



pennsylvania

STATE CIVIL SERVICE COMMISSION

MICROSOFT TEAMS

VIDEO

HEARING

GUIDE

May 26, 2021

TABLE OF CONTENTS

Introduction	2
Video Hearing Checklist	3
Can My Hearing Be Held Via Video?	3
My Hearing is Scheduled, What Next?	4
When You Receive an Invite or Notice of Public Video Hearing	5
Before the Hearing	6
Connecting to the Hearing	8
During the Hearing	8
Following the Hearing	10
Microsoft Teams Video Hearing Technical Guide	11
• <u>How to Join a Video Hearing via Microsoft Teams</u>	12
• <u>How to Join a Video Hearing via Microsoft Teams by Cell Phone</u>	12
• <u>How to Join a Video Hearing via Microsoft Teams by Computer</u>	13
• <u>How to Share Documents via Microsoft Teams</u>	16
• <u>How to Conduct a Sidebar Conversation</u>	17
Attachment A (Example of Pre-marked Exhibits)	18

INTRODUCTION

The Commission's "Video Hearing Guide" provides detailed information on how video-based hearings will be scheduled and conducted. Please carefully read the Guide for additional information.

Questions or comments related to the contents of this Guide should be sent to the Commission's Legal Services Office at ra-csappealhearing@pa.gov.

VIDEO HEARING CHECKLIST

If you answer NO to any of the following questions, Microsoft Teams is not a workable format for your video hearing.

__ Do you have a personal email account? (i.e., yahoo, Gmail, AOL, etc.)

__ Do you have Wi-Fi/Internet or data service?

__ Do you have a laptop, personal computer, or other device with audio/camera/video functionality?

__ Do you have a quiet space/private location available to participate in a Commission Video Hearing?

CAN MY HEARING BE HELD VIA MICROSOFT TEAMS?

Microsoft Teams is an application that can be downloaded and used. Generally, the following conditions must be met for a video hearing to be conducted via Microsoft Teams:

- All parties and witnesses must have devices capable of running Microsoft Teams. Participants are not required to use Commonwealth equipment.
- All parties and witnesses must have video and audio capabilities for communicating via Microsoft Teams. Parties may propose telephone testimony if a witness cannot get access to a device with video and audio functions. Such a request would need to be considered by the opposing party and the Commission before a decision can be made.
- All parties and witnesses must participate in a pre-hearing test of technology and submit planned exhibits in advance.

Please note, even if the above conditions are met, there may be other technical limitations or circumstances which could prevent the hearing from being conducted via Microsoft Teams. Cases will be evaluated to determine if Microsoft Teams is a workable format for the hearing.

MY HEARING IS SCHEDULED, WHAT NEXT?

Prior to the date of the scheduled civil service hearing, the Commission will send an email invite notice to appellant, counsel for appellant (if retained) and counsel for the appointing authority, which will contain a link to join the video hearing via Microsoft Teams. All parties and witnesses must be logged on and connected to the meeting at least **fifteen minutes** prior to the official start time of the appeal hearing. During this period, communications, connectivity, and technical issues will be tested and verified.

Be prepared:

- Parties must have sufficient battery life for personal devices for the entire hearing.
- Parties must have sufficient data and/or Wi-Fi access.
- Parties must be in a quiet area with minimal background noise. To minimize background noise, please mute your telephone and place all devices on silent.
- Parties must provide the Commission with a telephone number at which they can be reached. The Commission **must** be able to reach you on the day of the hearing at the telephone number you provide.

Exhibits:

- All exhibits should be mailed and/or emailed as directed in the Commission Notice of Public Video Hearing.
- All exhibits shall conform to the instructions set forth in the section of this Guide titled, "When you Receive an Invite and Notice for Video Hearing."
- Ensure exhibits are legible (both in printed form and when presented on typical electronic devices), pre-marked, and numbered with each page numbered within each exhibit.
 - The appointing authority's exhibits should be pre-marked AA-1, AA-2, et seq.
 - The appellant's exhibits should be pre-marked AP-1, AP-2, et seq.
 - The Office of Administration's exhibits should be pre-marked OA-1, OA-2, et seq.
 - The Indispensable Party's exhibits should be pre-marked IP-1, IP-2, et seq.
 - Examples of pre-marked exhibits are included as **Attachment A**.
- Exhibits may be presented out of order.
- If presenting the exhibit through screen share, have all other applications closed before sharing screen of only the document that you want to share.
- Parties must provide copies of their exhibits to witnesses if that party will not be using the screen share function at the hearing.

