



Municipal Technical Advisory Service
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Tennessee Municipal Primer for Setting Job Qualifications

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Introduction

This primer provides a practical framework for Tennessee cities to determine, and document required and preferred qualifications for municipal jobs using a defensible, job-related process grounded in Title VII disparate-impact principles, *Griggs v. Duke Power Co.*, the Uniform Guidelines on Employee Selection Procedures (UGESP), ADA considerations, and Tennessee municipal HR practice.

It is designed for use when drafting or revising job descriptions, recruitment postings, minimum qualification statements, screening tools, and related job-analysis records.

Why this matters

A city may use education, experience, licenses, certifications, interviews, work samples, physical standards, and other screening tools only if they are tied to the actual job and used in a nondiscriminatory manner.

Under Title VII disparate-impact principles recognized in *Griggs*, a neutral requirement can still be unlawful if it disproportionately excludes a protected group and is not job-related and consistent with business necessity. UGESP applies broadly to selection procedures, including review of education and experience on application forms, interviews, work samples, physical requirements, and performance evaluations used for employment decisions. For Tennessee cities, a well-documented job analysis is the best starting point because it supports the job description, helps define minimum qualifications, and provides the evidence needed to explain why a requirement is necessary.

Core rules

Job-related and necessary

A qualification should be designated required only when the city can explain how it is needed for safe, effective, or legally compliant performance of the job's essential duties. A qualification should usually be designated preferred when it may improve performance, shorten training time, or provide added value, but the job can still be performed successfully without it at entry.

Cities should avoid defaulting to degree inflation, generic years-of-experience rules, or blanket physical criteria unless the record shows a real connection to the position's duties and business needs.

Selection procedures covered by UGESP

UGESP does not cover only formal written tests; it applies to the broader set of tools used to make employment decisions, including application screening for education or experience, interviews, work samples, and physical requirements. That means the city should treat minimum qualifications themselves as selection criteria that may need justification if they exclude applicants and create adverse impact.

ADA guardrails

The job description should identify essential functions and be written to meet ADA standards for reasonable accommodation. When hiring, disability-related questions and medical examinations generally must wait until after a conditional offer, and post-offer

exams must be used for all entering employees in the same job category. Physical or medical standards should be based on actual essential functions, not assumptions about who can perform the job.

Required vs. preferred

Use the following decision rules when assigning a qualification category.

Qualification type	Mark as required when...	Mark as preferred when...
Education	Law, regulation, safety risk, or the job's essential duties truly require the credential or subject-matter foundation at entry.	The credential helps performance or advancement but is not needed for minimum competent entry performance.
Experience	Prior experience is needed because the job cannot be learned safely or effectively through normal onboarding or probationary training.	Experience would reduce ramp-up time or improve competitiveness, but a capable candidate could learn the work with training.
License/certification	A statute, regulation, insurance condition, or job duty requires the person to hold it to perform the job lawfully or safely.	The credential adds value, signals readiness, or may be obtained within a reasonable period after hire.
Physical requirement	The activity is part of the essential functions and is actually performed at the stated level or frequency.	The activity is helpful in some assignments but not needed for basic successful performance of the job.

How to do the job analysis

The attached job-analysis instrument is well suited for municipal use because it separates essential functions, marginal functions, education, experience, licensing/certification, physical demands, environmental conditions, mental demands, and other job factors.

That structure helps the city move from observed work to defensible minimum qualifications instead of starting with assumptions or copying another city's posting.

Step 1: Identify the job as actually performed

Complete the employee and position data, confirm FLSA classification separately, and make sure the analysis matches the current job rather than a historical title or aspirational future role. If the city is redesigning a job, note which duties are current and which are proposed so the qualification analysis remains tied to actual expected work at the time of hire.

Step 2: List essential functions first

The form instructs users to describe the specific essential functions for which the job was created, list the most important first, use separate duty statements, and estimate the percentage of time spent on each duty. This is critical because required qualifications must be traceable to these essential functions, not to marginal tasks or generalized preferences. A strong duty statement begins with an action verb and describes the result or object of the work, such as "Inspects water distribution lines for leaks and documents corrective action."

Step 3: Separate marginal functions

The instrument asks for marginal functions that may be performed but are not central to the job's essential purpose. Cities should not base minimum entry qualifications on marginal duties unless those duties will in fact be reassigned into the essential core of the position.

