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I. AUDIT SCOPE

Authority

The state personnel director is responsible for the oversight of the state personnel system, which includes conducting audits of departments' (general government agencies and institutions of higher education) human resource operation and management pursuant to C.R.S. § 24-50-101 (3)(a) and (d). This authority is carried out by the staff in the Department of Personnel & Administration (DPA) Division of Human Resources (DHR), Consulting Services unit.

Section 24-50-112.5(1)(a) and (b), C.R.S., requires the state personnel director to establish procedures and directives necessary to implement a merit-based statewide selection system to be used uniformly by all principal departments, including higher education institutions. These uniform procedures and directives include establishing minimum qualifications (MQs) and providing guidance on announcements, acceptance of applications, examination development and administration standards, and the management of eligible lists. All appointments and promotions to state positions are to be based on job-related knowledge, skills, abilities, competencies, and behaviors.

Background

Recent reviews of appeals and director's reviews revealed that the selection processes used to fill positions in the Enforcement and Protective Services occupational group and the Security classes tend to be complex in that they involve multiple examination stages and opportunities for disqualification and elimination of candidates. This is presumably due to the nature of the positions and the intense responsibilities of those encumbering the positions. Poor performance or misconduct by an employee in one of these positions puts the State at risk. Further, hiring practices of safety related positions tend to fall under frequent scrutiny of EEOC (Equal Employment Opportunity Commission) requirements that call for fair employment practices with rigorous standards for hiring and selection practices.

The Job Evaluation Glossary, published by DHR, defines this Enforcement and Protective Service (EPS) occupational group as follows:

These occupations perform services where peace officer status is granted by statute with the authority and duty to enforce criminal laws and are responsible for the prevention, detection, and investigation of crime. Included are supervisors and administrators. This group is concerned with the protection of persons and property against loss, injury, or disturbance resulting from criminal acts, accidents, and other hazards. Training and skill in the use of weapons are typically required, as is the periodic qualification with such weapons. Positions in this group must satisfy requirements set forth in statute to carry out their commission and duties, and "shall or may" require certification by the Peace Officers Standards and Training (POST) Board as specified in statute.

The EPS occupational group contains ten class series with 43 class titles. For more detailed information regarding these class series see our web site at: <http://www.colorado.gov/cs/Satellite/DPA-DHR/DHR/1199392322358>

The Job Evaluation Glossary, published by DHR, defines the Labor Trades and Crafts (LTC) occupational group, which includes the Security class series, as follows:

These occupations perform manual to skilled work in the construction, maintenance, and inspection of buildings, structures, grounds; equipment operation, fabrication, and/or maintenance of equipment; securing property or handling materials; or, for the basic needs, comfort, convenience, and hygiene of residents or clients in buildings and facilities used by state government. Higher levels require specialized skills and a comprehensive knowledge of the processes, equipment, and raw materials involved in the specific trade as acquired through training and/or experience. Included are supervisors and operating managers. Licensure, as prescribed by statute, or certification may be required.

Security class series description of occupational work:

This class series uses three levels in the Labor, Trades, and Crafts occupational group and describes work in security of buildings and access to parking. Positions patrol, secure, and control access to buildings and contents, equipment and property, and parking facilities, including parking revenue collection. Assignments may be performed while stationary or mobile.

Audit Overview

The audit of the Enforcement and Protective Services and Security classes was conducted to identify and evaluate the selection processes used by departments when filling positions in these class series. For the purposes of this survey, the selection process was broken down into three main areas of interest, identified and described as follows:

- Requirements: This included MQs published by DHR, such as being 21 years of age, as well as other entry requirements for the position.
- Background Checks: Identifying what type of background checks are being done, when in the process they are completed and by whom.
- Exams: Identifying the types of examinations being administered.

Audit Objectives

Objectives of this selection audit included:

- Review of departments' position entry requirements for each class title.
- Assess the background check requirements and processes used for each class title.
- Evaluate the assessment process used by departments to fill each class title.
- Analyze information to identify best practices and similarities amongst agencies.

Audit Methodology

In April 2007, DHR generated a system report that contained all positions in the EPS occupational group for each agency. Thirty-one departments were identified as employing positions in the identified classes (listed below). DHR created the audit survey based on job-related position requirements, necessary background check requirements and processes, and assessment/examination processes. In August 2007, 31 departments were sent the survey containing a total of 161 surveys, one survey for each relevant class title used in the department. Of those, 13 departments responded with a total of 45 surveys.

