibility, such as a software developer, requires facilitative managers who use persuasive - and less directional - leadership skills, than an organisation in a cost-conscious environment, which demands tighter controls.

### 4.2 Cost of recruitment

Employee turnover is a significant cost to an organisation, so it is important to seriously consider the implications of the entry and exit of an employee to improve the organisation's recruitment processes.

# > 4. RECRUITMENT AND SELECTION



#### Costs can include:

- > Recruitment costs:
  - agency/executive search fees
  - travel expenses
  - advertising expenses
  - labour time for recruitment employees
  - administration costs (e.g. mail, processing applications).

### > Hiring costs:

- solicitor/advocate fees for drafting contract of employment and/or negotiating terms and conditions
- medical tests, if applicable
- administration costs (e.g. setting up payroll, superannuation, security arrangements and other paper work associated with employment)
- provision of tools, supplies and equipment (e.g. office, uniform, vehicle, stationery).

#### > Employee induction costs:

- trainee and trainer labour time during induction
- travel and expenses related to induction
- cost of training tools (e.g. manuals, venue and equipment hire)
- training fees for courses delivered by external training provider
- reduced productivity levels of the inductee.

#### > Other costs associated with turnover:

- payout of accrued benefits to the exiting employee
- risk associated with dismissal (e.g. disruption of team performance and loyalty)
- loss of employee skills, knowledge and training
- down-time between appointments
- stress on existing employees as they take on increased workload
- training and development of new employee (e.g. buddying, coaching)
- increased salary/benefits provided to secure new employee.

### 4.3 Policy and procedures

Effective recruitment and selection requires a current, clearly written policy and supporting procedures. This ensures the organisation is adopting sound recruitment and selection practices, minimising any risk of breaches of legal obligations, and implementing a consistent process across the organisation.

#### **Policy**

The recruitment and selection policy should outline the organisation's position on recruitment and selection:

# > 4. RECRUITMENT AND SELECTION



- > State the policy aims (i.e. to recruit the most suitable candidate to the position criteria).
- > Ensure that the correct processes and methods of approval are followed when hiring potential employees to work for the organisation.
- > Ensure appropriate communications, records and HR controls are maintained.
- > Highlight the link between the recruitment policy and other HR policies.
- > Identify who is responsible for recruitment and selection (e.g. line managers, HR manager or both).
- > Clarify the position on internal recruitment (i.e. communicate opportunities internally.).
- > Provide a statement on Equal Employment Opportunity (EEO) and affirmative action.
- > Ensure an accurate job description is available before recruitment efforts begin.
- > State the recruitment and selection procedures including procedures for tasks such as reference checking.
- > Provide guidelines for dealing with unsuccessful applicants.
- > Provide direction on the process of offering a position and securing a new employee (i.e. letter of appointment, contracts, timing and induction).
- > Ensure procedures are established and followed in order to avoid direct, indirect and systemic discrimination, which could otherwise result in a restricted range of applications for positions, or complaints of discrimination being made.
- > Ensure that appropriate recruitment standards and equity are maintained throughout the organisation and to provide a resource to assist managers to carry out the recruitment of employees, thereby maximising the opportunity for successful hiring decisions.
- > Ensure obligations under the privacy legislation are addressed (e.g. collection, recording, use, disclosure, storage and destruction of personal information collected on employment candidates during the recruitment and selection process), and the right of access individuals have to that personal information, at any time. It should also address the issue of reference checking and the use of referees' personal information and the information they provide during reference checking.

### **Procedure**

The procedure document should outline the key steps required when undertaking a recruitment exercise. Like the policy, it is essential that employees follow the procedures document to ensure the right selection decision is made, and to minimise any risk to breaches of legislation such as the Equal Opportunity Act 2010 (Vic).

The policy may consider providing guidelines for the following issues:

- > recruitment responsibility and approval
- > confidentiality
- > job analysis
- > provision of an employee requisition form
- > advertising
- > internal recruitment
- > selection criteria
- > anti-discrimination
- > completing a job description
- > accessing other employee resources (e.g. applicants on file, temporary employment agencies)

# > 4. RECRUITMENT AND SELECTION



- > following the administration protocols for managing and handling applications
- > conducting pre-employment interviews and screenings
- > conducting interviews
- > undertaking reference checks
- > requesting medical examinations
- > notifying unsuccessful candidates
- > offering the position in writing and completing a contract of employment.

## 4.4 Benefits of recruitment and selection policy and procedures

### 4.4.1 Benefits to the organisation

- > Facilitates the identification and alignment of the organisation's requirements and people competencies through improved processes so that selection decisions are based on objective measurement of job-related behaviours associated with effective or superior performance.
- > Provides a common template across interviewers to standardise the criteria by which candidates are evaluated and to serve as a common language for use by recruiters, interviewers and managers.
- > Improves the bottom line of the organisation through reduced turnover, lower hiring costs, shorter development period to fully competent performance and higher levels of productivity and contribution.

#### 4.4.2 Benefits to the individual

- > Increased opportunity to perform well in the job due to a better job-person fit and by determining the training/development needs of the candidate at the point of hire.
- > A fair and equitable system that employs EEO compatible selection practices which uphold the rights of the individual under the various equal opportunity legislations.
- > Recruitment of the organisation's personnel will be based on merit in fair and open competition, without patronage, favouritism or discrimination.
- > Vacancies will be filled by promoting existing employees, wherever suitable.
- > External recruitment will occur only when no properly qualified internal candidate is available.

### 4.5 Steps in the recruitment and selection process

Recruitment refers to the process that begins with the decision to recruit an individual to fill a position and continues through to seeking and attracting a pool of applicants.

The selection process involves choosing from the pool of available candidates and usually commences when prospective applicants make first contact with the organisation, usually by way of written application. The selection process can include procedures for short-listing, interviewing, reference checking, skills, medical and psychological testing. These procedures should culminate in the selection of an individual who is most likely to perform successfully in the job.

The steps in the recruitment and selection process may vary slightly depending on the recruitment method chosen. The usual key steps are:

# > 4. RECRUITMENT AND SELECTION



Step 1: assess the recruitment need

Step 2: review the position description and person specification

Step 3: source internal and external applicants

Step 4: screen and short-list applicants

Step 5: conduct the interview

Step 6: undertake reference (and medical) checks

Step 7: offer the job.

#### 4.5.1 Assess the recruitment need

Prior to commencing the recruitment and selection process, it is important that an assessment of the need to replace the outgoing incumbent be made. A number of questions should be asked to determine whether the position is replaced without any modifications, the position is no longer needed, changes in the job description are required, or the person specification is modified. This ensures that valuable time, expense and effort are not wasted and that the organisation operates as efficiently as possible.

