



Minimum Qualifications

Agenda

Minimum Qualifications

- I. Purpose
- II. Legal Considerations
- III. Best Practices
- IV. SLO County's Approach



The Purpose of Minimum Qualifications

Our mission: employ a talented and diverse workforce

Minimum Qualifications:

1. Describe the most basic qualifications needed to perform a job
To ensure candidates have the knowledge, skills and abilities to perform the essential functions of the position
2. Reduce a large pool of applicants to a manageable number



Legal Considerations

Title VII of the Civil Rights Act of 1964

Protection from disparate treatment and impact

- MQs must be sufficiently related to actual job duties (Reynolds v McInnes)
- They may only screen for what is needed to perform the essential functions of the job (EEOC Compliance Manual)
- The burden of proof lays with the Employer (Spurlock v. United Airlines)
- Courts tend to reject educational requirements when less educated workers may successfully perform in the position. (Carpenter v. Stephen F. Austin State University)



Legal Considerations

Uniform Guidelines on Employee Selection Procedures (1978)

- Jointly adopted by the Federal CSC, DOL, DOJ, and EOC
- Outline the requirements for employers to legally defend employment decisions
- Policies or practices which have an adverse impact are illegal unless justified by a business necessity
 - They must be validated by establishing a relationship between the procedure and successful job performance



Legal Considerations

Bottom line:

Our selection process must impartially evaluate an applicant's ability to perform the *essential functions* of our positions.



Best Practices

Identifying accurate minimum qualifications

- Focus on Essential Job Functions
- Remove artificial barriers
 - Take care not to unintentionally and unnecessarily exclude groups of job seekers
- Avoid overly narrow qualifications
- Do not focus on former incumbents



Best Practices

Identifying accurate minimum qualifications (continued)

- Consider the training and experience the employee will receive on the job
- Establish alternative ways to qualify
- Differentiate between Preferred and Required qualifications



SLO County's Approach

Minimum Qualifications:

- We typically seek a combination of education and experience that satisfy required qualifications and demonstrate that the candidate can successfully perform the essential functions of the job.
- Minimum qualifications are the first of a several-step screening process designed to select the most qualified candidates.
- Mandate only legally required licenses, certifications, and degrees
 - Allow for alternative means of demonstrating qualifications for all others



SLO County's Approach



SLO County's Approach

- Example: Public Works Division Manager
- First two recruitment attempts failed
 - Qualified applicants, but none who met our fit test
- For third, we eliminated our engineering degree requirement
 - Multiple candidates met the qualifications by alternative means



SLO County's Approach

Merit System

- Ensure merit-based promotion
- Preference given to internal candidates
- Allow employees to progress within the County by demonstrating qualifications through experience



SLO County's Approach

(RECAP)

- Cultivate a talented and diverse workforce
- Support internal growth
- Ensure legal compliance
- Adopt best practices
- Monitor and adjust our policies and procedures



Questions and Answers