The following class titles were identified for audit:

Corrections Case Manager (I, II, and III)
Correctional, Youth or Clinical Security Officer (Intern, I, and II)
Correctional, Youth or Clinical Security Specialist III
Correctional, Youth or Clinical Security Supervisor III
Correctional, Youth or Clinical Security Officer (IV and V)
Correctional Support Licensed Trades Supervisor (I, II, and III)
Correctional Support Trades Supervisor (I, II, III, and IV)
Criminal Investigator (Intern, I, II, III, and IV)
Community Parole Officer
Community Parole Team Leader
Community Parole Team Supervisor
Community Parole Team Manager
State Patrol (Intern, Trooper, Trooper III, and Supervisor)
State Patrol Admin (I and II)
Police Officer (Intern, I, II, and III)
Safety Security Officer (I and II)
Air National Guard Patrol Officer (I, II, and III)
Security (I, II, and III)

II. AUDIT ANALYSIS AND RESULTS

Prior to reporting the specific results of this audit, the minimal response rate must be noted. In an attempt to efficiently utilize the resources of DHR auditors, it was determined that surveys sent to departments should suffice in gathering the needed data to identify the selection and hiring practices used to fill the above identified positions. In response to this audit methodology, less than half of the departments responded. Table One below lists the Departments that were sent surveys and indicates those that responded to the surveys. Table Two lists the surveys that were received and utilized in compiling the results of this audit. Specifically, 42 percent of the departments surveyed responded, resulting in only 28 percent of the actual surveys being returned. In contrast to on-site audits, in which departments' selection processes are examined through document review and staff interviews and in which thorough information is gathered, this audit yielded limited data. As a result, the findings and conclusions drawn are restricted and limited to the information that was obtained. Nevertheless, those results, findings and recommendations are presented herein.

Table One – Departmental Responses

This table represents all of the Departments that were sent surveys, those that responded and those that did not. The number in parenthesis following the names is the number of surveys the Department was sent (one for each class code it employs).

<u>Response Received</u>	<u>No Response Received</u>
Colorado Community College System (2)	Adams State College (3)
Colorado School of Mines (3)	Arapahoe Community College (3)
Colorado State University (5)	Auraria Higher Education Center (6)
Colorado State University – Pueblo (1)	Community College of Aurora (1)
Fort Lewis College (2)	Front Range Community College (3)
Mesa State College (1)	Lamar Community College (1)
Red Rocks Community College (1)	Northeastern Junior College (1)
University of Northern Colorado (7)	Otero Community College (1)
Colorado Historical Society (2)	Pikes Peak Community College (3)
Department of Corrections (35) *	Trinidad State Junior College (1)
Department of Military and Veterans Affairs (3)	University of Colorado – Boulder (9)
Department of Personnel & Administration (1)	Department of Human Services (19)
Department of Revenue (11)	Department of Labor and Employment (4)
	Department of Law (3)
	Department of Natural Resources (4)
	Department of Public Safety (13)
	Department of Regulatory Agencies (11)
	Department of Transportation (1)

* The Department of Corrections responded to 7 of the 35 surveys sent to it.

Table Two – Job Classes Included in Audit Results

This table represents all of the job titles that are included in the results of this audit, and the number of surveys that provide information for each job represented

Class Title	# Received
Corrections Case Manager I	1
Corrections Case Manager II	1
Corrections Case Manager III	1
Correctional, Youth or Clinical Security Officer I	1
Correctional Support Trades Supervisor I	1
Correctional Support Trades Supervisor II	1
Correctional Support Trades Supervisor III	1
Criminal Investigator Intern	1
Criminal Investigator I	2
Criminal Investigator II	3
Criminal Investigator III	2
Criminal Investigator IV	3
Police Officer Intern	1
Police Officer I	5
Police Officer II	3
Police Officer III	3
Police Administrator I	1
Police Administrator II	2
Safety Security Officer I	1
Air National Guard Patrol Officer I	1
Air National Guard Patrol Officer II	1
Air National Guard Patrol Officer III	1
Security I	5
Security II	2
Security III	2

POST Certification

Colorado law (C.R.S. § 16-2.5-102) requires specific categories of peace officers to meet certain standards and to be certified by the POST Board. Those to be certified are: Chief of Police, Police Officer, Sheriff, Undersheriff, Deputy Sheriff (except those of a city and county with limited duties), Colorado State Patrol Officer, Town Marshal, Deputy Town Marshal, reserve officer (police officer, deputy sheriff or town marshal), Director of the Colorado Bureau of Investigations, security officer employed by a state institution of higher education, Colorado Wildlife Officer, Colorado Parks and Recreation Officer, Colorado Police Administrator or Police Officer employed by the Colorado Mental Health Institute at Pueblo, Attorney General Criminal Investigator, Community Parole Officer, Public Transit Officers, Municipal Court Marshals and the Department of Corrections Inspector General. There are many other peace officer positions in which certification is optional. In some cases, a department may require POST certification when it may not be required by law but is an employment requirement.