Witness(es):

If you plan on calling a witness(es):

- You must provide the Commission with a telephone number at which the witness(es) can be reached. The Commission **must** be able to reach the witness(es) on the day of the hearing at the telephone number you provide.
- Witnesses are required to participate in a pre-hearing test of technology to ensure they will be able to connect on the day of the hearing.
- Witnesses must have sufficient battery life for personal devices and data for the entire hearing.
- Witnesses must be in a quiet area with minimal background noise.

Remind witnesses when they have finished testifying, they may be required to leave the video hearing and should not talk to anyone about the testimony presented until after the conclusion of the hearing.

WHEN YOU RECEIVE AN INVITE AND NOTICE FOR THE VIDEO HEARING

- 1) You will receive two notices regarding the video hearing: an invite for the video hearing and a Notice of Public Video Hearing. The invite for the video hearing will be sent to the email address you have provided. The Notice of Public Video Hearing will be sent to you by mail.
- 2) **Read the invite for the video hearing carefully.** Add the meeting link and any deadlines to your personal calendar.
- 3) **Read the Notice of Public Video Hearing carefully.** Carefully review the Notice of Hearing and any addendums for additional requirements, including pre-hearing meetings and timeframes for exhibits. Specifically, review how exhibits are to be provided **5 business days** PRIOR to the video hearing. Do not count weekends or holidays when determining the due date. If you have any questions, those should be clarified by the Notice of Public Video Hearing.
- 4) Dealing with exhibits in a video proceeding can be cumbersome, so think carefully about the size, length and need for each exhibit. Each exhibit should be pre-marked and each page within each exhibit should be numbered.
 - The appointing authority's exhibits should be pre-marked AA-1, AA-2, et seq.
 - The appellant's exhibits should be pre-marked AP-1, AP-2, et seq.
 - The Office of Administration's exhibits should be pre-marked OA-1, OA-2, et. seq.

- The Indispensable Party’s exhibits should be pre-marked IP-1, IP-2, et seq.
 - See examples in **Attachment A**.
- 5) A Technology Conference meeting will be conducted via video with the parties and witnesses prior to the actual hearing to address technical issues, if any. The parties are required to forward the invite to their witnesses. The Commission will **NOT** send the invite for the technology conference to witnesses.

BEFORE THE HEARING

- 1) Familiarize yourself with different features commonly used for video hearings via Microsoft Teams, such as sharing documents. Practice these features with friends, family, or clients, if possible. Instructions for some of the features you may need for a video hearing are in the [Microsoft Teams Video Hearing Technical Guide](#).
- 2) Parties, witnesses, and participants should have a copy of the [Microsoft Teams Video Hearing Technical Guide](#) available for reference during the hearing. It is the responsibility of the parties to provide the [Microsoft Teams Video Hearing Technical Guide](#) to their witnesses.
- 3) The Commission will be sending invites only to the parties and/or their attorneys. **It will be each party’s responsibility to forward the invite for the video hearing and provide contact information for the witnesses to the Commission.**
- 4) The parties must provide a valid phone number for all parties, witnesses, and other participants no later than **5 business days** before the hearing. Do not count weekends or holidays when determining the due date. These phone numbers may be used when connecting sequestered witnesses and for troubleshooting purposes. This information is sent only to the Commission and will be kept confidential.
- 5) Exhibits must be submitted to the Commission no later than **5 business days** before the hearing. Do not count weekends or holidays when determining the due date.
 - a. Prepare your exhibits with a cover email. Unless you receive separate instructions from the Commission, the body of the email should contain a descriptive list of exhibits, identifying the exhibit number and providing a brief description of the exhibit. For example, start with “Exhibit AP-1 – Text messages regarding Thanksgiving vacation.”

