How to hire when working remotely

Practical tips and guide to comply with the law

The coronavirus crisis is temporarily changing how people live, work and go about their lives.

We need to keep hiring in the public sector now and into the future, so we can keep delivering services for all Victorians.

This means we need to be flexible with how we do things.

We wrote this guide to help you adapt your processes and comply with the employment principles and standards in the [Public Administration Act 2004](https://www.legislation.vic.gov.au/in-force/acts/public-administration-act-2004/075).

# What’s in this guide

We wrote this guide to help you adapt the way you hire in a time of physical distancing and includes:

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# How to use this guide

Use this guide to adapt your own processes and policies.

Your organisation is still responsible for working out how to hire in this crisis.

Regardless of how you adapt, your processes must be transparent, merit-based and use objective criteria in line with the legislation.

And your candidates must get fair and reasonable treatment.

# If you need help

[Get in touch](https://vpsc.vic.gov.au/contact-us/) for advice on this guide or hiring in the Victorian public sector.

# What to read to inform your processes

## Know the principles and standards

Read the Victorian public sector [employment principles and standards](https://vpsc.vic.gov.au/ethics-behaviours-culture/employment-principles-and-standards/). These tell you how the sector develops employment processes and what principles to apply.

Also see the suggested reading list at the end of this guide.

## Understand your context

You need to understand the Victorian public sector [employment principles and standards](https://vpsc.vic.gov.au/ethics-behaviours-culture/employment-principles-and-standards/) before you adapt your processes.

Also understand the [Fair Work Act 2009](https://www.legislation.gov.au/Details/C2017C00323) and [Victorian Equal Opportunity Act 2010](https://www.legislation.vic.gov.au/in-force/acts/equal-opportunity-act-2010/020).

It’s a great idea to know any other standards that apply in Victoria, such as your organisation or industry’s:

* integrity regulations
* awards
* enterprise agreement

## Think of safety and privacy

Always think of the privacy and occupational health and safety legislation that applies to your organisation or industry.

## Stay informed

You need to stay informed on the latest COVID-19 advice.

This means you may need to review and amend your policies in response to government advice.

Check these regularly:

* [Department of Health coronavirus advice](https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert)
* [Department of Health and Human Services coronavirus advice](https://www.dhhs.vic.gov.au/coronavirus)
* [Victorian Government employee conditions COVID-19 advice](https://www.vic.gov.au/government-employee-working-conditions-during-coronavirus)

## Suggested further reading

Read the [Public Administration Act 2004](https://www.legislation.vic.gov.au/in-force/acts/public-administration-act-2004/075).

If you work in the Victorian Public Service, read the:

* [Jobs and Skills Exchange Recruitment Policy 2019](https://support.careers.vic.gov.au/hc/en-au/articles/360041147053-Jobs-and-Skills-Exchange-JSE-Recruitment-Policy)
* [Jobs and Skills Exchange Robust Assessment Process](https://support.careers.vic.gov.au/hc/en-au/articles/360039151114-Robust-Assessment-Process)
* [VPS Enterprise Agreement 2016](https://www.fwc.gov.au/document/agreement/AE418873)
* [VPS Enterprise Agreement Common Policies](https://vpsc.vic.gov.au/resources/vps-enterprise-agreement-common-policies-resource-page/)

# Design principles for your new processes

## Be consistent and transparent

To comply with government standards, you must treat all candidates in in the same way. This means everyone must go through the same process.

If you adapt your process for one candidate, you must offer that same adjustment to every other candidate.

Keep in mind, your organisation’s policies still apply. This means you still need to balance your organisation’s policies with what is a reasonable or fair adjustment.

If the candidate has a [protected attribute](https://www.humanrightscommission.vic.gov.au/discrimination/exceptions-exemptions-and-special-measures/special-measures) under relevant equal opportunity legislation, you must adjust your process for them.

### Examples of how to apply this principle

**Example 1**

A candidate says they can’t use Skype. So, you offer them a phone interview or another virtual option instead.

You must contact all other candidates and offer them the same options.