#### Review the reason for the vacancy

- > Why did the employee leave?
- > Was the employee/organisation dissatisfied?
- > Did the employee get a better offer?
- > If the employee left for a better offer, in what way was it better?

#### Conduct an exit interview

> Face-to-face interview at the time of the termination

The main disadvantage here is that the employee may feel threatened and not want to be frank and open. However, it provides an opportunity to gain information both through what the interviewee says, and by picking up subtle clues through body language and the tone of the conversation.

> Questionnaires given to the employee on resignation

These are best used when the employer doesn't have the time or skills to conduct a face-to-face interview, as the response rate is often low and does not allow probing into issues further.

> Telephone interview

Make a follow-up phone call, approximately one to three months after the employee has left the organisation.

#### Do you need the position?

Are there alternatives to re-appointing someone to the position:

> Sharing the job among the remaining employees?

# > 4. RECRUITMENT AND SELECTION



- > Re-appointing the position as part-time?
- > Sub-contracting or out-sourcing the work?
- > Rearranging the hours of work?

### What are the business goals of the organisation?

Consider the organisation's short-term and long-term business goals:

- > How will the position contribute to the achievement of those goals?
- > What skills and knowledge are essential to the achievement of the business goals?
- > How does the position fit with other roles? The new position should contribute skills that the organisation needs but does not currently have.

### What has changed since the incumbent was appointed?

Analyse the position by asking, "What was the incumbent supposed to be doing? incumbent?"

### What do you need to change?

- > Do you still need to fill the position?
- > Does the position need changing or re-organising?
- > What would you like the new job to look like?

### 4.5.2 Review the job description and person specification

It is important that the job description and person specification is up-to-date and relevant. Although reviews of job descriptions and person specifications should be conducted regularly, the recruitment of a replacement incumbent in a job is a perfect opportunity to assess the relevance and usefulness of the job description and person specification. (Refer *Chapter 3 Job Analysis* for detail on job descriptions and person specification.)

### 4.5.3 Source internal and external applicants

#### Internal or external recruitment

Once a decision has been made to fill a position and the job description and person specification is current, decisions need to be made as to how applicants will be sourced. The company policy in relation to internal recruitment must be checked and adhered to.

Many organisations have a policy of advertising all positions internally, either prior to or at the same time, as advertising externally. Internal recruitment policies allow opportunities for existing employees to progress through the organisation or move into other areas of interest. Such policies and practices have been shown to directly improve employee morale.

#### Engaging a professional recruitment or executive search agency

Recruiting employees can be an expensive process whether an external consultant is engaged or the process is undertaken internally. The situation needs to be analysed in terms of cost-benefit to the organisation.

# > 4. RECRUITMENT AND SELECTION



Organisations need to consider the direct and indirect costs associated with the recruitment process; if other parts of the business suffer (e.g. reduced productivity or focus), engaging an external consultant may be more economical in the long term. Also, engaging a professional recruiter can be more cost-effective, due to their skills, training and practice, and they will have more experience in handling the problems that may arise.

### Deciding whether to use an agency

Factors that may support a decision to engage an external professional recruitment agency:

- > position is at middle to senior management level or significant in the organisation
- > the volume of the recruitment exercise is large (e.g. large-scale recruitment for seasonal work)
- > vacancy is to be kept confidential
- > previous recruitment campaign has been unsuccessful
- > current supply and demand levels for the required skills and experience are low
- > high-profile consultancy may attract a higher calibre of candidate
- > complete objectivity is required.

### Choosing a recruitment or executive search agency

Consider the following:

- > Does the agency have a long and positive history of recruitment in your industry/type of employment?
- > Do they have a strong reputation? Check referrals.
- > Is the agency familiar with your competitors?
- > Do they have an office nearby?
- > Does the agency's fee schedule meet your budget? How does it compare to similar agencies in the marketplace?
- > Is there a probationary period during which the fee will be refunded if an employee hired through the agency does not meet requirements?
- > What is their method of recruiting and working with the client (i.e. will they partner with you and provide some skills so that you may understand the recruitment process better?)

### **Process of selecting a firm:**

- > Obtain recommendations from companies that regularly use professional recruiters.
- > Talk to the firms. Ask for referrals, concentrating on those that have completed similar assignments.
- > Evaluate the firms. Was the feedback from the referrals positive?
- > Enquire about the firm's follow-up strategy after placement. Ask for referrals to confirm the level of follow-up service received from the recruitment firm.
- > What incentives does the firm receive for successfully completing an assignment?
- > What is their track record for assignment completion (i.e. what is the variable range on estimated completion time?)

### **Contract and fees:**

The search firm should provide a written proposal outlining:

# > 4. RECRUITMENT AND SELECTION



- > the consultant's understanding of your requirements and expectations
- > the agreed fee structure, including billing of expenses
- > an estimate of the time required for the search and placement
- > who will handle the search (it may not be the consultant you have dealt with to-date)
- > the process of selection and reference checks
- > your involvement (e.g. meetings, interviews) at key stages of the assignment (e.g. when, and for how long?)
- > exception reporting (e.g. if the response is not satisfactory).

### Conducting the recruitment and selection process internally

#### Identifying key selection criteria

Before embarking on the next steps in the recruitment and selection process, it is important to determine the key selection criteria for the job. Key selection criteria are the criteria that should be used to make decisions about selecting candidates to interview and, ultimately, to whom the job will be offered.

Using key selection criteria ensures that decisions about a candidate's suitability for the job are based on the fundamental requirements of the job. This not only ensures that the best candidate for the job is selected, it also avoids decisions being made on irrelevant criteria influenced by emotions and biases. It also provides a standard and consistent method of assessing candidates and removes the need to rely on memory.

Key selection criteria is simply a list of the key skills, experience, competencies, knowledge, qualifications and achievements that a candidate must have to be successful in their application for the position.

The key selection criteria should reflect the job description and person specification.

A useful method for using the key selection criteria is to list the criteria down the left-hand side of a page and list the candidates along the top of the page and score each candidate using a suitable scale, for example:

- 1. Does not appear to possess
- 2. Appears to partially possess
- 3. Appears to possess
- 4. Appears to exceed

### 4.5.4 Advertising

The job can be thought of as a product. The product features are the terms and conditions of employment, and the employee is the customer. Recruitment is marketing and sales, and employee retention equates to customer service. Advertising is the key method of creating awareness of your product, the job.

This approach can make it a little easier to access a pool of candidates, but you also want to widen the market by attracting those who are not necessarily looking. You want the best available. It is also important to recognise that while you are trying to choose a new employee, candidates are also making choices about employers.