- b. Along with the cover email, send your exhibits via email to all counsel, unrepresented appellants, and the Commission in accordance with the instructions in your Notice of Public Video Hearing. Request confirmation that the documents were received.
 - c. Each exhibit shall be a separate attachment labeled with the exhibit number. The pages of the attached exhibits shall be numbered, and the exhibits shall be pre-marked as follows:
 - The appointing authority's exhibits should be pre-marked AA-1, AA-2, et seq.
 - The appellant's exhibits should be pre-marked AP-1, AP-2, et seq.
 - The Office of Administration's exhibits should be pre-marked OA-1, OA-2, et seq.
 - The Indispensable Party's exhibits should be pre-marked IP-1, IP-2, et seq.
 - See examples in **Attachment A**.
 - d. No one should alter exhibits once the email is sent without approval of the Commission. Any documents not available for public inspection may be sent as an encrypted file, if needed.
- 6) The parties must submit a witness list **3 business days** prior to the hearing. Do not count weekends or holidays when determining the due date.
 - 7) Test your broadcast location as it relates to sound and lighting. Try to avoid having a bright light behind or beside you as you may appear backlit with glare. Also, try to sit relatively close to the camera and position your camera so your face and shoulders take up most of the screen.
 - 8) Avoid having others in the room with you and advise your witnesses to do the same. Parties, witnesses, and participants should disclose if others are in the room and those individuals may be asked to leave during testimony.
 - 9) It is helpful if each party and witness has a separate computer device, but we recognize there may be a need to share devices. The appellant and attorneys must always be visible on screen unless otherwise instructed by the Commission Hearing Officer.
 - 10) It is best to use a headset to hear the proceedings and ensure the Commission can hear you through a microphone. If you do not have a headset, you will need to ensure you are in a quiet location to avoid excess background noise.

- 11) You will be required to use the video feature. Make sure your witnesses understand they will need to have access to a video feed.

CONNECTING TO THE HEARING

- 1) The Commission is currently using Microsoft Teams to conduct video hearings. Microsoft Teams works best when few applications are running on your computer or other devices. You may want to close as many applications as possible prior to accessing Microsoft Teams.
- 2) Open the Microsoft Teams email invite. Click the link or paste it into your regular browser. If you are a Commonwealth employee, do not access via the Commonwealth's Virtual Private Network (VPN) portal.
- 3) Select audio and camera on your device. Video and audio are required, and appropriate attire must be worn. Please refer to the [Microsoft Teams Video Hearing Technical Guide](#) for additional information.
- 4) The first and last name of all parties, witnesses and participants must be visible upon joining the video hearing. Instructions for adding your name can be found in the [Microsoft Teams Video Hearing Technical Guide](#). Having the person's name on the screen is very helpful for court reporters.
- 5) Wait your turn to speak and stay on mute on all devices unless you are speaking.
- 6) Additional instructions for connecting to Microsoft Teams through various electronic devices can be found in the [Microsoft Teams Video Hearing Technical Guide](#).

If you are disconnected during the hearing, you may rejoin using your original invite. If you are unable to rejoin, please contact the Commission's Legal Services Office at (717) 783-2924.

DURING THE HEARING

- 1) Remember to keep yourself muted. To unmute when it is your turn to speak, hit the unmute button. Think about all the possible background noises at your house you may not want participants to hear.
- 2) Efforts of a participant to be disruptive will not be tolerated. Members of the public who become disruptive may be removed from the hearing.

