



# Management Directive

## Commonwealth of Pennsylvania

### Governor's Office

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## Management Directive 515.10 Amended – Non-Civil Service Hiring

Date: July 24, 2023

By Direction of:

A handwritten signature in black ink, appearing to be "Neil R. Weaver".

Neil R. Weaver, Secretary of Administration

Contact Agency: Office of Administration, Human Resources and Management  
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**This directive establishes policy, responsibilities, and procedures for the posting of vacancies, the referral and interview of Candidates, and the selection of Final Candidates for Non-Civil Service Positions.**

### 1. PURPOSE.

To establish policy, responsibilities, and procedures for the posting of vacancies, the referral and interview of Candidates, and the selection of Final Candidates for Non-Civil Service Positions.

### 2. SCOPE.

This directive applies to all departments, offices, boards, commissions, and councils under the Governor's jurisdiction for human resources management (collectively "agencies").

### 3. OBJECTIVES.

To implement an efficient and uniform process for recruiting and selecting qualified Candidates for Non-Civil Service Vacancies, thereby enabling agencies to maintain a diverse and talented workforce.

#### 4. DEFINITIONS.

- a. **Candidate.** An applicant to a Non-Civil Service Vacancy who meets the minimum qualifications and eligibility criteria for a position and receives consideration for employment by the hiring agency.
- b. **Final Candidate.** A Candidate who is still under consideration for hire following the interview process and receives a conditional offer of employment, which is contingent upon successful completion of all necessary verifications and background checks, as set forth in *Management Directive 515.15 Amended, Hiring-Related Verifications and Background Checks*.
- c. **Non-Civil Service Position.** A position that is not included in the Commonwealth's merit system of employment.
- d. **Non-Civil Service Vacancy.** A vacant Non-Civil Service Position, which the agency intends to fill.
- e. **Position Description.** The official written statement of the duties assigned to a position and other position specific information that includes the position's purpose, description of duties, decision making responsibilities, necessary requirements, and essential functions. The position description is used for a variety of purposes including the assignment of duties to the incumbent, position classification, organization and work unit planning, identification of training and development needs, recruitment and exam development, and the development of performance evaluation standards.
- f. **Senior Level Positions.** All Senior Management Service (SMS) Positions; all professional positions within an agency executive office, including agency heads, deputy secretaries, executive and special assistants, and other direct reports to the agency head; all Governor's Office staff; all professional positions within agency communications, policy, and legislative offices; and all other non-civil service positions that are pay scale group 9 and above.
- g. **SMS Positions.** Non-civil service positions that have broad policy participation and management responsibility.
- h. **Veteran Candidate.** A Candidate who meets the definition of "veteran," "spouse of a disabled veteran," or "surviving spouse," as set forth in the *Veterans' Preference Act, 51 Pa.C.S. § 7101.2*.

#### 5. POLICY.

- a. Non-Civil Service Vacancies will be filled by the best available Candidates, based upon objective, work-related criteria.
- b. Agencies may post Non-Civil Service Vacancies for application on the Commonwealth's publicly accessible [employment website](#).
- c. Prior to posting a Non-Civil Service Vacancy for application, agencies shall ensure that the corresponding Position Description is accurate and has been approved within the prior year. Agencies must follow the process set forth in *Management Directive 520.10, Position Descriptions* for updating and approving Position Descriptions.

- d. Non-Civil Service Vacancies will be posted for application for no more than five (5) consecutive days, unless otherwise required by a collective bargaining agreement (CBA) or memorandum of understanding (MOU), or if additional recruitment efforts are needed.
- e. Agencies should avoid recruiting for Non-Civil Service Vacancies via simultaneous internal and external postings unless otherwise required by a CBA or MOU.
- f. After a Non-Civil Service Vacancy posting closes for application, the Office of Administration (OA), Bureau of Talent Acquisition (BTA) will refer Candidates' names and applications to the agency. Thereafter, agencies may elect to either interview Candidates or select a Final Candidate without interviews. If an agency elects to interview Candidates, interviews must be completed within 15 days of receiving Candidates' names via a referred list. Interview panels shall consist of no more than two (2) to three (3) members, with a diverse representation, when possible. If needed, interview panel members may be changed during the interview process to avoid delay. Consistent with *Human Resources Policy HR-TM002, Veterans' Preference in Non-Civil Service Hiring*, agencies must consider all Veterans Candidates.
- g. Preference must be given to Veteran Candidate in accordance with *Human Resources Policy HR-TM002, Veterans' Preference in Non-Civil Service Hiring*.
- h. Upon selecting a Final Candidate, agencies shall extend the Final Candidate a conditional offer of employment, subject to successful completion of all necessary verification and background checks, in accordance with *Management Directive 515.15 Amended, Hiring-Related Verifications and Background Checks*.
- i. Additional requirements may apply to the application and hiring process for Senior Level Positions. Please refer to *Management Directive 515.16 Amended, Appointment to Senior Level Positions* for such requirements.
- j. Nothing in this directive shall be construed to impair or otherwise affect the authority granted by law to an agency or the head thereof. This directive is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth of Pennsylvania, its departments, agencies, or entities, its officers, employees, or agents or any other person.

## 6. RESPONSIBILITIES.

- a. **Agency Hiring Managers** shall:
  - (1) Confirm that the corresponding Position Description is accurate and has been approved within the prior year before a Non-Civil Service Vacancy is posted for application.
  - (2) Ensure that interviews, when utilized, are completed in a timely manner consistent with this directive.

**b. Human Resources Staff Supporting the Agency shall:**

- (1)** Work with the agency hiring manager to develop effective posting language that accurately reflects the duties of the Non-Civil Service Position.
- (2)** Upon request of the agency hiring manager, post Non-Civil Service Vacancies to the Commonwealth's publicly accessible [employment website](#).
- (3)** Evaluate applicants to determine whether they meet the minimum qualifications and eligibility criteria for the Non-Civil Service Vacancy to which they applied.
- (4)** Refer Candidates to the agency hiring manager for consideration.
- (5)** Assist agency hiring managers in the interview and selection processes.
- (6)** Ensure compliance with *Human Resources Policy HR-TM002, Veterans' Preference in Non-Civil Service Hiring and Management Directive 515.15 Amended, Hiring-Related Verifications and Background Checks*.

**7. PROCEDURES.**

Refer to OA, BTA's *Non-Civil Service Process Guide* for applicable procedures.

**This directive replaces, in its entirety, *Management Directive 515.10 Amended*, dated February 16, 2006.**