

# Risk Alert

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FAMU

FLORIDA A&M UNIVERSITY  
ENTERPRISE RISK  
MANAGEMENT  
DIVISION OF AUDIT

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## Expanding Public Sector Career Opportunities Act

SB 1310 ([s. 112.219](#)) restricts public employers in Florida, including universities, from mandating postsecondary education as a primary job requirement, unless it serves as an alternative to a specified amount of relevant work experience necessary for the position. Additionally, when contracting for services, these agencies can use verifiable, related work experience instead of educational prerequisites, as long as the contractor is otherwise qualified for the job. These provisions took effect on July 1, 2023.

### House Bill 1310 Summary

1. **Authority.** The head of a public employer can choose to substitute relevant work experience instead of requiring postsecondary education for a job, as long as the candidate is otherwise qualified.
2. **Prohibited Substitutions.** Work experience cannot substitute for mandatory licensure, certification, or registration specified in the job description.
3. **Conformance.** If work experience is substituted for postsecondary education, the employer must include this information in job advertisements, along with a description of the work experience that can be substituted.
4. **Precedent.** This statute does not override state and federal laws and regulations related to equal opportunity employment.
5. **Alternative Requirement.** Public employers can make a postsecondary degree a baseline requirement for a position only as an alternative to a specified number of years of direct work experience, with different requirements for each type of degree.

The statute effectively grants FAMU the flexibility to adapt its hiring criteria, providing opportunities for candidates to replace conventional educational qualifications with applicable work experience in specific instances. This adaptability has the potential to expand the pool of eligible candidates to address staffing requirements. However, it is crucial to approach implementation thoughtfully to ensure legal compliance, risk management, and alignment with the University's objectives and priorities.



Alert Type

Awareness

Watch

Warning



*“In light of SB 1310 (s. 112.219), it is imperative that our management takes proactive steps to align our hiring practices with the new law, ensuring that we leverage relevant work experience effectively and uphold our commitment to compliance, innovation, and excellence.”*

*– FAMU Chief Risk Officer Deidre Melton*

## Risks and Risk Mitigation Steps Related to HB 1310 Implementation

**Risk 1: Reduced Academic Requirements: The new law may result in a decrease in the academic qualifications of candidates for university positions.**

- **Mitigation:** Review and update job descriptions and qualifications to emphasize the importance of relevant experience and skills. Implement a rigorous interview and assessment process to ensure candidates possess the necessary skills and knowledge.

**Risk 2: Impact on Academic Quality: There's a risk that hiring individuals solely based on experience may impact the overall academic quality of the institution.**

- **Mitigation:** Establish clear guidelines and criteria for evaluating candidates' experience and skills. Develop ongoing training and professional development programs to bridge potential knowledge gaps.

**Risk 3: Increased Competition: The law may lead to increased competition for university positions, making it harder to attract and retain qualified candidates.**

- **Mitigation:** Enhance the university's benefits package and compensation to remain competitive. Develop a strong employer brand and emphasize the unique advantages of working at FAMU.

**Risk 4: Quality Assurance: There's a risk of a decrease in the quality of education and research if candidates with limited educational backgrounds are hired.**

- **Mitigation:** Implement robust quality assurance mechanisms for courses and research projects. Encourage collaboration between experienced and academically qualified staff to maintain high standards.

**Risk 5: Reputation Impact: Hiring decisions based primarily on experience could affect the university's reputation.**

- **Mitigation:** Maintain transparent communication about the hiring process and the university's commitment to academic excellence, skills, and expertise. Develop a strong public relations strategy to address concerns and showcase the institution's strengths.

**Risk 6: Long-Term Planning: Require a reassessment of long-term workforce planning strategies.**

- **Mitigation:** Collaborate with academic and administrative departments to develop strategies for balancing experience and education in the workforce. Continuously monitor and adapt the hiring approach as needed.

**Risk 7: Increased Administrative Burden: Adapting to the new law may result in increased administrative workloads.**

- **Mitigation:** Invest in HR technology and tools to streamline hiring processes. Train HR staff to efficiently manage the administrative aspects of compliance.



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