**Example 2**

A candidate says they can’t do an interview. But your organisation’s policy says that any person applying for a job must go through an interview.

You don’t have to remove your interview requirement, unless the candidate has a [protected attribute](https://www.humanrightscommission.vic.gov.au/discrimination/exceptions-exemptions-and-special-measures/special-measures) under relevant equal opportunity legislation. In which case you should offer them reasonable adjustment.

### **Checklist for being consistent and transparent**

**To create a consistent and transparent process in the COVID-19 crisis, think about these things:**

* I’ve made a list of the new processes we’re using for physical distancing that are different to my organisation’s usual processes
* I’ve spoken with my HR team about what phone and videoconferencing options my organisation has available
* I’ve updated my expression of interest or job adverts to clearly state what these process changes are e.g. “We’ll interview you with Skype.” “You’ll get emailed a task and must send back your responses in 24 hours.”
* I’ve asked candidates to let me know if they need any adjustments to the   
  hiring process
* I know what a [protected attribute](https://www.humanrightscommission.vic.gov.au/discrimination/exceptions-exemptions-and-special-measures/special-measures) is under relevant equal opportunity legislation, such as the [Victorian Equal Opportunity Act 2010](https://humanrightscommission.vic.gov.au/the-law/equal-opportunity-act)
* I’ve considered a candidate’s caring responsibilities
* I’ve considered if a candidate lives in a remote area or different time zone
* I’ve got a backup plan in case online services or phonelines aren’t working

## Choose the right assessment options

There are a lot of options you can use to adapt your processes for   
physical distancing.

But it’s also harder to find out about a candidate if you can’t do a   
physical interview.

When you’re choosing your assessment options, think about how you want to find out about their:

* technical skills
* personality
* behaviours
* motivations
* values

Any option you choose must let you assess if they’re able to do the inherent requirements of the role. But you must assess in an objective and transparent way.

If you’re in the VPS, you must also assess growth potential under the [Jobs and Skills Exchange Robust Assessment Process](https://support.careers.vic.gov.au/hc/en-au/articles/360039151114-Robust-Assessment-Process).

In the table below we’ve listed some of the assessment methods you could choose and the things to think about.

If you want to do things differently to what your organisation normally does, speak with your HR team first to check it’s okay. This is to make sure it complies with your organisation’s policies and the law.

You can also [get in touch](#_If_you_need) with us at the Commission for advice.

| **Method** | **How to use this** |
| --- | --- |
| Case studies or simulated work-task | Give candidates a real-life situation that’s happened at your workplace to respond to. |
| Work samples | Ask the candidates to send you a folio of their work. This could be a policy they’ve worked on, social media posts they’ve created, technical drawings they’ve drafted and so on. |
| Written exercises | Ask the candidates to respond to key selection criteria.  Or you could ask short-listed candidates to do a writing task the day before  their interview. |
| Video responses | Ask your candidate to record a short video responding to a situation.  This is a great way to assess for  cultural fit.  As everyone has different abilities with technology, make sure you’re mindful of this when you ask candidates to do something. This means you have alternative methods ready if they need them. |
| Reference checks | Ask to speak to more of your short-listed candidate’s referees than usual, such as previous managers or colleagues. |

### **Checklist for assessment options**

**To make our assessment options objective and transparent:**

* I’ve made sure the options we’re using assess a candidate’s suitability to fulfil the inherent requirements of the role
* I’ve spoken to my HR team to check my options comply with my   
  organisation’s policies
* I’ve prepared ways to make [reasonable adjustments](#_Reasonable_adjustments) to support workplace diversity and candidates

## Create a good hiring experience

As non-physical processes may be new and confronting for some candidates, show them empathy with this new way of hiring.

**Checklist for a good hiring experience**

**To create a good hiring experience:**

* I’ve told candidates if I expect the recruitment process to take longer than my organisation’s usual process
* I’ve thought about ways I can make candidates feel more comfortable, such as sending them the interview questions in advance
* I’ve sent the candidates enough information about the role, team and department they’d be working in, at least a few days prior to an interview
* I’ve checked what [reasonable adjustments](#_Reasonable_adjustments) my candidates may need and offered the same adjustments to everyone if they need them

## Online interviews

There are many options you can use to do online interviews.