- 3) The Commission Hearing Officer will review the rules for a video hearing at the start of the hearing. At this time, please raise any objections, questions, or clarifications as a preliminary matter.
- 4) Objections may be made as they normally would.
 - a. If you need to state an objection, please say, "Objection," and wait to be recognized by the Commission Hearing Officer before explaining your objection.
 - b. Counsel responding to the objection must wait for the objection to be stated in full and for the Commission Hearing Officer to ask for a response.
- 5) Be sure only one person is speaking at a time so the court reporter can keep a clear record.
- 6) The rules of evidence apply. Specific concerns are as follows:
 - a. Witnesses may not be led through any form of private communication such as text messages.
 - b. Commission Hearing Officers will not review exhibits unless there is a stipulation to do so provided in advance. Exhibits can be referenced from each party's email that has been provided in advance. Exhibits may also be referenced by using the shared screen feature during testimony. No one may annotate or alter the exhibits once submitted without approval of the Commission.
 - c. For presentation of pre-marked and distributed exhibits during the hearing, the party shall first identify to the Commission which exhibit they wish to present and wait for confirmation from the Commission to proceed. The Commission Hearing Officer will determine whether the parties will be permitted to share the exhibit on the screen and/or the witness will be permitted to view an exhibit provided in advance.
 - d. For presentation of rebuttal exhibits:
 1. The party shall first identify to the Commission they have a rebuttal exhibit.
 2. The Commission determines whether to grant permission for the party to share the exhibit.

- e. Witnesses must testify from memory. Witnesses are not permitted to have anything in their hands or view anything on their computers, laptops, or other devices while testifying. You may refresh a witness' recollection, if necessary, upon receiving permission from the Commission Hearing Officer.
- 7) Witnesses should not have others in the room during testimony. Witnesses will be sworn in and will be asked if anyone else is present.
- 8) Private chat messages are strictly prohibited.
- 9) At the discretion of the Commission Hearing Officer, a party may request a brief recess to have a private discussion with a client or witness, if it is determined to be necessary. These discussions should occur outside of Microsoft Teams and by separate phone call communications.
- 10) Parties, witnesses, and participants should have a copy of the [Microsoft Teams Video Hearing Technical Guide](#) available for reference during the hearing. It is the responsibility of the parties to provide the [Microsoft Teams Video Hearing Technical Guide](#) to their witnesses.

If you are disconnected during the hearing, you may rejoin using your original invite. If you are unable to rejoin, please contact the Commission's Legal Services Office at (717) 783-2924.

FOLLOWING THE HEARING

- 1) After the Commission Hearing Officer has completed the closing procedure, he/she will dismiss all participants. You may then sign off.
- 2) As we begin to use these hearings more widely, please provide any constructive feedback to the Commission so we can adjust and improve the experience for everyone. This feedback can be sent to ra-csappealhearing@pa.gov.



**MICROSOFT TEAMS
VIDEO HEARING
TECHNICAL GUIDE**

HOW TO JOIN A VIDEO HEARING VIA MICROSOFT TEAMS

Please familiarize yourself with the many icons you will see when using Microsoft Teams and its functionality.



Starts your camera and begins sharing video with other participants of the meeting. Press again to stop sharing video.



Mutes/Unmutes your microphone.



Shares your screen or window with other participants of the meeting. Press again to stop sharing screen.



Disconnects your call from the meeting.

If you are a witness in a hearing, the party for whom you are a witness, will forward an invite to you via the email address you provided. All witnesses shall join the video hearing at least **fifteen minutes** prior to the start of the hearing. If you are a sequestered witness, you will receive additional instructions at the beginning of the hearing from the Commission Hearing Officer and you must be ready to rejoin the meeting when it is your time to testify.

