

Lessened Qualifications

Special Study

2023

UPHOLDING FAIR HIRING IN
THE BC PUBLIC SERVICE

Introduction

The Merit Commissioner is responsible for monitoring the application of the merit principle under the *Public Service Act*. To do so, the Office of the Merit Commissioner (the Office) conducts an annual merit performance audit of a random sample of all permanent appointments and temporary appointments over seven months that form the regular, long-term workforce of the BC Public Service. Based on the competition documentation and other evidence provided to support the appointment decision, the audit assesses whether the recruitment and selection process was properly applied and resulted in an appointment based on merit, and if the appointed individual possessed the required qualifications for the position.

Lessened or “relaxed” qualifications occur when the posted mandatory job requirements are changed during the hiring panel’s assessment to a lesser standard, normally at the short-listing stage of a competition. Over time, the Office’s annual merit performance audit has noted concerns with the frequency of this error, as an average of 14% of audited appointments have identified issues associated with the reduction of qualifications that either compromise the merit of the selection process in a direct and observable way, or create a potential risk to merit-based hiring.

Example of lessened qualifications:

A potential applicant has four years of experience but the posting states that five years’ experience is required. As a result, they do not apply. During the selection process, the panel decides to lessen the experience requirement to three years. This decision has the effect of disadvantaging the potential applicant as well as advantaging those applicants who did apply without the initially-required level of qualifications.

A key aspect of the Merit Commissioner’s hiring oversight role is the observation of fairness in hiring practices. Fair hiring decisions do not advantage nor disadvantage any particular individual or group of individuals. Often fairness is noted between applicants in a hiring process in that they are treated equitably and consistently. With respect to this study, fairness is largely considered within the context of individuals who may have been applicants in a competitive process but decided not to apply based on the stated criteria.

Each year, the Office’s merit performance audit report recommends actions, based on the findings of most significant issues identified over the course of the audit year, to strengthen merit-based hiring. In every report produced since 2012, one of the recommendations identified the need to develop, consistently apply, and communicate qualifications and, in several years, included a specific reference to minimal standards. For example: *Ensure that the foundational pieces of the hiring process are in place prior to posting, including minimum qualifications which are accurately described and advertised, and that these are not reduced, changed or inconsistently applied during short-listing.*

Objective

The purpose of this study is to identify position or competition factors that might be connected with the use of lessened qualifications. Awareness of the circumstances in which lessened qualifications occur can support changes to hiring practices and decisions which may minimize potential risk to merit-based hiring.

Scope and Approach

The source of data for this report is from the audit tool completed by the Office's auditors in a database system. When conducting audits of each competition, auditors are prompted to report on lessened qualifications through this question: *Were the mandatory education or experience requirements used in short-listing less than those advertised?* This study conducted an analysis of the frequency of these audit errors.

The study included audit data from fiscal years 2015/16 - 2020/21. There were a total of 1713 appointments audited during this time period. Prior to analyzing the areas of interest, the data was reviewed for completeness and consistency. For 94 of the audited appointments, there was no response to this question which may have been overlooked or left intentionally blank, and they were therefore removed from the study. Not applicable (NA) and unable to determine (UTD) findings were considered not useful for the basis of analysis and 58 were removed for a total sample population of 1561. Lessened qualification errors appear in 13.8% (216) of these audited appointments.

The study was designed to determine if specific factors, such as the number of applicants or the position classification, increased the risk of the panel lowering the qualifications. To analyze if any of the identified factors were associated with an increased or decreased use of lessened qualifications, each factor's overall representation was identified, and significant outliers were identified as being at higher or lower risk of a lessened qualification error.

Analysis

Since 2010, lessened qualifications have been noted as the most commonly occurring error in audited appointments. While it remained a concern in the 2020/21 audit cycle, a decrease was observed in lessened qualification errors. This observation corresponded with a general improvement in the overall number of audit errors in that fiscal year.

Reducing a posted qualification is considered an error. It is noted that there are various reasons for lessening qualifications. For example, this situation can result where an error was made in the posting or the panel determined a qualification was at an inappropriately high level. When asked by auditors to explain why qualifications were lowered during the competition, the reason most frequently cited by hiring managers was that it was necessary in order to increase the size of the candidate pool. In most cases, the auditor accepted the lowered standard as long as it was reasonable and applied consistently to all applicants. Where the lowered qualification was significant to the position in question, the audit report may have made additional observations or comments about the impact. This would occur, for example, if