Step 4: Gather evidence from more than one source

A sound municipal job analysis should use multiple inputs, such as incumbent questionnaires, supervisor review, direct observation where appropriate, work product review, applicable policies, legal requirements, and equipment or safety documentation. The EEOC stresses that selection procedures should be validated for the positions and purposes for which they are used, which means the city should understand the actual work before imposing requirements.

Step 5: Document physical, environmental, and mental demands

The attached form includes frequency ratings for physical demands, environmental conditions, mental demands, dexterity requirements, lifting, scheduling, confidentiality, deadlines, and customer complaints. That information should be used to decide whether a physical, sensory, schedule, or communication requirement is truly essential and to support ADA-compliant language focused on the job rather than on medical conclusions.

Step 6: Translate duties into KSAs and qualifications

After listing essential functions, identify the knowledge, skills, abilities, and other characteristics actually needed for entry performance of those duties. Then ask what credential, prior experience, or license is the least exclusionary reliable way to show the candidate likely has those capabilities at hire.

Turning analysis into qualifications

Education

Do not require a degree or diploma (HS/HiSET/GED) merely because previous postings used one or because the job has become more competitive. Instead, identify whether the essential duties truly require a body of knowledge ordinarily obtained through a specific educational path at entry, and whether equivalent combinations of education, training, and experience can demonstrate the same capability. For many municipal roles, a city may defensibly state a required minimum such as high school diploma or equivalent, then list an associate or bachelor's degree in a related field as preferred if the higher degree is beneficial but not indispensable at entry. Requirement of a high school diploma, or HiSET/GED for all positions is a common mistake made when hiring. Griggs shows us that if the job can be performed successfully without the high school diploma/HiSET/GED, requiring such is not wise or fair. There are, however, jobs that statutorily require one of these (i.e., police officer).

Questions to ask before making education required:

- *Does law, regulation, or professional practice require this credential for the role?*
- *Which essential duties cannot be performed adequately without the underlying coursework or literacy/numeracy level?*
- *Could the city accept equivalent combinations of education and experience without undermining job performance or compliance?*
- *Is there a less exclusionary way to measure the needed knowledge, such as a work sample, targeted interview, or probationary training standard?*

Experience

Required experience should reflect what the person must bring on day one because the work is too technical, too independent, too safety-sensitive, or too consequential to learn entirely through normal orientation. Experience requirements should be anchored to the kind of work performed, the level of independence, and the consequences of error, rather than using arbitrary year counts alone. A better formula is often “X years of progressively responsible experience in [function] sufficient to perform [identified duties],” with closely related experience defined where possible.

Good practice

- Tie experience to the essential functions, not to title matching alone.
- Use “progressively responsible” only if the job truly requires increasing complexity or judgment.
- Consider whether some experience should be preferred instead of required if training can fill the gap during probation.
- Avoid overstating municipal-specific experience unless city-government context is truly necessary at entry.

Licenses and certifications

Licenses and certifications are the easiest qualifications to classify when an external rule clearly requires them. If a license or certification is legally necessary to perform the work, it belongs in the required category; if it is advantageous but can reasonably be obtained after hire, it may be listed as preferred or “required within X months of hire,” if that timetable is realistic and consistently enforced. Examples in municipal work include commercial driver licensure, operator certifications, POST-related requirements for sworn positions, and finance or specialized trade credentials where law or job design requires them.

Other qualifications

Language skills, typing speed, software knowledge, residency rules, driving record standards, lifting abilities, and schedule availability should be used only when supported by the job analysis and applied consistently. Height and weight rules deserve special caution because federal guidance flags them as selection procedures with potential adverse impact concerns.

A practical qualification matrix

Cities can use the matrix below while drafting a job description or posting.

Question	If YES	If NO
Is the qualification tied to an essential job function?	Continue analysis.	Usually do not include it as a minimum qualification.
Is it required by law, regulation, or safety necessity?	Usually classify as required.	Continue analysis.
Can a candidate reasonably learn it during onboarding/probation?	Consider preferred or “obtain after hire.”	Required may be justified.
Is there a less exclusionary way to measure the same capability?	Prefer the less exclusionary method.	Keep current requirement only if documented and defensible.

