

MINUTES

LIBRARY BOARD PERSONNEL COMMITTEE MEETING FEBRUARY 2, 2006

Convened: 3:30 p.m.

Present: Karlen, Palm, Widder, Hernandez, Markle

Excused: Taft

Also Present: Dimick, Benno, Sawyer, Egger, Froistad, Olson, McMenamain,
Odahowski, Knapp, White, Lee, Grogan, Roughen, Marzen, Wolfe

I. CONVENE

The meeting was called to order at 3:30 p.m.

II. REPORT AND DISCUSSION RE MLS EDUCATIONAL REQUIREMENT FOR LIBRARY POSITIONS

At the last Library Board meeting Ms. Dimick was asked to request further clarification from the City Attorney and Human Resources Director about the MLS educational requirement for library positions and the applicability of the "other combinations" language.

Listed below are the questions that were posed and the responses:

- Does the Library Board have the right/authority to direct management to "opt out" of the City's "other combinations" language and require a degree?

The City Attorney concluded that the Library Board has the authority to determine the job qualifications of library employees. If the Board intends to use an MLS degree as a job qualification, then the Board must comply with the EEOC's *Uniform Guidelines On Employee Selection Procedures (1978)* in order to determine whether such criteria is valid. However, the more conservative approach would be to preserve the ability of an applicant to substitute their training and experience for the degree requirement. This opportunity for substitution eliminates the inherently discriminatory disparate impacts of a degree requirement. Additionally, such a substitution procedure would assist in broadening and diversifying the pool of qualified applicants. For all but certain licensed professionals the City job qualifications contain the "other combinations" language. Incorporating these standards into the job qualifications for librarians

would further promote the Board's long-standing goal of having a personnel system at the Library that mirrors the personnel system of the City of Madison.

- What flexibility do managers have in the interview? Could we allow points or ask questions that would elicit responses that degreed candidates could better answer? If we somehow increase the value of the degree in the final interview, what are the legal restrictions? Are there other qualification options available?

Palm arrived at 3:38 p.m.

The City Interim Human Resource Director responded that every facet of the selection process is subject to scrutiny and legal challenge. In that context, if a manager were to assign some special value to the degree, per se, they would then carry the burden of establishing the "job-relatedness" of that determination, particularly as it may conflict with the scores of those candidates who possess the required (potentially the same) job-related skills, but obtained through alternate means (i.e. directly related work experience). Fundamentally, you would need to prove that the degree conveyed some job-related knowledge, skill, or ability that could not be obtained elsewhere. Frankly, I would strongly discourage such an assessment without strong supporting documentation, most probably, in the form of an empirical validation study.

Markle arrived at 3:40 p.m.

- Is the Library Board the responsible Board to deal with a City hiring process? This spotlights the sometime murky relationship between the Library Board and its powers as delineated in Chapter 43 and the Library's responsibility as a City service supported by municipal taxpayers and accountable as such.

The City Attorney responded that DPI notes that many library boards simplify their responsibilities in this area by adopting the personnel policies and procedures of their municipalities. This is precisely what the MPL Board did on July 3, 1990 by adopting its "Compliance Resolution." In the resolution, the Board adopted the City of Madison "...procedures for the filling of vacancies including recruitment, certification, and classification of city employees and...established policies on Affirmative Action and Equal Opportunities." Nonetheless, the Board expressly retained its "...right to establish professional qualifications for librarians..."

The conclusion that the City Attorney and Human Resource Director reached was that requiring an MLS could be seen as an improper screen to disqualify applicants who are members of protected classes. The degree has to be provable and bear direct relationship to the job. We must be able to defend the

requirement. The conservative approach is to substitute the “other combinations” language.

Several members of the library management staff met with Louise Robbins, Director of UW’s Library School. She feels that hiring librarians without the MLS degree undercuts the graduate MLS program. She is looking at ways to beef up the curriculum at the library school requiring practicums or internship possibilities so candidates would come to us with more programming and experience in the Youth Services area.

Ms. Robbins recommended staff consult with Dr. Dresang, Director of the LaFollette School of Public Affairs re the MLS requirement for librarian positions. Dr. Dresang agreed to review the class specification, position descriptions and hiring process and then met with the library’s management team.

He discussed the issue of the MLS as a requiring qualification for librarian positions at MPL. Due to the 14th Amendment (Equal Opportunity) and subsequent case law, it is simply not possible to justify degree requirements. It is not viable as a qualifying requirement.

He presented five options for dealing with this and recommended options 2 and 5.

- 1) Retain the current wording – “Graduation from an accredited library school with a master’s degree in library and information science. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.”
- 2) Insert “preferred” with degree description – “Graduation from an accredited library school with a master’s degree in library and information science preferred. Other combinations...”

This communicates to the applicants that “all other things being equal,” graduation from an accredited library school with a master’s degree in library and information science is preferred. This wording is more straightforward and addresses the psychometric and legal issues.

- 3) Specify courses that are job-relevant – “Graduate-level courses in library science theories, practices and principles, youth services, reference, collection development, and computer technology. Other combinations...”
- 4) Include “such as included in courses in a graduate program in library science and information studies” with position KSAs – “Thorough knowledge of library science theories, principles, practices and terminology applicable to a public library, such as included in courses in a graduate program in library science and information studies.”

- 5) Focus on career, rather than position, in General Responsibilities section – “Individuals can begin their professional career in this entry-level position, which emphasizes programming for children and young teens, and for adults who work with youth...”

The emphasis is on *professional career* as opposed to the position only and tells the applicant we are looking for a person who seeks a career as a professional.

Dr. Dresang also expressed his thoughts on our hiring process, job announcements, etc. He found the position descriptions to be position oriented and narrow. He prefers the concept of broadbanding. He was critical of the job announcements layout/style. He also felt the inclusion of “soft skills” in Class Specs and job announcements is appropriate. His comments in these areas will be forwarded to Human Resources for further discussion.

The library’s compliance resolution was reviewed. It was developed in 1990 as a means of stating to the South Central Library Board that MPL was in compliance with state law and was eligible for funding. In the compliance resolution, MPL adopted the framework of the City’s rules. We assigned the City the responsibility of establishing procedures for the filling of vacancies including recruitment, certification and classification of City employees and established procedures and policies for the creation of new positions.

The meeting was opened for discussion. As a result of that discussion, Ms. Dimick will ask for additional legal advice from the City Attorney regarding the options presented by Dr. Dresang. Would any of these options change his opinion?

The Personnel Committee will meet again after this information has been received.

The meeting adjourned at 4:30 p.m.