An important point about the 'right' people for your organisation is that they may not be actively seeking employment when you need them - many are in satisfying jobs, and are not actively searching for alternative employment. In many instances, this means that you are competing in a job market for potential candidates





and may be trying to attract them away from competitors. Therefore, you need to adopt a marketing strategy to attract candidates to your job and your organisation.

#### Writing the advertisement

The style used in the advertisement can significantly impact on the effectiveness of the advertisement in attracting appropriate candidates. Wayne Parkes, in his book "Recruiting in Australia", outlines what he terms the 'AIDA technique' – Attention, Interest, Desire and Action:

#### **Attention**

The advertisement needs to be eye-catching, attention-grabbing. This may include a catchy phrase or sentence, an interesting job title or graphics.

#### Interest

Including important information in the first paragraph of the advertisement is critical to capturing the interest of readers: details about the job, seniority, salary and benefits, qualifications, location, etc.

#### **Desire**

Now, you want to make a special appeal to the reader, to answer their question, "What's In It For Me (WIIFM)?" (For example, remuneration, higher status, career opportunities, employer of choice.)

### **Action**

At this point, you invite the reader to take some action – phone, apply, inquire. Make sure you have a contact name and number. Make it easy for the person to contact you, remembering that they may only be 'window-shopping' and, importantly, ensure confidentiality.

There is certain information that should be included to make your advertisement as effective as possible. The key selection criteria should form the basis for the advertisement since these are the elements that you are seeking in the candidate, and include:

- > position title
- > organisation name and/or a description of the business and industry
- > location
- > travel requirements (if any)
- > salary range and benefits or a statement relating to whether salary is negotiable or subject to award conditions
- > key responsibilities/activities of the job (refer to key selection criteria)
- > skills, knowledge, qualifications and/or experience necessary
- > description of the organisation's culture.

You can also create interest by including organisation features and benefits. Be clear on the benefits that the organisation provides. Be specific about why the organisation is an employer-of-choice, referring to:

- > indication of training and/or personal development opportunities
- > indication of any further opportunities/career path within the organisation

# > 4. RECRUITMENT AND SELECTION



- > opportunities for recognition and loyalty programs
- > teamwork opportunities and relationships
- > varied work scope
- > work environment location, facilities/amenities (transport, shops, etc.)
- > security and stability
- > training and development. The advertisement should also:
- > relate directly to the position, also include any special features that are important to the position (e.g. travel, shift work or overtime)
- > omit any reference to irrelevant personal characteristics, or irrelevant skills/qualifications (i.e. some skills can easily be acquired on the job)
- > use non-discriminatory language with respect to the wording
- > include the phrase: "<company name> is an Equal Opportunity Employer and supports diversity in the workplace"
- > include a closing date, with a minimum of two weeks after the appearance of the advertisement
- > indicate how to apply for the position.

### **Equal Employment Opportunity (EEO) and advertising**

State and Federal legislation prohibits discrimination on the basis of a number of attributes or personal characteristics (refer *Chapter 8 Equal Opportunity, Harassment and Bullying* for more details). The basis of all anti-discrimination legislation relating to employment is the principle that all people should be treated on their ability to perform the inherent requirements of the job and not on any presumed or real attributes that an employer thinks may affect their job performance.

Equal employment opportunity (EEO) legislation applies to every step of the recruitment and selection process. Penalties and other related costs of breaching the legislation are high and potentially damaging to an employer. Being aware of EEO obligations and following a recruitment and selection process that is based on selecting the best person for the job will prevent poor and/or unlawful decisions being made.

In Victoria, discrimination on the following grounds is unlawful:

- > age
- > breastfeeding
- > employment activity
- > gender identity
- > impairment
- > industrial activity
- > lawful sexual activity
- > marital status
- > parental status or status as a carer
- > physical features
- > political belief or activity
- > pregnancy
- > race

# > 4. RECRUITMENT AND SELECTION



- > religious belief or activity
- > sex
- > sexual orientation
- > personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

### **Guide to writing appropriate advertisements**

#### Do not:

- > use gender-specific terms 'tradesman', 'cleaning lady', 'headmaster'
- > specify gender 'male person', 'young lady'
- > specify language requirement (unless it is an inherent requirement of the job) 'English speaking person', 'must speak fluent English'
- > use words that denote specific race 'Greek national', 'British subject', 'Australian born'
- > specify religion take special care if you are a religious organisation (an application to the Victorian Equal Opportunity and Human Rights Commission for an exemption may be necessary in such circumstances)
- > give an irrelevant job specification that implies gender or particular appearance 'attractive' for a receptionist
- > state age limits unless an inherent requirement of the role
- > require particular marital status 'married person'.

Rather than using age-directed language (e.g. 'energetic', 'fit' and 'fast-paced' compared with 'mature', 'experienced' and 'expertise') in job advertisements and conversations, using phrases such as 'demonstrated capacity to...' and 'proven track record in...' will attract interest from a wider range of people, and broaden the range of applications that will be received. Legislation permits exceptions for employers to set and enforce particular policies, such as standards of dress, appearance and behaviour that are reasonable, having regard to the nature and circumstances of the employment.

To invoke the exception, an employer would have to prove that although the dress or appearance standard may discriminate on the basis of certain factors (e.g. gender, physical features, etc.), it is reasonable to do so in these particular circumstances.

'Reasonableness' is to be assessed having regard to the nature and circumstances of the employment. What is reasonable will depend on the facts of each case. Occupational health and safety considerations are a relevant component of the nature and circumstances of the employment.

#### Advertising the position available

### a) Placement of advertisement

Think carefully about where to advertise:

- i) print media newspapers, magazines, journals; national, regional; general, financial; weekend, daily; display, regular entry; general or finance section, classifieds
- ii) online (internet based) websites (company, employment agency, job search, paid placements in online journals and subscriptions, social media such as Linked In).

# > 4. RECRUITMENT AND SELECTION



Choosing carefully where, when and how to advertise is critical to attracting a pool of suitable applicants from which you can make a selection. Placement of the job advertisement relates to the type of candidate you are seeking, and where they are likely to be job searching. Consider publications that are targeted to a particular geographic and/or demographic area suited to your requirements. Consider advertising in technical or specialist publications for professional employees.

Collate a file of periodicals (newspapers, journals, and magazines) sorted by market, with information on advertising rates and submission deadlines. Keep details and records of previous advertisements: electronic and print media, numbers of enquiries and applicants; duration of the recruitment process.

For internal advertising, use the usual communication methods (email, notice boards, newsletters, etc.). Ensure the company policy is adhered to, and that all employees (including employees on various forms of leave) are included and given adequate time to respond.

### b) Classification of the position

Which section of the newspaper will attract the best suited applicants? Should the advertisement be listed alphabetically under the job title in the classified section, or should it also be placed under alternative sections, such as in the body of the newspaper where senior professional positions are found, or undergraduates? Is the advertisement placed in the most appropriate job category?