HOW TO JOIN A VIDEO HEARING VIA MICROSOFT TEAMS BY CELL PHONE WHEN YOU RECEIVE AN INVITE

1. Click the “Click here to join the meeting” link in your email or on your email calendar.

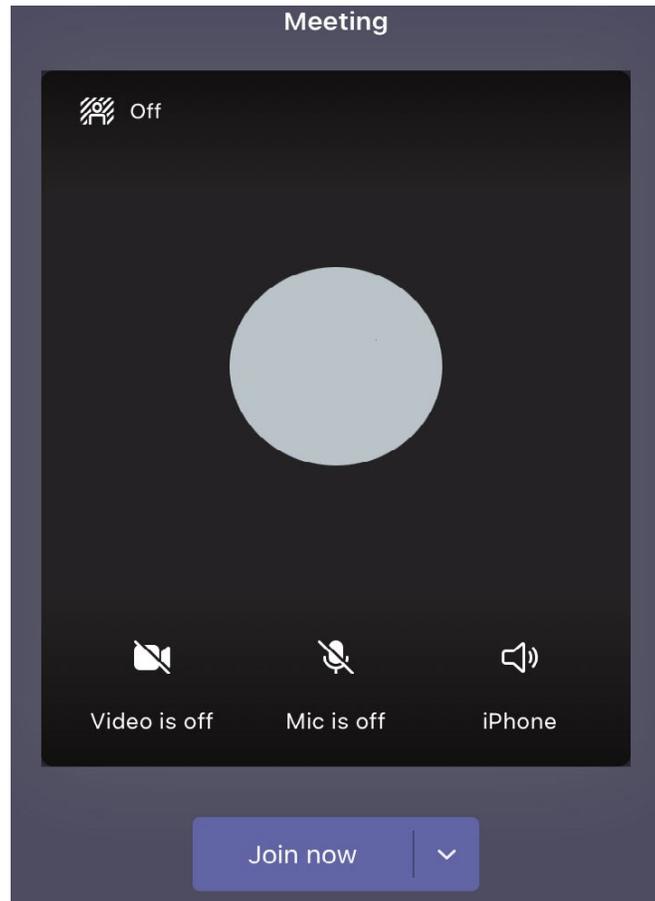
Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

[Learn More](#) | [Meeting options](#)

2. Select "Join now".



HOW TO JOIN A VIDEO HEARING VIA MICROSOFT TEAMS BY COMPUTER WHEN YOU RECEIVE AN INVITE BY EMAIL

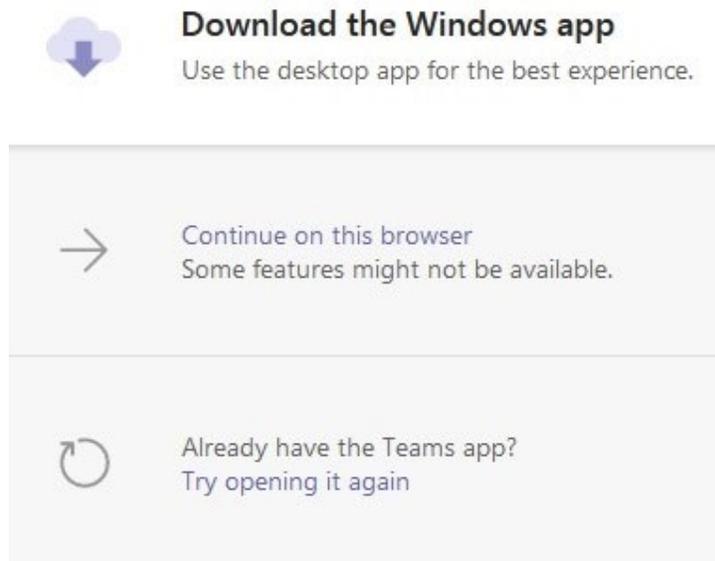
1. Select the "Click here to join the meeting" link in your email.

Microsoft Teams meeting

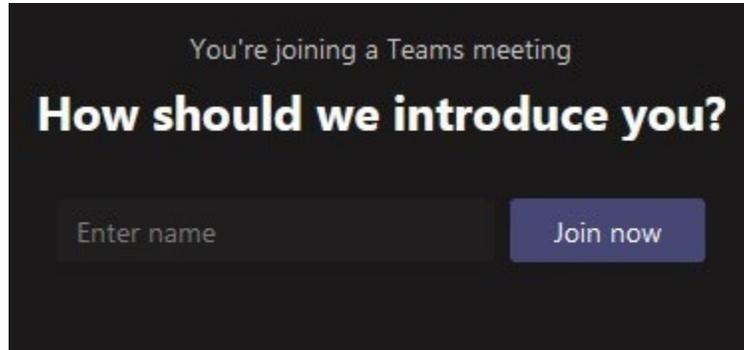
Join on your computer or mobile app

[Click here to join the meeting](#)