Findings

No positions were identified as being out of compliance with C.R.S. § 16-2.5-102 requiring POST certification for specific positions.

Specifically, 80 percent of the class titles indicated POST certification as a position requirement. Of the 45 surveys returned, 14 did not indicate an answer; 20 indicated class titles are armed; 11 of the class titles are unarmed.

All departments reported their Security positions are unarmed and, therefore, do not require POST certification.

Job Analysis

Job analysis is the process used to identify the important functions and the essential knowledge, skills, abilities and other personal characteristics (KSAOs) an individual must possess to perform a particular job satisfactorily. Identification of these elements precedes examination development to ensure that examinations are relevant based on job-related KSAOs per § 25-50-112.5(3)(a), C.R.S. Essentially, a job analysis is the basis for making professionally sound selection decisions. Additionally, job analysis is the foundation for establishing the validity of selection practices, which is a fundamental factor should a practice come under challenge for its job relatedness. Strong selection processes contribute to the employer's integrity and, in turn, positively impact recruitment and retention. DHR provides training in the form of a workshop and offers a technical guide regarding job analysis.

Findings

Results showed that job analyses are not being consistently conducted in all cases. Forty-nine percent of the jobs surveyed indicated that a job analysis is conducted prior to beginning the selection process. Of the 45 surveys returned, 17 indicated that a job analysis was in place, and five stated that a job analysis is performed after receiving a request to fill the position. Additional findings were that of the surveys returned, seven indicated that no job analysis is conducted, and 16 did not provide an answer to the question.

Recommendations

Departments must conduct a professionally sound job analysis for each position filled and must consider the job analysis results in establishing position entry requirements, background check requirements, and examination development.

Position Entry Requirements

Departments were asked to report the following information as it relates to the entry requirements for positions in this class series. The audit survey also provided the opportunity to report additional requirements not included on the survey.

- 21 years of age
- Accept compensation time in lieu of overtime pay
- Register with Centralized Organization for Police Selection (COPS) Program
- Take initial testing & screening in COPS system
- Possess current POST Certification
- Possess current Driver's license
- Complete State of Colorado Application
- Complete Unique Employment Application
- Complete Self Screening/Disclosure Form
- Eligible to use/possess firearm
- Qualify in firearms proficiency
- Complete Basic Training after hire

Findings

The survey data indicates that departments are correctly applying the entry requirements published in the MQs for these positions. No deviations were noted through the surveys returned.

Recommendations

No recommendations are needed in this area other than for departments to continue the current practice of correctly applying the MQs published by DHR.

DHR will continue to monitor published job announcements in order to identify any unauthorized changes and make timely efforts to correct discrepancies before selection processes progress.

Background Check Requirements and Process

Background check is a generic term used to refer to the collection and use of information about people and their backgrounds. Background check investigations are an important part of the hiring process because a thorough background check can assist in assuring the hiring authority that a prospective employee will be an asset and not a liability to the state. Every institution that requires background check investigations in the hiring or other processes must have an official, written policy regarding the circumstances under which background checks are conducted and the process that is to be followed. DHR provides a technical guide regarding background checks, which is available on its web site.

DHR requested the following data regarding departments' requirements for conducting background checks on classes in this occupational group.

What kind of background checks are conducted, when in the process it happens and if the HR office or another provider performs the check? (HR Office, for this purpose, is defined as any person employed by HR that is working on the selection process, an "other provider" would be anyone other than the HR Office, for example: an internal unit that performs the check for HR, Colorado Bureau of Investigations, or any outside vendor)

- Criminal Background, Name Check
- Criminal Background, Fingerprint
- Drug Testing
- Driving Record
- Full Employment Background
- Verify Employment Dates
- Verify certification with POST
- Check Personal References
- Polygraph

Findings

Based on the data, departments are correctly applying the background check requirements published in the MQs for these positions.