Consider the size, style and image of the advertisement.

#### c) Timing the placement of job advertisement

Timing is important. Avoid public holidays and traditional holiday periods such as Christmas or school holidays. You need to avoid times when people have a heavy workload (mid-year), or when they are relaxing on holidays. Also, consider the day of the week – Saturday and/or weekday edition of a newspaper. (This requires less consideration if choosing to market the position on the Internet.)

#### **Application methods**

The most appropriate method/s to be used to assess each applicant's knowledge, skills, abilities, qualifications and experience against the key selection criteria must be determined before the advertisement is written and placed. There are several techniques that may be used singularly or in combination. The important point is to use the most appropriate method for your situation.

### Techniques include:

- > telephone screening or interviewing
- > application forms
- > written applications
- > interviews conducted by individuals or a panel
- > follow-up or second-round interviews
- > reviewing samples of work
- > academic tests, both written and verbal
- > problem-solving exercises and skills assessment
- > intelligence and personality tests
- > job tests/work exercises

# > 4. RECRUITMENT AND SELECTION



- > group interviews and role-plays
- > reference checks, both written and verbal.

The most common method of recruitment used is receipt of written applications from candidates - followed by interview/s and reference checks. The advertisement for the job should advise applicants of the selection methods that will be used during the recruitment process.

### 4.5.5 Screen and short-list applicants

Most initial contact regarding the position you have advertised will be by email and/or phone, in writing or in person. Your next task is to deal with the phone enquiries and the resumes that you will receive in the mail or via email.

#### You will need:

- > copies of the updated job description
- > key selection criteria
- > application forms
- > telephone enquiry record sheets
- > time allocated to deal with the applications.

#### **Telephone screening**

Telephone screening is an extremely effective tool where a large number of applications are expected. You may be unable to interview all those who apply, so you may need a method of initial short-listing. This method can save you time, because you can tell potential applicants where they stand in relation to meeting the job requirements and whether an application is required. Telephone screening is the most appropriate for lower level jobs. Remember to clearly advise applicants whom to contact to discuss the position in the advertisement.

Most phone inquiries will probably be received within 48 hours of the appearance of the advertisement – be ready for these calls. This is important because accessing your organisation is just as important to potential applicants as it is to customers.

Keep a written record of the key information from the phone interview. Use a pro-forma telephone-screening questionnaire. The same EEO principles apply to telephone screening as to face-to-face interviews (refer Section 4.5.6 Conduct the interview).

The telephone screening process should reveal one of the following:

- > The applicant is not able to do the job let them know they are not the right person, but that you would like to keep them in mind for the future (this person may not be right for this job today, but they might be right for a future position).
- > You are not quite sure ask the applicant to submit an application, highlighting their strengths. Let them know you will be talking to others, and that you are not sure if they will make the short-list.
- > The applicant sounds very promising you may want to schedule them early in the interviews.





### **Application forms**

Completed application forms can be used instead of, or in addition to, resumes. They can be a one-page outline of basic details, a four-page biographical summary, or a combination of these two styles. The short application form may function in the same way as the initial screening phone inquiry.

The type of application form and the amount of detail required often depends on the seniority of the position (refer documentation at the end of this section for sample application form).

Application forms must comply with EEO legislation, as outlined under the previous section.

#### Resumes

Resumes and applications will arrive by different means including mail and email, and in different forms – mail resumes and applications may be desktop published and bound, some in display folders and others simply stapled. Other resumes and applications will be received electronically. The applicant's aim should be to make you notice their resume (i.e. the resume must be appropriate and relevant in both presentation and content).

Resumes usually contain three elements:

1. Fact	- employment history, qualifications
2. Opinions	- 'an excellent communicator' depends on their definition of 'excellent'
3. Inferences	- 'involved in change management' is vague, and infers an ability to manage change.

#### **Review resumes**

Part of the job of reviewing resumes is to identify fact, opinions and inferences.

- 1. Scan application letter, summarise these points on a pro-forma attached to the front of the resumes.
- 2. Using the key selection criteria, sort the resumes into three groups:
  - > appear suitable
  - > may be suitable
  - > unsuitable.
- 3. Mark directly on A. and B. resumes:
  - > aspects you need more information about
  - > claims that the applicant makes about their experience that are vague
  - > gaps in employment (i.e. is there an unexplained break in employment?)
  - > experience and knowledge that you would like the candidate to expand on.
- 4. As you scan the resume, there are three important questions that you need to mark:

**Meaning?** - to probe claims of achievement

**Definition?** - to seek explanation of vague terms or jargon

**Details?** - to have claims quantified (e.g. date ranges, cost reductions).

# > 4. RECRUITMENT AND SELECTION



**Note:** Allow at least 15 minutes before each interview to review the resume again. This will refresh your memory, and enable you to conduct the interview without having to continuously refer to the resume.

#### Select candidates for interview

Once you have sorted your candidate resumes into the three categories:

- 1. Write to the unsuccessful candidates immediately, informing them that their application was unsuccessful (refer documentation at the end of this section for sample letter).
- 2. Write acknowledgement letters to the other two groups, informing them that you will be contacting them soon regarding their applications.
- 3. Arrange interviews with suitable candidates (A) as soon as possible you do not have to wait until applications close.
- 4. Review the middle group (B), and decide whether you want to interview any of them. If you are unable to decide, phone the candidate to gain more information. You may want to arrange a 'window' interview (i.e. a brief first meeting to form an initial impression).
- 5. Select a short-list for further interviewing and assessment, and inform unsuccessful applicants.
- 6. Re-read resumes of short-listed applicants, and arrange interviews.

**Note:** It should take no longer than IO days between advertising the position and interviewing people in depth. Early contact with the candidate by an email, acknowledgement letter or phone call is critical. Being slow to respond may mean that you lose the candidate.

#### Notify unsuccessful applicants

Once acceptance of the offer of employment has been received from the successful applicant, you should notify remaining unsuccessful applicants.

#### 4.5.6 Conduct the interview

The main objective of the interview is to gather as much relevant information as possible about the applicants.

This information can be used to determine whether they have the skills, experience and knowledge to do the job, and also whether they will fit with your organisation and the team with which they will be working. The aim of the interview is to match the key selection criteria developed for this position, with the skills, knowledge and experience of the candidate.

An interview needs to follow a format, yet be flexible enough to allow for the particular experiences and style of each applicant. As an interviewer, you should evaluate the same general criteria for each applicant and ask the same set of core questions.

An interview that follows a general standard outline will produce more reliable and valid information for selection than an unstructured interview. It will allow for valid comparisons between applicants, and minimises the risk of laws and regulations that govern the selection process being broken or overlooked.