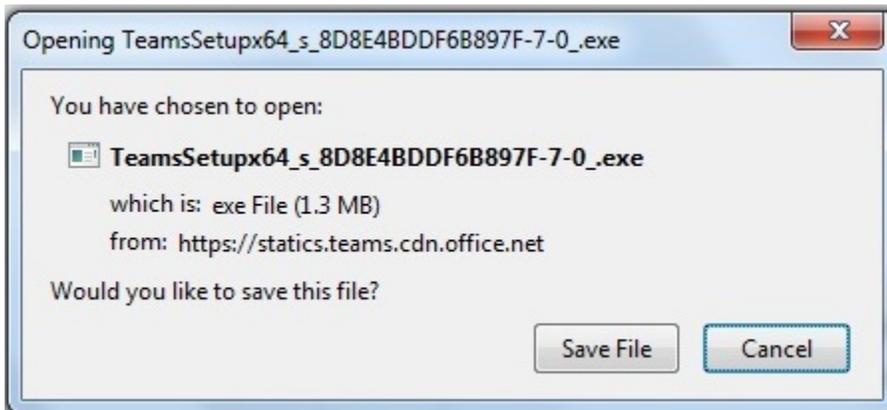
2. A new window in your web browser will open. You can choose to download the Windows app (see steps 4-6) or open the meeting in your browser (see step 3).



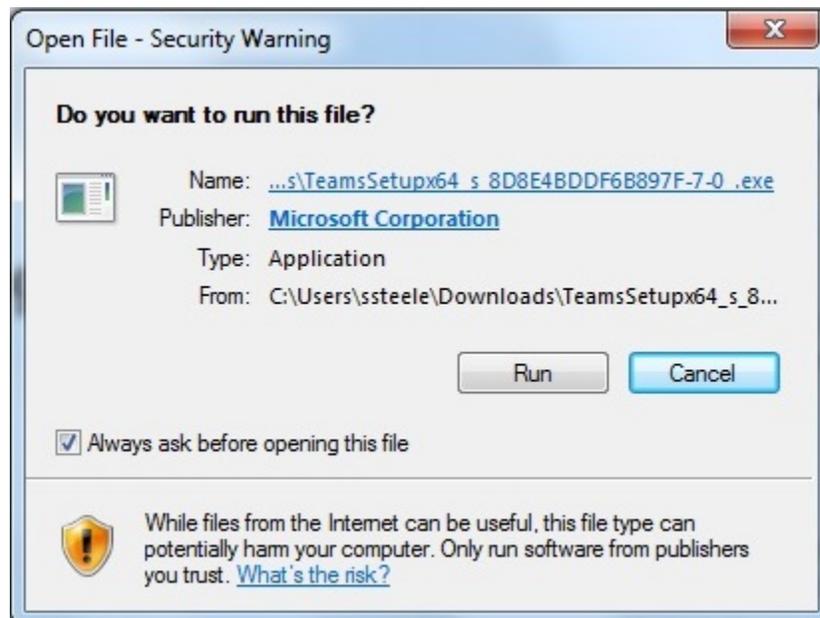
3. Another window opens, enter your name and click "Join now."



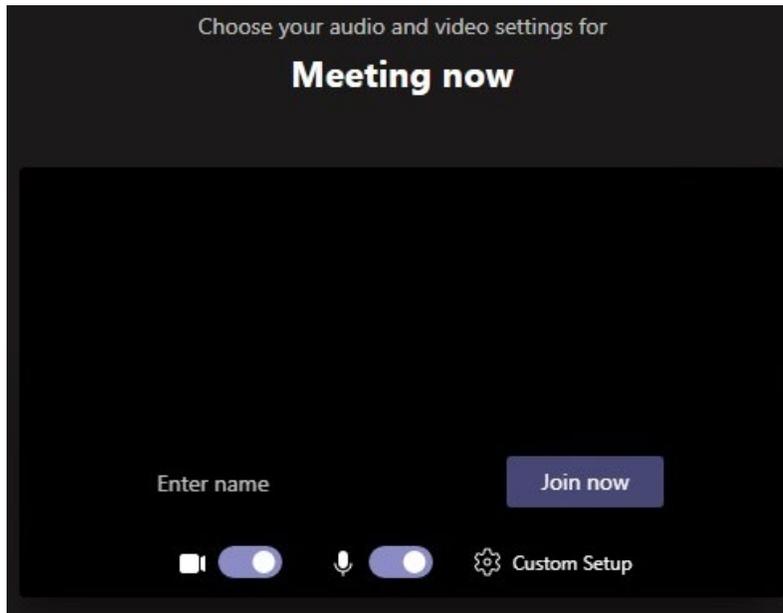
4. Select "Download the Windows app, and then select "Save File."



