

		Policy # 102
Subject: Selective Certifications		
Responsible Department: Personnel Services		
Effective Date: 12/1973		Revision Date: N/A
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1. **Purpose**

To govern selective certification for special skills, language and cultural skills, and certifications based on gender.

2. **Authority**

Sacramento County Civil Service Rule 7.9 – Selective Certification for Special Skills

Sacramento County Civil Service Rule 7.11 – Certification Based on Gender
The Civil Rights Act, Title VII, Section 2000e-2 – Unlawful Employment Practices

Code of Federal Regulations Section 1604.2 – Sex as a Bona Fide Occupational Qualification

California State Penal Code, Section 4021 – County Jails

3. **Scope**

This policy applies to each of the County agencies and departments requesting certification of candidates based on special skills, language and cultural skills, and gender.

Special Skills

Selective certification for special skills shall be recommended to the Sacramento County Civil Service Commission (CSC) when such special skills are required in some, but not all, positions in a class. Selective certification based on special skills is an exception to the rules of certification.

With the exception of defined certification requirements within the class specification, operating departments are required to justify the need for

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special skills for specific positions to the Department of Personnel Services (DPS) for review and approval. Requests must demonstrate the need for specialized skills, specifically define the special duties required, develop a separate description for each position affected, and demonstrate that the special skills in the performance of routine or typical duties are needed in some, but not all, positions in the class.

The CSC reviews all DPS supported selective certification for special skills requests. Upon confirmation of the CSC's approval of special skills, selective certification of the approved special skills can be applied to specific positions in the class without further Commission action.

A provisional appointment may be made to a position requiring a special skill provided there is not an established special skills eligible list.

In the event that a special skills list does not exist and a certification is needed, DPS will certify the regular list for the class based on the following: a vacancy exists, leaving the position vacant is the only alternative, and, DPS has received and approved a written memo from the requesting department explaining the extenuating circumstances.

Language and Cultural Skills

The Department Head, or designated authority, determines if language and/or cultural skills are required for specific positions and seeks authorization approval. Positions that are approved for language and/or cultural skills must be in writing and reviewed by the operating department on an annual basis.

Language and Cultural Skills Evaluation Packages are developed and approved by DPS. Language and Cultural Skills Evaluation Packages are administered by DPS approved Language/Culture Skills evaluators and proctors. The Language and Cultural Skills Package must be used to determine eligibility for placement on applicable eligible lists as well as eligibility for appointment to language/cultural skills specific positions. Applicants evaluated using any other method will not be considered eligible for placement on the eligible list and/or appointment to language/cultural skills specific positions. Employees who fail a Language/Cultural Skills Evaluation are eligible to retest after six (6) months.

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Employees receiving a Language/Cultural Skills Differential are expected to provide quality service utilizing their language and/or cultural skills as necessary while performing their regular job duties.

County employee candidates remain eligible for the duration of the language/culture skills assignment, or until appointed from the applicable list, whichever comes first. Candidates who are not current County employees remain eligible for certification for the duration of the corresponding language/culture skills specific eligible list, or until appointed from the applicable list.

Certifications Based on Gender

Provisions regarding certifications based on gender apply only to the Sheriff's Department and the Probation Department.

Certification by gender is a form of discrimination prohibited by law. Hiring authorities must prove that gender is a "bona fide occupational qualification" (BFOQ) necessary for the normal operation of the agency. The burden of proof is on the operating department to establish the basis for the gender specific certification need.

Requests for certification based on gender must be approved by DPS for each position. Granted authorizations apply only to one specific position, not to other positions in the class. Granted authorizations apply only to the vacant position at the time of approval. In the event that a position which was approved for a gender specific certification becomes vacant in the future, approval of a new gender specific certification is required.

Definitions

Bona Fide Occupational Qualification (BFOQ): Employment qualifications which allow for the hiring of individuals based on race, sex, age, and national origin provided the characteristics are bona fide occupational qualifications.

Certification: The submission of names of persons from an appropriate eligible list to an appointing authority by the Director of Personnel Services or the delegated authority.

Language/Culture Skills Differential (Oral): The amount paid to the County employee for the following oral language/cultural skills: culture knowledge

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only (Native American, African American, or Sign Language), and the speaking of approved language skills (See Civil Service Approved Language/Cultures for Pay Differential).

Language/Culture Skills Differential (Oral and Written): The amount paid to the County employee for speaking, reading, and writing approved language (See Civil Service Approved Languages/Cultures for Pay Differential).

Language/Culture Skills Evaluation Package: A set of questions, suggested responses, and rating guidelines/forms provided by DPS to be used to evaluate language/cultural skills.

Language/Culture Skills Evaluator: A current County employee holding permanent status in a language/culture skills specific classification, i.e. Human Services Specialist –Spanish Language/Latin Culture, approved to evaluate language/culture skills.

Note: If County employee meeting the above criteria is not available, DPS may approve a non-County evaluator. All non-County evaluators must be approved by DPS.

4. Procedures Not Applicable

5. Review Not Applicable