When conducting an interview, you need to:

- > seek information on all important criteria needed for successful job performance
- > cover all critical competencies required to perform the role

# > 4. RECRUITMENT AND SELECTION



- > ask behaviour-based questions to elicit what a candidate has actually done in a particular circumstance, or what they would do if faced with a particular circumstance
- > avoid asking 'leading' questions
- > avoid asking theoretical or philosophical questions
- > evaluate candidates against position criteria
- > ask further probing questions to clarify actual behavioural style of candidate.

### **Effective interview questions**

Questions should be formulated to reveal and provide specific information concerning skills, knowledge and abilities required for a new employee to be successful in the job.

Develop an interview question guide to use for all candidates for the job. This ensures you are consistent with each candidate, giving each the same opportunity, and allows you to use well-prepared questions that you may otherwise forget or not pose as effectively.

Questions are a powerful tool, and they can be used to:

- > elicit information
- > direct the course of a discussion
- > establish and maintain control
- > check information or test understanding
- > give information (disguised statement)
- > control the emotional climate.

Poor questioning techniques, however, can deprive an interviewer of the only opportunity they have to obtain the necessary information to make an accurate selection decision.

When preparing your questions, remember to:

- > concentrate on the most recent and relevant work experience, or education.
- > avoid asking theoretical questions.
- > aim to discover what the applicant has done in a particular situation NOT what they would like to have done, nor what someone else did, nor what they should have done.

### **Open questions**

This type of question is designed to avoid single-word or very brief answers. Open questions allow a wide range of possible responses from the person answering the question. They also place the initiative with the applicant to frame and express relevant answers to your questions.

### Examples:

- > Tell us about one of your projects that provided you with satisfaction. What were the results?
- > What was your role?
- > What did you do in your last job that contributed towards teamwork? Give an example of a time when you had to reach a decision very quickly.
- > Tell me about your last job.

# > 4. RECRUITMENT AND SELECTION



- > How did your job description change while you held the position?
- > What is important to you in a job?
- > What do you feel would be your biggest contribution to our organisation? Department?
- > What are your strengths and how do they relate to our organisation?

#### Closed questions

These questions are phrased in a way that encourages answers of very few words and narrows the range of responses available to the person answering the question. At the extreme, they allow for only a 'Yes' or a 'No' answer. These are useful to pin down a candidate's response. If a candidate avoids giving a Yes or No answer to a closed question, this may be a sign that the applicant wants to evade the question and, therefore, should be probed further.

Sample closed questions:

- > Do you have a current driver's licence?
- > How long did it take to get the group to agree to that course of action?
- > Are you able to work overtime whenever necessary?
- > Does driving in inclement weather bother you?

#### **Behavioural interviewing**

Behavioural interviewing requires you to develop interview questions that seek to determine previous actual behaviour in situations that are very similar to those likely to be experienced in the position to be filled.

#### Using past behaviour to predict future success

When assigning work, supervisors/managers usually give it to the employee who was successful in solving a similar problem or completing a similar task in the past. They use past behaviour to predict future behaviour.

It is the same in recruitment: once an interviewer knows what a candidate has done in practice, then behaviour, skills and decision-making can be more accurately predicted in similar situations, in the future.

- > Using behaviour-based questions and responses eliminates misunderstanding and misinterpretation of the candidate's past experiences.
- > Using behaviour-based responses to workplace scenarios prevents personal impressions from affecting evaluation.
- > Using behaviour to assess competence minimises opportunities for the candidate to avoid answering, or to exaggerate.
- > When planning a behavioural assessment interview, you need to:
  - know exactly what criteria are to be evaluated through using a recently updated position description
  - define each general criterion so that it is clearly understood by all those involved in evaluating a candidate
  - plan questions to ask, in order to obtain evidence of behaviour in relation to given criteria.

The best way to predict future behaviour is to obtain evidence of past behaviour in relation to specific criteria that are regarded as critical to competence on the job.





Guidelines to avoid potentially discriminatory questions, both oral and in written form:

#### Race or colour

The interviewer may not ask questions pertaining to an individual's skin colour or complexion except in limited circumstances such as where the company can claim an exemption under legislation. For example if active attempts are being made to recruit employees of aboriginal or Torres Strait Islander descent.

#### Religion

Enquiries are not permitted regarding a person's religious beliefs. Also, avoid using the term 'Christian Name' on an application form; instead, ask for First, Middle and Last (or Family) names.

### **National origin**

Enquiries are not permitted about a person's lineage, ancestry, descent, parentage, nationality.

#### Sex

A pre-employment enquiry as to gender on an application form should be avoided.

#### **Marital status**

An interviewer may not ask, "Are you married?", "Where does your spouse work?", "How old are your children, if any?"

### Age

An interviewer may not ask the applicant's date of birth, or age unless it is directly relevant to the role e.g. working at a licensed venue.

### **Disability**

The interviewer may ask a question such as, "Do you have any impairment, physical or intellectual, that would interfere with your ability to perform the inherent requirements of the job?" Then, possible accommodations can be discussed, if required. The interviewer may not ask "Do you have a disability or impairment?"

#### **Birthplace**

The interviewer may not ask an individual's birthplace because this may suggest racial discrimination - it may also cause the candidate some discomfort.

### **Photograph**

The employer may not request that the applicant affix a photograph to the employment application form at any time before hiring.

#### Citizenship

The interviewer may ask, "Are you legally entitled to work in Australia?"





### Language

The interviewer may ask, "What languages do you read/write/speak fluently?" But, it is recommended this only be done where it is a required or desirable attribute for the role.

#### **Relatives**

The interviewer may ask the names of any of the applicant's relatives who are already employed by the organisation, however, be very cautious with this area - it is unlawful to discriminate against an individual for reasons of personal association.

### **Organisations**

The interviewer may ask questions such as, "Are you a member of any clubs, organisations or the like which might have relevance to the position that you have applied for?" The interviewer may not ask the applicant to list all clubs, societies and lodges to which they belong.

#### **Criminal conviction**

It is unlawful to discriminate against an individual on the grounds of irrelevant criminal conviction. There are some exceptions to this law, particularly relating to the care of children, the aged and disabled. The interviewer may not ask questions such as, "Have you ever been arrested?"

An applicant cannot be refused employment because of their criminal history, unless it is deemed to compromise the individual's ability to perform the job.

Your own attributes and attitudes - We all have personal prejudices and preferences. It is natural to be more accepting of, or more familiar with, someone who is similar to ourselves. This means that the interviewer/s must remain objective and not make emotional decisions, which are not necessarily in the organisation's best interests.