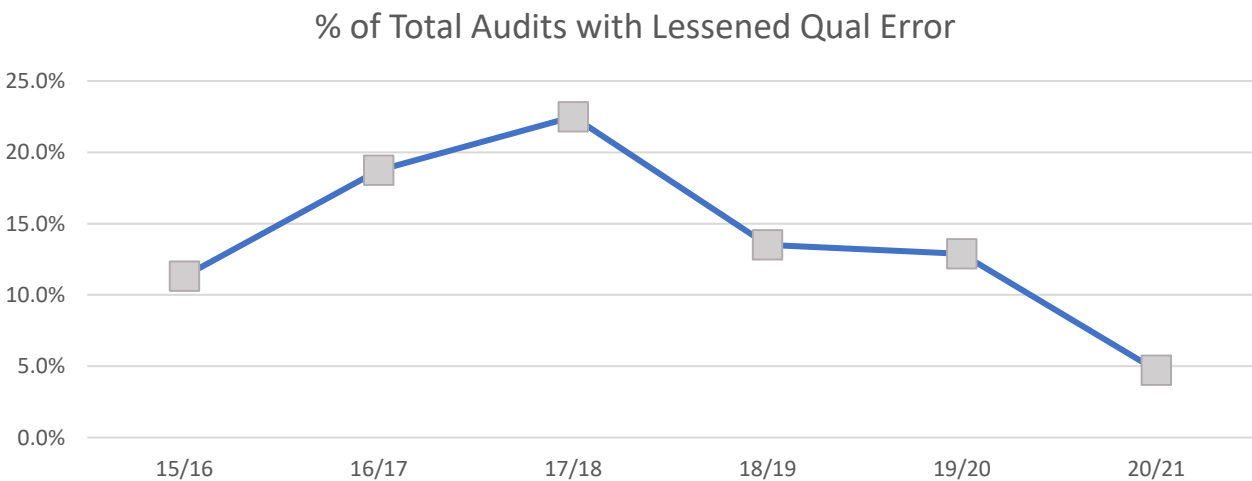
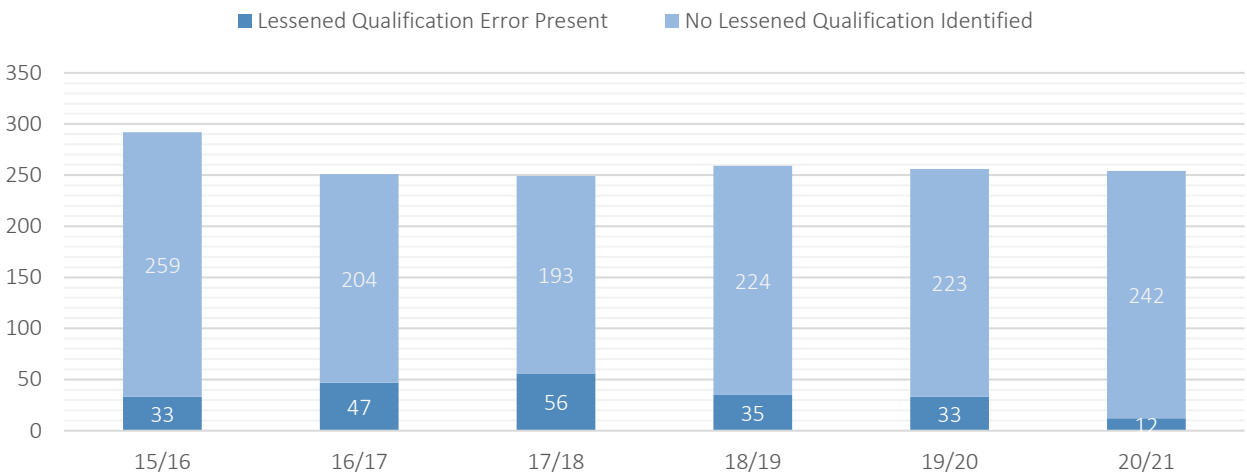
the position required a specific qualification (such as a technical certificate or license) and that requirement was lowered.

Trends

The percentage of selection processes in which lessened qualifications were identified through the merit performance audit ranged between 4.7% - 22.5% each year. Figures 1 and 2 reflect the number of lessened qualification errors and the percentage of lessened qualification errors within that year's sample.

The 2020/21 audit cycle reported the lowest number of lessened qualifications with only 4.7%. The highest number, 22.5%, was reported in the 2017/18 audit. In considering the data as a whole over the last six audit cycles, lessened qualification errors were reported in 13.8% of the audited appointments.

Figure 1 - Prevalence of Lessened Qualification Errors Compared to Findings Without Lessened Qualifications, by Year



Factors

In order to assess what variables might affect the prevalence of lessened qualifications, several factors of a competition have been evaluated. These factors are: the number of applicants in a competition; union status (included or excluded); classification; sector of government; applicant status (employee or external); and area of competition (i.e. restrictions on applications).