5. When the download is complete select "Run."



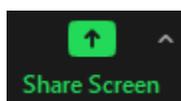
6. When the install is completed the application will open. Enter your name in the field and select “Join now.”



HOW TO SHARE DOCUMENTS VIA MICROSOFT TEAMS

To share documents, the Commission must designate you as a Presenter. Once designated, follow the steps below:

1. At the bottom of the Microsoft Teams meeting window, select the Share Screen icon, which is illustrated below:



2. Select the window or application that you want to share and click the “Share” icon.
3. When finished sharing content select “Stop Share” at the top of the window.



HOW TO CONDUCT A SIDEBAR CONVERSATION

Prior to the hearing, it is necessary to provide an alternate method of communication to the Commission. This is necessary in case of technical difficulties where Microsoft Teams may be unavailable as well as if a sidebar conversation is requested.

If a sidebar conversation is requested and permitted by the Commission Hearing Officer, a conference call will be initiated with all necessary participants using the alternate phone number. It is important before answering the conference call to first mute the microphone and stop video sharing on the device connected to the video hearing.

ATTACHMENT A

Please note how the sample exhibits in this attachment have been labeled and numbered in the bottom right-hand corner of each page. Each party's exhibits should be labeled and numbered in this manner.

From: Direct Supervisor <directsupervisor@pa.gov>
Sent: Tuesday, December 15, 2020 2:34 PM
To: Employee A <employeea@pa.gov>
Cc: Second Level Supervisor <secondlevelsupervisor@pa.gov>; Human Resource Analyst <humanresourceanalyst@pa.gov>
Subject: RE: Nonselection

Dear Employee A,

Below are the responses to A, B, and C.

[Response to A]

[Response to B]

[Response to C]

Best Regards,
Direct Supervisor

From: Employee A <employeea@pa.gov>
Sent: Tuesday, December 15, 2020 12:15 PM
To: Direct Supervisor <directsupervisor@pa.gov>
Subject: Nonselection

Dear Direct Supervisor,

Please explain A, B, and C regarding the selection process.

Thank you,
Employee

From: Human Resource Analyst <humanresourceanalyst@pa.gov>
Sent: Wednesday, December 10, 2020 3:57 PM
To: Employee A <employeea@pa.gov>
Subject: Job Position No. CS-12345

12/10/2020

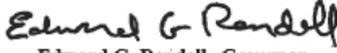
Dear Employee A,

Thank you for participating in the interview process for Position No. CS-12345. Please be advised that another candidate has been selected to fill this position.

You are encouraged to pursue other employment opportunities with the Commonwealth of Pennsylvania.

Sincerely,
Appointing Authority

**COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
EXECUTIVE ORDER**

Subject: Equal Employment Opportunity	Number: 2003-10
Date: July 28, 2003	By Direction of:  Edward G. Rendell, Governor

- WHEREAS, this Administration believes that the employment practices of the Commonwealth of Pennsylvania should be nondiscriminatory in intent and effect to promote public confidence in the fairness and integrity of government; and
- WHEREAS, past governors of the Commonwealth have recognized a constitutional and legislative mandate to take affirmative steps to remedy employment discrimination and have issued *Executive Orders* promoting equal employment opportunity; and
- WHEREAS, this Administration is firmly committed to strengthening and developing equal employment opportunity programs in the Commonwealth.