Speak with the relevant team in your organisation to work out the best technology to use.

**Checklist for online interviews**

**To make my online interviews work well:**

* I’ve prepared guides for everyone about how to access, set up and use   
  the technology
* I’ve checked all candidates can use the technology
* I’ve set aside time at the start to set up, troubleshoot and make the candidate feel comfortable, such as using small talk to build rapport

## Phone interviews

If you don’t want to or can’t do an online interview, a phone interview is still a good option for candidates.

Just be aware, it can make it harder to assess.

**Checklist for phone interviews**

**For my phone interview:**

* I’ve asked the candidate to try and find a location that gives them clear   
  phone reception
* I’ve checked with everyone they can do conference calls on their phones
* I’ve made sure each panel member for an interview introduces themselves by name each time they speak, as the candidate can’t see them

## Interviews outside business hours

With people working from home or interstate, you need to think of different time zones and how they impact the hours they work.

Some people may have childcare duties that mean they can’t work   
Monday to Friday, 9am to 5pm.

**Checklist for interviews outside business hours**

**To cater for interviews outside business hours:**

* I’ve arranged interview times that suit everyone

## Give your candidates helpful advice

Many candidates will be going through your new process for the first time, so prepare some advice to help them.

**Checklist for helpful advice**

**To give my candidates helpful advice, I’ve asked candidates to:**

* **check their technology before an interview, such as their internet connection   
  and software**
* **pick a quiet, comfortable and well-lit location if they’re doing an online interview**
* **be prepared like they would with any interview, such as practising answers to potential questions based on the position description**
* **remove distractions around them so they’re fully engaged for the interview, such as putting their phone away**
* **let candidates know they can have notes with them and refer to them during   
  the interview**

# **Candidate care**

Recognise the diversity of our community and how this may change how you take care of your candidates.

Here are some things to think about when designing your processes.

## Communication

Be clear with your communication about how coronavirus affects the hiring process.

This means be upfront about changes to the process and how long things take.

Give as much information as possible.

Be patient and clear with your expectations.

## Diversity and inclusion

We want the Victorian public sector to reflect the community we serve.

This means you must run your processes in an inclusive manner.

Embrace diversity in capabilities and backgrounds. Respect the uniqueness of   
each candidate.

As everyone has different abilities with technology, make sure you’re mindful of this when you ask candidates to do something. This means you have alternative methods ready if they need them.

Think of and understand there may be cultural or socio-economic reasons for why candidates may prefer a phone interview over an online interview.

If a candidate wants a phone interview and other candidates are happy with a video interview, this is fine if you’ve also offered a phone option to everyone.

Be open minded to have your lived experience challenged.

## Cultural fit

You must hire based on merit and a candidate’s ability to do the inherent requirements of the role.

But you may want to get to know the candidate better.

It’s hard to assess candidates for cultural fit with online interviews or some assessment options.

Try and place a greater focus on probing a candidate’s background when you do reference checks.

You could even ask candidates to submit a short video of themselves, showing their personality, interests or hobbies.

## Values

You need to assess all candidates against the [Victorian public sector values](https://vpsc.vic.gov.au/ethics-behaviours-culture/public-sector-values/).

To do this, structure some of your assessment options so candidates can show how they live the public sector values.

# Reasonable adjustments for candidates with disability

If the candidate has a [protected attribute](https://www.humanrightscommission.vic.gov.au/discrimination/exceptions-exemptions-and-special-measures/special-measures) under relevant equal opportunity legislation, you must adjust your process for them.

Explain each step of the recruitment process and make it clear you’ll offer reasonable adjustments to each candidate if they need them.

The best way to do this is to ask the candidate what they need to perform at   
their best throughout the selection process.

Understand a candidate with disability may find some assessment methods harder than others. For example, someone with neurodiversity opting out of   
online interviews.

Work with your candidates to make the process equitable and inclusive.