Number of Applicants

Competitions were grouped into categories depending on the number of applicants. The size of the organization generally had little effect on the rate of lessened qualification errors. The overall lessened qualification result of 14% was close to the representation each of the size categories (11%, 13%, 15%, and 16%).

Extra-large competitions represented the highest likelihood of a lessened qualification error, but are also the competition size least likely to present in this sample (represented in only 9% of competitions). One might expect that the competitions with the highest number of candidates (over 100) are the least likely to utilize a lessened qualification. However in this sample, there seems to be a slightly higher than expected rate of lessened qualification errors for X-Large competitions.

Table 1 – Lessened Qualification Errors by Competition Size

Competition Size (Number of Applicants) (Representation in Total Sample)	No Lessened Qualification Error	Lessened Qualification Error
Small (<20) (636 competitions, 43%)	566 89%	70 11%
Medium (21 – 50) (417 competitions, 28%)	353 85%	64 15%
Large (51 – 100) (310 competitions, 21%)	272 88%	38 12%
X-Large (>100) (128 competitions, 9%)	107 84%	21 16%
Total (1491* competitions)	1298 87%	193 13%

* Not all competitions were classified by size, therefore 70 appointments were removed

Union Status: Included/Excluded

Audited appointments can be for included (i.e. bargaining unit, or unionized) positions or positions that do not belong to a union (e.g., most often management positions). Neither factor appears to contribute to a higher rate of lessened qualification errors.

Table 2 - Lessened Qualification Errors by Union Status

Position Type (Representation in Total Sample)	No Lessened Qualification Finding	Lessened Qualification Error
Excluded	297	51

(348 competitions, 22.3%)	85.3%	14.7%
Included (1213 competitions, 77.7%)	1048 86.4%	165 13.6%
Total (1561 competitions)	1345 86.2%	216 13.8%

Job Classification

There were 172 job classifications identified during the audits considered as part of this study. For ease of review, classifications were grouped into similar job types as outlined below. Generally, the lessened qualification error aligns closely with the overall finding of 13.8% among the classifications with the exception of the Enforcement and Corrections and Information Technology categories.

Additionally, the classification of “other” was identified to align with a high percentage of lessened qualifications. This classification is a combined value from Legal Counsel, Executive, and Trades and Operations. It is difficult to make effective observations with this classification as it represents only 36 audit findings from a range of types of positions.

Two classification groupings which had a lower rate of lessened qualification errors were the Administrative Support and Science and Technical Officers categories.

Table 3 - Lessened Qualification Errors by Classification

Job Classification (Representation in Total Sample)	No Lessened Qualification Error	Lessened Qualification Error
Enforcement & Corrections (123 competitions, 7.9%)	91 74.0%	32 26.0%
Other (36 competitions, 2.3%)	27 75.0%	9 25.0%
Information Technology (73 competitions, 4.7%)	57 78.1%	16 21.9%
Finance & Economics (68 competitions, 4.4%)	57 83.8%	11 16.2%
Management Band (266 competitions, 17.0%)	224 84.2%	42 15.8%
Health, Education & Social Work (194 competitions, 12.4%)	167 86.1%	27 13.9%
Senior Admin & Research (316 competitions, 20.2%)	277 87.7%	39 12.3%
Admin support (316 competitions, 20.2%)	284 89.9%	32 10.1%
Science & Technical Officers (169 competitions, 10.8%)	161 95.3%	8 4.7%
Total (1561 competitions)	1345 86.2%	216 13.8%

Sector

Overall, there were 51 organizations that had appointments audited during the time period reviewed by this study. Of these, there were 19 organizations with no lessened qualification errors and 13 organizations with one lessened qualification error. The remaining 19 organizations were found to have two or more lessened qualification errors in their audited competitions.

These 51 organizations were grouped into seven sector types used in the BC Public Service. These were: Social, Natural Resources, Justice, Health, Education, Economy, and Central. In cases where there was only one audited ministry or organization in a sector grouping, that data was incorporated into another logical sector group to remove the possibility of identifiable data features.

The Justice and Central sectors had the highest number of lessened qualifications errors and the Natural Resources Sector had the lowest number of errors.