In many cases, classes are only announced open competitive for the entry level. It is at this time that the majority of the background check investigation is completed. Classes above entry level are announced as departmental promotional and another background check investigation is not typically conducted.

Recommendations

It is a recommended best practice that departments conduct a subsequent background investigation in the case of promotion. This assures consistent application of the policy and subjects all hires to the same standards. Additionally, this would ensure compliance with any requirements in the published MQs at the time of that promotional appointment. Although many departments require employees to report arrests and convictions that occur during the course of employment, any non-reported events could be identified during subsequent background checks and addressed at that time.

Assessment/Examination

The goal of the assessment process is to identify the best qualified individual for the position being filled. The KSAOs measured in the assessment process must have been identified through a job analysis as necessary for successful performance on the job. The Uniform Guidelines on Employee Selection Procedures, Standards for Educational and Psychological Testing and a multitude of case law set forth the standards for the development of examinations, which specify requirements for the reliability and validity, including job-relatedness. As with the background check investigations, failure to adequately assess the candidates during the selection process may increase the risk and liability to the state.

The survey identified the following assessment types and provided the opportunity to list additional types not included on the survey. Departments were asked to provide the exam title and information on who developed the exam.

- Application Review
- Written Objective
- Written Exam
- Oral Exam
- Psychological Exam
- Physical Exam
- Physical Agility Exam
- Checklist Training & Experience Evaluation (T&E)
- Role Play
- In Box Exercise
- Work Sample

Each year the State of Colorado spends, on average, \$34.9 million in State money on workers' compensation, liability, and property claims. The State Office of Risk management (SORM) manages the state's risk programs from which these claims are paid. SORM has examined the causes of incidents that repeatedly take a toll on State employees and create the greatest financial loss for the State.

Findings

The University of Northern Colorado is the only department to include a psychological exam, physical exam, and physical agility exam as part of the assessment process. It is known by DHR that other departments conduct such thorough processes; however, those departments were not respondents to this survey.

Reported assessment methods range from written objective exams, oral boards, narrative T&E, and panel assessment devices.

Recommendations

In order to reduce potential workers' compensation claims against the state, it is recommended that departments conduct physical agility, also known as functional capacity exams prior to appointment. Once functional capacity tests are incorporated into standard hiring practice, a similar assessment is needed for the existing workforce to ensure that current employees continue to meet the physical requirements of their positions.

III. SUMMARY

Generally speaking, the data demonstrates that departments are correctly applying the standards set forth in DPA's published MQs. It appears that many of the departments reporting do not hire frequently for these positions while others are in a constant state of hiring.

Based on information provided by DHR Risk Management, departments hiring employees in these classes have a higher annual total cost incurred of workers' compensation claims than other departments.

Thirty-one departments were sent surveys; only 42% responded to the inquiry. Thus, only 28% of the 161 surveys that were sent out were returned to DHR. Due to the limited response rate of this audit survey, it is recommended that DHR perform onsite or targeted audits in an attempt to fill in the gaps of this audit in order to ensure compliance with best practices. This will further efforts to reduce risk and liability to the state in many areas including employment liability and workers' compensation.

SUMMARY TABLE OF FINDINGS & RECOMMENDATIONS

<i>Findings and Recommendations</i>	
Location	Report Section
Page 7	<p><i>POST Certification</i> No violations of requirements for POST certification were noted.</p>
Page 7	<p><i>Job Analysis</i> Job analysis is not being consistently performed in all cases.</p> <p>Recommendation Departments must conduct job analysis for each position.</p>
Page 8	<p><i>Position Entry Requirements</i> No unauthorized changes to minimum requirements were noted.</p> <p>Recommendation Departments must correctly apply the MQs published by DHR. DHR must continue to monitor job announcements in order to identify any violations and make timely efforts to correct discrepancies before selection processes progress.</p>
Page 9	<p><i>Background Check Requirements and Process</i> Appropriate background check processes were reported.</p> <p>Recommendation Departments are advised to consider conducting a subsequent background investigation in the case of promotions.</p>
Page 10	<p><i>Assessment/Examination</i> Only one responding department reported a selection process that included a psychological, physical, and physical agility exam as part of the assessment process.</p> <p>Recommendation Departments are advised to conduct functional capacity exams prior to appointment and on a recurring basis in order to ensure continued standards.</p>
Page 11	<p>Recommendation DHR consider onsite or targeted audits to fill in the gaps due to limited Departmental response to of this audit.</p>