NOW, THEREFORE, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct as follows:

1. Prohibition of discrimination and affirmation of equal employment opportunity.

- a. No agency under the jurisdiction of the Governor shall discriminate against any employee or applicant for employment because of race, color, religious creed, ancestry, union membership, age, gender, sexual orientation, gender identity or expression, national origin, AIDS or HIV status, or disability.
- b. Positive steps shall be taken by each agency under the jurisdiction of the Governor to ensure fair and equal employment opportunity at every level of government.
- c. Sexual harassment or harassment based on any of the factors listed in paragraph 1.a. of this order is prohibited.

Distribution: B

Page 1 of 3

AP-2
Page 1 of 3

2. Responsibility for implementing equal employment opportunity.

a. The Secretary of Administration shall supervise the development, implementation, and enforcement of the Commonwealth's equal employment opportunity programs through the **Bureau of Equal Employment Opportunity**, which shall:

(1) Develop and promote steps designed to ensure a diverse workforce, equal employment opportunity and fair treatment of the protected classes listed in paragraph 1.a. of this order at all levels of state government.

(2) Develop Commonwealth-wide equal employment opportunity policies, procedures, and training to ensure consistency and uniformity.

(3) Conduct or participate in periodic on-site reviews and audits of agency equal employment opportunity programs.

(4) Develop complaint investigation and resolution procedures for implementation by all agencies under the jurisdiction of the Governor.

(5) Review complaint investigation reports at any time during the complaint process.

(6) Develop and implement a standardized equal employment opportunity procedure to monitor personnel transactions in all Commonwealth agencies under the jurisdiction of the Governor.

(7) Develop and issue guidelines for the conduct of agency equal employment opportunity programs and review of equal employment opportunity plans prior to implementation.

(8) Design and implement monitoring and reporting systems to measure effectiveness of agency equal employment opportunity programs.

(9) Consult with agency officials regarding personnel actions affecting agency equal employment opportunity professional staff, including recruitment, hiring, promotion, demotion, separation, transfer, performance standards and evaluation, and rate of pay.

(10) Provide leadership to agencies in the design and implementation of innovative equal employment opportunity strategies which will further the Commonwealth's fulfillment of the commitment to equal employment opportunity.

b. Heads of departments and agencies under the jurisdiction of the Governor shall:

(1) Designate an Equal Opportunity Officer with primary responsibility to develop and implement the agency's equal employment opportunity program.

(2) Ensure that the agency Equal Opportunity Officer reports directly to the individual who has overall responsibility for the agency's equal employment opportunity program.

(3) Ensure that the agency's commitment to equal employment opportunity is clearly transmitted to all agency employees and that bureau directors and managers provide adequate support to the Equal Opportunity Manager or Specialist in the development and implementation of program plans designed to achieve the agency's equal employment opportunity objectives.

(4) Seek input from the Director of the Bureau of Equal Employment Opportunity on personnel actions affecting equal employment opportunity professional staff.

(5) Ensure that the agency develops and implements effective equal employment opportunity plans and auditing and reporting mechanisms.

(6) Ensure that all agency supervisory and management employees are rated on equal employment opportunity, diversity, and inclusiveness based in part upon criteria identified in the agency's equal employment opportunity plan.

3. Rescission. *Executive Order 2002-3, Equal Employment Opportunity*, is hereby rescinded.

Page 3 of 3

AP-2
Page 3 of 3

INDESPENSIBLE PARTY A

Address · Phone
indispensableparty@gmail.com

EXPERIENCE

AUGUST 26, 2016 – PRESENT
JOB TITLE, AGENCY A
[Description of responsibilities and achievements]

JANUARY 23, 2010 – AUGUST 26, 2016
JOB TITLE, AGENCY B
[Description of responsibilities and achievements]

EDUCATION

DECEMBER 2010
DEGREE TITLE, UNIVERSITY A
[GPA, awards, honors, and summary of course work]

SKILLS

- Skill A
- Skill B
- Skill C
- Skill D

ACTIVITIES

[Description of leadership and volunteer activities]

IP-1
Page 1 of 2

REFERENCES

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REFERENCE A, JOB TITLE

Business Address

Phone: (555) 555-1234

Email: referencea@pa.gov

REFERENCE B, JOB TITLE

Business Address

Phone: (555) 555-5678

Email: referenceb@pa.gov