Table 4 - Lessened Qualification Errors by Sector

Sector (Representation in Total Sample)	No Lessened Qualification Error	Lessened Qualification Error
Justice (317 competitions, 20.2%)	260 82.0%	57 18.0%
Central (348 competitions, 22.3%)	289 83.0%	59 17.0%
Social (311 competitions, 19.9%)	271 87.1%	40 12.09%
Economy (175 competitions, 11.2%)	154 88.0%	21 12.0%
Health (77 competitions, 4.9%)	69 89.6%	8 10.4%
Education (49 competitions, 3.1%)	44 89.8%	5 10.2%
Natural Resources (284 competitions, 18.2%)	258 90.8%	26 9.2%
Total (1561 competitions)	1345 86.2%	216 13.8%

Applicant Status: Internal/External

In 28.3% of the audited appointments, the applicant pool was restricted to internal applicants only (e.g., applicants with in-service status). In the remaining 71.7% of audited appointments, the applicant pool was open to both internal applicants and external applicants from outside of the BC Public Service. Based on the sample, relaxed qualifications were slightly overrepresented in external competitions. Conversely, the percentage of internally-restricted competitions in which qualifications were lessened was slightly less than the overall average of 13.8%.

Table 5 - Lessened Qualification Errors by Internal (In Service)/External (Out of Service) Applicants

Area of Competition (Representation in Total Sample)	No Lessened Qualification Finding	Lessened Qualification Finding
Internal applicants (440 competitions, 28.3%)	394 89.5%	46 10.5%
External applicants (1117 competitions, 71.7%)	948 84.9%	169 15.1%
Total (1557* competitions)	1342 86.2%	215 13.8%

*Four appointments were removed from the total as it was the area of competition was not indicated.

Area of Competition: Restrictions on Applications

Competitions can be posted with additional restrictions to the eligible applicant pool. Examples may include restricting a competition to a geographic area, to an organizational unit or to a particular classification of employees. Of the 1557 appointments noted above, only 189 or 12% of appointments resulted from a competition with an additional restriction. Of the 189 appointments, our audits found that there were only 16 appointments (8%) in which lessened qualification errors were identified.

The table below indicates the appointments which were based on competitions using restrictions beyond applicant status in the BC Public Service (i.e., in or out-of-service) and which reported lessened qualification errors.

Table 6 – Competition Restrictions and Lessened Qualification Errors

	Appointments with a Restriction and a Lessened Qualification Error	Appointments with a Restriction and No Lessened Qualification Error
	16 8.5%	173 91.5%
Total		189

Discussion

Lessened qualifications appeared in varying rates for the factors throughout the audits. Where there were differences in each of the factors, either more likely or less likely, generally the percentages varied within a small range of each other with the exception of the job classification factor. For this factor, Enforcement and Corrections (26.0%) and Information Technology (21.9%) appointments were notably higher than the overall number of lessened qualification errors (13.8%). Also, this factor showed an observable difference in the Science and Technical Officer category with an error rate of 4.7%.

Establishing and recruiting for the minimum mandatory requirements for a position is critical for a fair hiring process. A determination of the minimum qualifications must be made prior to posting a notice of a job opportunity rather than part-way through the selection process. Instead of lessening the posted qualifications reactively and mid-competition in order to expand a candidate pool, it would be more

transparent for hiring panels to establish the minimum requirements for a position prior to posting. In doing so, they can distinguish between recruitment levels (minimum or mandatory) versus target (preferred or optimal) qualifications. Where a qualification is not mandatory immediately when a candidate commences their position, then it may be posted as preferred and invoked as required. Another possibility is that there may be various combinations of qualifications which would meet the requirements of the position. Stating equivalent alternatives allows a wider range of individuals to consider themselves able to meet the qualifications and apply for the position.

It is understandable that hiring panels want a sufficiently large pool of well-qualified applicants. Spending time at the start of a hiring process to ensure the necessary qualifications to perform a job are accurately described and applied is not only fair but may increase the number of applicants who put themselves forward for consideration. Further, given the current period of high-volume recruiting for the BC Public Service, as well as ongoing general labour market challenges, this approach is more efficient. In order to expand the applicant pool, there are alternatives to lowering qualifications should a low number of individuals apply. Depending on operational requirements, the hiring panel could either assess available applicants to determine if any are qualified and/or revise the posting with the new lower qualifications.

Conclusion

The highest rate of lessened qualifications reached over 20% of audited appointments over the past several years and remains the single largest audit error. The study notes both that the majority of audited appointments do not utilize a lessened qualification and the prevalence of its use indicates a current downward trend in recent audits. However, despite these positive indicators, lessened qualifications continue to be observed throughout competitions in the BC Public Service.

The study found minor differences in the factors of competition size, union status, sector, and area of competition and a more notable difference in job classifications. As lessened qualifications were observed at varying rates across all factors, those making hiring decisions should be aware of this practice and work to identify, advertise and assess qualifications which accurately reflect the needs of the job to be filled and assess them in a manner which is fair to all actual and potential applicants.