It is important to recognise our own prejudices and tendencies and be aware of them when we are employing others, so that we make good decisions based on what the organisation needs.

As an interviewer, you need to ask:

- > Are my expectations too high?
- > What attributes on the list of personal attributes are essential?
- > Am I threatened by someone who is brighter than I am?
- > Have I set minimum selection criteria?
- > Am I imposing my values on this person?
- > Am I going for a safe choice or for the best available on the day?
- > Am I eliminating someone who looks 'too good'?

This awareness is important in the recruitment process because it sets the foundation for recruiting the best person for the job.





### **Creating the right environment**

The main aim in creating the most suitable interview environment is to make the candidate feel as comfortable as possible (e.g. seating arrangement, welcome at Reception).

#### **Time**

Make sure you allow enough time for your interview. You will need between 45 minutes and two hours to adequately interview your short-listed candidates, depending on the complexity of the position. If you are conducting a series of interviews in a single day, allow enough time between interviews for overflow, summarising, taking notes, and recovering (recommend at least 15 minutes).

#### Arrival

Make sure the candidate knows how to get to your organisation, and ensure that the receptionist is aware that you are conducting the interview. If possible, have someone greet candidates when they arrive.

#### **Privacy**

Do not conduct interviews in restaurants, or other public places. Make sure the room is completely private, and that you will not be interrupted.

### No interruptions

Have the phone diverted, and let relevant personnel know that you will not be available for a certain period of time.

#### **Comfort**

Avoid conducting the interview from behind your desk if this placement sets up a barrier between you and the candidate. Come around to the candidate's side, and angle chairs inward towards each other (avoid placing chairs directly opposite each another). If there is a panel conducting the interview, a 'round table' configuration is best.

### Opening the interview

When opening the interview, the aim is to establish rapport and make the candidate feel as comfortable and relaxed as possible. This way, the candidate will be more open during the interview – an anxious individual will not give as much information.

- > Introduce yourself plus, members of the interview panel, and their role to the candidate.
- > Offer the candidate a glass of water.
- > Explain the structure of the interview and the expected duration, so that the candidate knows what to expect.
- > Explain that you will be taking notes throughout the interview.
- > Allow the candidate to talk, while you listen carefully without interrupting.

# > 4. RECRUITMENT AND SELECTION



### Closing the interview

- > Give the candidate the opportunity to ask any questions they may still have.
- > Advise the candidate of the next step in the process (whether there may be a second interview and when you are likely to let them know of your decision).
- > Explain to the candidate that reference checks will be made, and seek additional referees, if required.
- > Thank the candidate for their time and interest in the role and escort them to Reception to exit.

### 4.5.7 Make a decision

How do you know which candidate is best suited to the position vacancy? There is no absolute way to tell in advance; however the chances of hiring the best person will be increased if the following steps are taken:

- > Be clear about the skills, knowledge, experience and aptitudes required by a candidate in order to perform the job well.
- > Immediately after the interview, write down the candidate's strengths and gaps.
- > Follow-up the candidate's prior work experience and, with their permission, call previous employers to establish work records and progress.
- > Put together the data collected in the above three points, and make a decision.

Remember, do not select 'the best of a bad bunch' – search again. A poor decision can be very costly in terms of time, money and morale.

#### Retention

The source of retention problems is somewhere within the function of leadership – at every level. Normal turnover would occur due to a variety of factors, including serious illness, relocation of partner to another city, and retirement. However, abnormal turnover due to decreasing competence and/or interest, low performance, or ineffective recruitment or selection processes, is costly, impacts on operations and morale, and negatively affects achievement of business objectives.

Managerial responsibility (i.e. leadership) and accountability lies in each of the following stages being carefully planned and monitored:

- 1. finding the right people
- 2. showing them what to do and how to do it
- 3. ensuring these people achieve desired objectives
- 4. maintaining their focus and direction according to plan.

Maintaining the interest, competency and motivation of employees requires an acknowledgement of their value to the organisation (skills, knowledge and experience), and a genuine interest in developing their potential (training and development) and job satisfaction (motivation factors).

### **Motivation factors**

- > Affiliation demonstrated through sympathy and interest in others, and people getting together (e.g. meetings)
- > Recognition for achievements and improvements; publicly and privately

# > 4. RECRUITMENT AND SELECTION



- > Achievement encourage competition and working to objectives; provide progressive feedback on their performance
- > Self-actualisation sense of personal growth and continual learning

### 4.5.8 Undertake reference (and medical) checks

#### Reference checks

The purpose of reference checking is to validate your selection decision. Reference checks should be conducted prior to making a job offer.

It is important to investigate past work performance of candidates who appear to satisfy the requirements of the position. This includes contacting former employers to confirm the candidate's work record and to get their appraisal of the candidate's performance. Use key selection criteria and interview questions to form the basis of the reference check. This will ensure you focus on the important factors in making your decision, and gather the most relevant information from referees.

It is also important to contact job-related references not necessarily provided in the first instance by the preferred candidate. For example, during the interview you may be able to identify some other sources from which you could seek a reference. Be sure to verify the educational accomplishments submitted by the preferred candidate.

A reference check can take up to 20 minutes and should be done by telephone. Telephone reference checks are mostly concerned with confirming factual information, and probing areas of character and specific ways that the candidate matches or fails to match areas that are likely to have an impact on work performance.

It is not appropriate to check references without the applicant's consent (refer *Documentation* at the end of this section for sample Reference Check form).

### **Medical examinations**

Some organisations will require a medical examination before an appointment is made for some positions. Where the position requires such an examination, this is to be stated at the interview. Pre-employment medical tests can be an integral part of the employment selection process. Medical tests are a useful indication of the suitability or otherwise of potential employees in jobs that require specific physical or mental capabilities. Where required, the organisation will arrange a pre-employment medical, prior to final decision

In order for employees or potential employees to perform the duties required by their position, employers have an obligation to provide a workplace that appropriately assesses risks and removes unsafe work practices.

To minimise the risk of injury and potential liability, an employer has the right to determine whether an employee is able to safely perform the requirements of the position and, therefore, pre-employment and workplace tests may be required, for example:

- > psychological testing
- > physical fitness testing
- > drug and alcohol testing
- > hearing and visual testing.

## > 4. RECRUITMENT AND SELECTION



These tests benefit employers and employees alike as they help to minimise the risk of employees injuring themselves or others, and reduce the instance of liability for employers.

Pre-employment tests must **only** be used in circumstances where they are justified:

- > Does the medical test relate **specifically** to the particular duties and responsibilities of the job?
- > Have the specific physical and mental attributes required for the job been accurately identified?
- > Are the attributes that the employer requires for the job reasonable in all circumstances?
- > Have avenues been considered for accommodating people without these attributes?
- > Can facilities or services required by applicants with disabilities be provided, if the provision does not cause unjustifiable hardship to the employer?
- > Is assessment of a person's ability to perform the inherent requirements of the job made, after these facilities or services have been provided?
- > The test must only assess current ability of the applicant and does not attempt to predict any future deterioration or predisposition to illness.

