

## USM Bylaws, Policies and Procedures of the Board of Regents

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### **VII - 9.80 - POLICY ON IMPACT OF CHANGES IN THE MINIMUM QUALIFICATIONS OF NONEXEMPT JOB CLASS SPECIFICATIONS**

(Approved by the Board of Regents, June 9, 1995, EFFECTIVE July 1, 1996. Amended October 9, 2015).

#### **I. PURPOSE AND APPLICABILITY**

This policy establishes the guidelines on meeting the minimum qualifications of job class specifications.

#### **II. AFFECTED EMPLOYEES**

The minimum qualifications of a job class shall be developed and/or amended by the Chancellor or designee to comply with local, state or federal regulations or for other bona fide occupational requisites. Employees may be affected as follows:

##### **A. Governmental Regulations**

When the minimum qualifications are changed to meet legal requirements (e.g., State mandated licensure or certification), continued employment in the job class shall be dependent upon meeting the new standards unless the law or regulation provides for "grandparenting" of current employees.

1. The applicable institution shall pay for all necessary and reasonable costs, and shall allow employees reasonable time off with pay to meet the mandated legal requirements.
2. Employees unable to meet, after reasonable effort, the new legally-mandated standards for the job class shall be laid off and their names placed on the applicable reinstatement list as provided in the appropriate layoff and reinstatement policies.

##### **B. Other Bona Fide Requisites**

When minimum qualifications of job classes are changed for other bona fide occupational requisites, not involving legal mandates, current employees who do not meet the new requirements shall be encouraged to acquire the new qualifications.

1. Although encouraged, employees shall not be required to obtain the new

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qualifications in order to remain in their current positions.

2. Exception to the new minimum qualifications shall only apply to that specific job class at the institution where the employee is employed, and shall not apply to other positions in the job class series or other job classes for which the employee does not meet the minimum qualifications.

### **IMPLEMENTATION PROCEDURES:**

Each President shall identify his/her designee(s) as appropriate for this policy, develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to his/her institutional community, and post it on its institutional website.