

**SB 1100 Discrimination: Driver's License  
Implementation Guidance for Academic Position Descriptions  
Issuance – April 22, 2025**

Effective January 1, 2025, the Fair Employment and Housing Act is amended to prohibit employers from including a driver's license requirement in a job posting, advertisement or other related application materials unless the employer reasonably:

1. Expects driving to be one of the job functions for the position, and
2. Believes that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the employer.

## **I. Reviewing Recruitments and Required Actions**

*Hiring units will apply the guidance provided in Section II to determine if a driver's license requirement is appropriate for a position.*

### **A. New academic recruitments, effective immediately**

If a driver's license is required, the following language must be included in the job posting, supplementary advertisements, and other application materials:

*“Required to hold valid driver's license, have a driving record that is in accordance with local policies/procedures, and/or enroll in the California Employer Pull Notice Program.”*

### **B. Current academic recruitments posted on or after January 1, 2025**

Campus hiring units must review all open and in-process academic **recruitments that require a driver's license** and make the appropriate amendment to the job description. The driver's license requirement will either need to be removed from the job description and other advertisements OR the required language provided in Section I.A will need to be added to the job description and other advertisements.

For recruitments that are currently reviewing applications or have progressed to the final stages:

- Applicants and candidates should not be disqualified if it is determined that the position does not require a driver's license.

### **C. Open academic recruitments posted prior to January 1, 2025**

- The hiring unit is not required to amend the job description but applicants and candidates should not be disqualified if it is determined that the job does not require a driver's license.

## **II. Evaluating a Driver's License Requirement and Ensuring Compliance**

### **A. Evaluating a Driver's License Requirement**

When creating a position description that may include driving as a job function, the hiring unit may use the following questions to help determine 1) if driving is a necessary job function and 2) could a driving job duty be satisfied using an alternative form of transportation. The hiring unit should also consult with their local academic personnel office as needed.

1. Is driving an essential function of the position?
2. Can the key responsibilities of the role be fulfilled without driving?
3. If driving is required, would using alternative transportation (such as public transit or carpooling) significantly affect the employee's ability to perform their duties in terms of time and cost to the hiring unit?
4. Will the employee be expected to drive frequently (more than 10 hours a month)?
5. Will the employee be required to drive outside the city or county limits?
6. Is a Commercial Class license (e.g., A, B, or C) required for the position?
7. Will the position need to register with the California Pull Program?
8. When driving is assigned, will the employee need to use a university vehicle?
9. When driving is assigned, will the employee need to use their personal vehicle?

### **B. Ensuring Compliance with SB 1100 – APO Review of Recruitments**

While academic recruitments will continue to follow local procedures, academic personnel staff who are responsible for reviewing recruitments should ensure that positions that require a driver's license comply with the requirements of SB 1100 and include the language provided in Section I.A. The language is also required for any supplementary advertisements and for other application materials.