

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

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## USM HR Policy Review Sheet

**Policy Number: VII – 9.80**

**New Policy Title: Policy on Impact of Changes in the Minimum Qualifications of Nonexempt Job Class Specifications**

Old Policy Title: Policy on Impact of Changes in the Minimum Qualifications of Job Class Specifications

1. Policy Application:  Nonexempt Staff  Exempt Staff  Faculty  Contingent Staff  
 All  Other: \_\_\_\_\_

2. Proposed Revisions

Terminology outdated

Re-Formatting

Title Change

Obsolete provisions deleted

Merge with other policy: \_\_\_\_\_

Clarifications: Clearer language used

Transfer to another policy or chapter: \_\_\_\_\_

Updates to reflect changes in law

Incorporate USM-wide existing practice into policy

Incorporated Pre-USM Policy:

Fills gap in policy:

Added definitions

Other revisions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DRAFT – 1/15/13**

**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,  
2015).

**I. PURPOSE AND APPLICABILITY**

This policy establishes the guidelines ~~on meeting for the effect of changes in~~ the minimum qualifications of job class specifications.

**II. AFFECTED EMPLOYEES**

The minimum qualifications of a job class shall be developed and/or ~~amended adjusted~~ 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.

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1. Although encouraged, employees shall not be required to obtain the new qualifications in order to remain in their current positions.
2. ~~Grandparenting-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.~~

~~Each Chief Executive Officer shall identify his/her designee(s) as appropriate for this policy; shall develop procedures as necessary to implement this policy; shall communicate this policy and applicable procedures to his/her institutional community; and shall forward a copy of such designations and procedures to the Chancellor.~~

~~Replacement for:~~

~~The following policies as they apply to non-exempt employees of the UMS only are replaced effective July 1, 1996. However, Exempt employees will continue to be covered under such applicable existing policies until such time as revised policies governing Exempt employees are approved.~~

~~UM Personnel Policies and Rules For Classified Employees, Section IV, Classification—Status of an Employee Whose Position is Reallocated, Reclassified, or Abolished, pages IV 2, IV 3.~~

~~Additionally, this policy supersedes, in whole or in part, any policy(ies) and/or procedure(s) established by the Regents, Trustees, Presidents, or their designees, of the former institutions of the University of Maryland, and of the former State Universities and Colleges, and of the Regents of the University of Maryland System that are in conflict with this policy's purpose, applicability, or intent, that may have been overlooked and not included as a specific citation under "Replacement for."~~