Confidentiality is very important in relation to medical testing and the organisation must ensure responsible handling of all information.

Overall, the organisation must make sure medical testing is relevant to the requirements of particular positions and should only assess those aspects of medical fitness that are considered relevant to the job. Unnecessary or mismanaged medical testing will significantly increase the risk of liability and potential litigation. The purpose, the context and the subsequent management of this very personal information must be as transparent as possible to employees and potential employees. The Victorian Chamber recommends seeking advice before implementing medical checks.

### 4.6 Privacy

### 4.6.1 Privacy legislation

In Victoria, there are potentially three key pieces of legislation that will apply to employers:

- > Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)
- > Information Privacy Act 2000 (Vic)
- > Health Records Act 2000 (Vic)

Within these pieces of legislation are Privacy Principles (Australian Privacy Principles, Information Privacy Principles and Health Privacy Principles, respectively) which set out the obligations of organisations whenever collecting, using, disclosing, storing and destroying personal and/or health information. The privacy principles also outline the right of access that individuals have to their personal and/or health information, and organisational obligations for providing individuals with such access, if requested. Including personal/health information collected during recruitment and selection process.

Each of these pieces of legislation can potentially impact on an organisation's recruitment and selection process, depending on which piece(s) of legislation are applicable.

# > 4. RECRUITMENT AND SELECTION



### 4.6.2 Collection of personal and/or health information

Whenever an organisation receives an employment application and/or resume on an individual, irrespective of whether it was solicited or unsolicited, personal – and possibly health – information has been collected. Under the privacy legislations, at the time an organisation collects personal and/or health information, or as soon as possible thereafter, the organisation has a responsibility to inform the individual of the following information:

- > name and contact details of the organisation
- > the purpose of collection
- > the fact that the individual is able to gain access to any personal and/or health information the organisation holds about them
- > the organisations or types of organisations to whom that kind of personal and/or health information is disclosed
- > any law that requires the information to be collected
- > the main consequences, if any, for the individual, if all or part of any required information is not provided.

The first practical opportunity to provide this information to job applicants may be when:

- > acknowledgement of receipt of the application is communicated (if that is a practice of the organisation)
- > when applicants who are unsuccessful in securing an interview are informed accordingly
- > when applicants who secure an interview arrive at the organisation's premises
- > where applicants need to complete an employment application form, it may be convenient to include information of the personal/health information collection process on the form.

Other ways information regarding an employment applicant may be collected:

- > information provided by the applicant, during the interview (i.e. that is recorded or held, in any form)
- > the recording of opinions, in any form, regarding the applicant, by the interviewer/s
- > referee checks
- > psychological and psychometric testing (Victorian Health Services Commissioner considers this information to be health information)
- > emotional intelligence assessments (these, also, would be considered health information)
- > skills assessments.

If personal and/or health information is collected from a third party, the organisation has a responsibility to inform the individual that they have collected such information, but do not have to provide details of the information.

Nonetheless, individuals have a right of access, and may request access to personal and/or health information about them which has been collected from a third party. It is also important for organisations to ensure that personal and/or health information is collected by lawful and fair means, and not in an unreasonably intrusive way.





### 4.6.3 Use of personal and/or health information

'Use' is defined in this context as the use of personal and/or health information within an organisation. Organisations should only use the personal and/or health information collected from job applicants and third parties for the purpose for which it was collected (i.e. to consider and assess applicants for suitability of employment with their organisation).

### 4.6.4 Disclosure of personal and/or health information

'Disclosure' is the disclosure of personal and/or health information outside an organisation. If an organisation needs to disclose personal and/or health information regarding an individual as part of the recruitment and selection process, they should do so only if they have the consent of the individual or if the individual would have a reasonable expectation that their information needs to be disclosed, and to whom, as part of the recruitment and selection process.

The reasonable expectation of an individual can be increased by ensuring that they are informed of any disclosures that usually occur as part of the recruitment and selection process when providing the individual with the information at the time of information collection (refer 4.6.2 Collection of Personal and/or Health Information).

### 4.6.5 Quality and security of personal and health information

An organisation must take reasonable steps to ensure that whenever they collect, use or disclose personal and/or health information as part of the recruitment and selection process that the information is accurate, complete and up-to-date.

Organisations must take reasonable steps to protect personal and/or health information from misuse and loss, and unauthorised access, modification or disclosure. This includes ensuring only employees within an organisation that have a 'need to know' have access to the personal and/or health information of employment candidates.

Once an employment candidate's personal and health information is no longer required, (i.e. unsuccessful applicants), it is to be destroyed by secure means. The decision that such information is no longer required is generally made by the organisation. It may be when the successful candidates have been identified; it may be when the successful candidate commences employment; it may be when the successful candidate has completed a period of probationary employment; or it may be any other time an organisation considers relevant. An organisation should also consider that an individual's personal and/or health information is no longer required if the individual requests that their application and resume be destroyed.

### 4.6.6 Access to personal and/or health information

A key element of the privacy legislations is the right of access individuals have to their personal and health information. This includes information collected and recorded from third parties, and any recorded opinions regarding employment candidates, regardless of who expressed such opinions.

Therefore, a responsibility exists for organisations to take reasonable steps to ensure that any information collected from third parties or opinions which are recorded, irrespective of who expresses the opinion, are not defamatory, nor discriminatory. Failure to do so has the potential to result in defamation action or discrimination complaints being made against an organisation, for which they could be found liable if they have not taken reasonable precautions.





The potential for action has increased significantly since the introduction of privacy legislation through the right of access that individuals now have to their personal and/or health information.

#### 4.6.7 Reference checks

Organisations should take reasonable steps to ensure that prior to contacting referees, those referees have consented to the use of their personal information (i.e. who they are, where they work, their position and their contact details). To do otherwise may constitute a breach of privacy legislation. A way in which this could be achieved is for organisations to have employment candidates confirm that they have contacted their nominated referees and that those referees have consented to acting as referees.

It may also be appropriate to inform candidates that the only information sought from referees will be information considered relevant to their current or past employment and/or information relevant to the position for which they have applied. This will help in reducing the risk of defamation or discrimination action being taken against an organisation.

### 4.6.8 Employee records

Employee records are exempt under Commonwealth privacy legislation - this applies to personal information about an individual which is relevant to their employment, and also applies to the records of past employees.