Would this requirement likely screen out groups disproportionately?	Review adverse-impact risk and business necessity support.	Document rationale and proceed carefully.
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Writing the job description

MTAS advises that an acceptable job description format include the general definition and nature of the job, essential duties and work performed, required knowledge and skills, desired qualifications, and special requirements.

For municipal practice, that format pairs well with the attached job-analysis document because the form already gathers most of the information needed to populate those categories. A well-drafted job description should therefore distinguish clearly among: (1) essential duties, (2) minimum required qualifications, (3) preferred qualifications, and (4) special legal or physical requirements supported by the analysis.

Suggested wording model

Minimum Qualifications

Use this section for qualifications the city can defend as necessary at entry to perform the essential functions or satisfy legal requirements.

Example format

- Education: High school diploma or GED; associate's degree in public administration, accounting, utilities technology, or related field preferred.
- Experience: Three years of progressively responsible clerical, payroll, utility operations, code enforcement, or other function-specific experience, depending on the job, sufficient to perform the essential duties.
- License/Certification: Valid driver license required; [named credential] required at hire or within [reasonable time or such required by profession] if the city can support that structure operationally. For towns on the border of neighboring states the requirement of a Tennessee driver license may be self-defeating.

Interviews and other screening tools

Because UGESP applies to interviews and other selection procedures, cities should structure interviews around job-related competencies identified in the analysis rather than rely on broad impressions. The same principle applies to written exercises, oral boards, practical demonstrations, and physical ability testing: each tool should measure something tied to the job and used consistently for the relevant job category. If a city uses cutoff scores, ranking methods, or pass/fail rules, it should be prepared to explain why that method of use is appropriate for the job and whether a less discriminatory alternative exists. Cutoff scores should be set where a test score meaningfully distinguishes minimally acceptable performers from those unlikely to succeed, using job-related evidence and consistent rules under UGESP/EEOC guidance.

Documentation to keep

Cities should retain the records showing how the qualifications were developed and why they were classified as required or preferred.

A defensible file will usually include:

- The completed job-analysis questionnaire and any supervisor/incumbent versions.
- Notes from observation, interviews, or work review.

- The draft and final job description.
- The qualification matrix or written rationale for each minimum qualification.
- Any legal or operational source requiring a license, certification, or specific duty standard.
- Validation or vendor materials for any formal test, together with the city's own job-specific review.

Common mistakes

- Requiring a degree because “that is what professional jobs require,” without connecting it to essential duties.
- Copying another city's qualifications without confirming the local job is the same.
- Treating preferred qualifications as if they were hidden minimums during screening.
- Using physical standards that exceed the actual demands of the job.
- Letting managers add tests or requirements casually without understanding their validity or impact.
- Failing to revisit qualifications when duties, equipment, staffing structure, or technology change.

A workable municipal process

1. Complete the job analysis using the attached instrument and identify essential versus marginal duties.
2. Identify the KSAs and legal/safety requirements needed for entry performance of the essential duties.
3. For each education, experience, license, certification, physical, or other criterion, decide whether it is truly necessary at entry or merely advantageous.
4. Classify each criterion as required, preferred, or obtain within X months of hire, and write a one-sentence rationale tied to the job.
5. Build the job description and posting from that analysis, keeping minimums and preferences clearly separated.
6. Review interviews, tests, and screening rules to ensure they measure the same job-related criteria in a consistent manner.
7. Reassess the qualification package whenever the job materially changes.

Short worksheet for cities

Use the following worksheet when reviewing a qualification:

- Qualification under review: _____
- Category: Education / Experience / License / Certification / Other
- Essential function supported: _____
- Why needed at entry: _____
- Could it be learned during probation? Yes / No [omit if not applicable]
- Less exclusionary alternative available? _____
- Classification: Required / Preferred / Obtain after hire
- Source of support: Job analysis / law / safety / supervision structure / equipment / public contact / confidentiality / other

Final drafting principles

Use plain, specific language and avoid vague standards such as “good education,” “extensive experience,” or “must be physically fit.” State what is required, what is preferred, and what the employee may obtain after hire, then make sure each statement

can be defended by the essential duties and other documented job factors. That approach is the most practical way for Tennessee cities to align hiring qualifications with municipal operations while reducing legal risk under Griggs, UGESP, Title VII, and ADA principles.



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