However, under the *Health Records Act* and the *Information Privacy Act*, these employee records are not exempted. Therefore, any employee health information that a public or private sector organisation holds must be managed in accordance with Health Privacy Principles, and any personal information that a Victorian public sector organisation holds on employees is to be managed in accordance with the Information Privacy Principles.

For successful employment candidates, their personal information becomes an employee record once an employment relationship has been formed. In effect, this means once an offer of employment has been made and accepted (verbally, in writing or otherwise).

### 4.6.9 Recruitment agencies

Organisations that use recruitment agencies to assist in undertaking their recruitment and selection process should take reasonable steps to ensure that the recruitment agency they engage is also able to fulfil their privacy obligations to employment candidates. Potentially, organisations that engage recruitment agencies could be found to have liability if the recruitment agency they engage was responsible for a breach of an individual's privacy relative to that individual's application for employment with the organisation.

### 4.6.10 Reasonable steps

Measures an organisation could take to ensure they have taken reasonable steps to prevent a breach of an individual's privacy from occurring include:

- > documented policy and procedures that deal with privacy
- > provide individuals with the information (refer 4.6.2 Collection of Personal and/or Health Information) whenever their personal and/or health information is collected, including when it is collected from third parties
- > only disclosing personal and/or health information when it is necessary to do so as part of the recruitment and selection process

# > 4. RECRUITMENT AND SELECTION



- > provide facilities for the secure storage of personal and health information, and the secure destruction of that information (including paper-based and electronic records), as required
- > provide training and development of all employees who, in any way, handle personal and/or health information in the course of their duties
- > provide individuals with right of access to their personal and/or health information, if requested.

### 4.7 Offering the job

#### **Verbal offers**

A verbal offer of employment can be made to the successful applicant to check their continued interest in the position. Once you have found the right candidate, it is important that your interest in employing them is conveyed as soon as possible. Sometimes good candidates can be considering several employment offers, so it is wise not to delay your selection decision.

It is critical, however, that you are in a position for the applicant to accept the offer before making the offer. If an employer makes an offer and a candidate accepts that offer, there is deemed to be a legally binding contract formed. Once this has occurred, the candidate can expect to commence employment with the employer at some point in the future. Retraction of an accepted offer is technically a termination of the employment contract that may result in legal recourse by the candidate.

#### Letter of offer/appointment

Once a salary level and an agreed start date are confirmed, a letter of offer or appointment can be prepared.

The written offer of employment sets out the position's key terms and conditions. It is strongly recommended that a written contract of employment or employment agreement, particularly for employees not covered by a modern award or enterprise agreement, is attached to the letter of offer/appointment (refer Documentation at the end of this section for a sample letter of offer and contract). Employers must be careful to investigate their legal obligations before drafting a letter of appointment and contract (refer *Chapter 10 Human resource management and the law*).

The letter of offer/appointment is one of the most important documents an employer issues. Together with the employee's acceptance, it forms the basis of the contract of employment. Although there is nothing in law to state a job offer must be made in writing, it is advisable to do so for individuals not covered by a modern award or enterprise agreement. This helps minimise future disputes.

There are minimum terms and conditions of employment contained in the Fair Work Act 2009 (Cth), which pertain to Victorian employees (refer Chapter 10 Human resource management and the law).

The letter of offer/appointment should contain specific terms as discussed and agreed at interview, as well as any other key terms of employment. When drafting the letter of offer/appointment and contract of employment, it is important to state them clearly and concisely, minimising ambiguity in areas that may be open to interpretation. It is recommended that expert advice be sought when drafting a contract of employment and the Victorian Chamber can provide assistance in this area.

The letter should also contain a provision for the candidate to formally accept the terms of employment such as a request to sign the document, returning a signed original to you. Two signed copies may be provided by the organisation in order to provide a copy for the candidate.





### Notifying unsuccessful applicants following interview/s

When an offer has been made and accepted, all other applicants interviewed should be notified. It is advisable to wait until an offer has been formally accepted before notifying unsuccessful applicants - the successful applicant may not accept the offer. You would then be in a position to offer the position

to another suitable applicant. It is important to note, however, that a subsequent offer should only be made to an applicant who fully meets your selection criteria. It can be a costly decision to employ someone who does not fully meet your needs.

### 4.8 Probationary/Qualifying period

A probationary period of three or six months provides the employee and line manager with time and opportunity to determine whether there is an appropriate and adequate match of skills and behaviour to the job and to the work environment.

The employee should be advised of the probationary period in advance of commencing employment and it preferably should form part of the letter of offer/appointment. Probation is not normally extended, but may be extended, by agreement between the employer and employee, for example in certain circumstances if the employee has been absent for a significant period of time during the initial probationary period or if the contract provides for this.

With the support of Human Resources, the employee and line manager will follow company guidelines regarding reasonable expectations, support, and opportunities for giving and receiving feedback which will be reviewed and monitored throughout the probationary period. Expected goals and standards (and completion dates) must be established for the employee to have an opportunity to remedy these work deficiencies and improve through coaching and counselling from the line manager.

Periodic (informal) reviews may be done during the probationary period with due consideration to the impact upon the wellbeing of the employee. A final (formal) review must be undertaken prior to the probationary period expiry date, providing fair and easily understood feedback.

In circumstances where the line manager considers that elements of the employee's work performance are unsatisfactory, specific details of performance deficiencies must be documented by the line manager, signed by both the line manager and the employee, and filed securely and confidentially with related human resources records.

**Note:** The probationary period is a common law concept allowing the employer and employee to assess the employee's fit for the role.

This is separate to a 'qualifying period', which refers to the ability for a person to 'qualify' for coverage under unfair dismissal legislation.

Currently an employee must have worked for an organisation for six to 12 months to be able to access a claim under unfair dismissal, depending on the organisation's size (see also 11.4 Unfair Dismissal). Many employers are currently choosing to replace the 'probation period' terminology in contracts with a six month 'qualifying period'.





4.9 I	ocumentation
-------	--------------

- 4.9.1 **Job Application Form**
- 4.9.2 **Privacy Collection Statement (Recruitment)**
- 4.9.3 Reference Check Template
- 4.9.4 **Job Application Form**
- 4.9.5 Unsuccessful Candidate Letter
- 4.9.6 Offer of Permanent Part-time Position
- 4.9.7 Offer of Permanent Full-time Position
- 4.9.8 Offer of Casual Position
- 4.9.9 **Employment Contract Checklist**
- 4.9.10 Employment Contracts Fact Sheet
- 4.9.11 Probationary/Qualifying Period Performance Review
  - > A proper match between the job and employee capability is essential if the organisation is to achieve its organisational goals. It is therefore imperative that the organisation has a thorough understanding of the demands of each role and the skills required to perform this job at the required level. Job analysis provides the foundation for developing this understanding.