

## SIOP STATEMENTS

# **The Uniform Guidelines on Employee Selection Procedures: Federal Guidance for Merit-Based Employment Decisions**

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## **THE ISSUE**

Executive Order 14281 raises concerns regarding whether the Uniform Guidelines on Employee Selection Procedures (“Uniform Guidelines”) may be rescinded. The Uniform Guidelines provide a clear, research-supported framework for merit-based hiring that has provided federal guidance to employers since 1978. Eliminating these guidelines without replacement would undermine the very meritocracy the Executive Order seeks to promote and deprive employers of needed direction when designing employee decision-making processes.

## **WHY THE UNIFORM GUIDELINES MATTER FOR MERIT-BASED HIRING**

The Uniform Guidelines provide employers with a structured approach to ensure employment decisions (such as hiring, promotion, training, and layoffs) are based on genuine job requirements rather than subjective preferences or irrelevant factors. The Uniform Guidelines establish how to:

- Study jobs to identify which knowledge, skills, and abilities predict success – the real job requirements
- Research, validate, and document selection procedures to ensure they measure job-relevant capabilities that predict job performance
- Assess whether selection tools work fairly across different applicant groups, ensuring merit-based decision-making

Without this framework, subjective conceptions of “merit” can be interpreted as whatever individual managers believe it to be—opening the door to favoritism, inefficiency, and inconsistent standards that hurt both employers and qualified candidates. Additionally, employers lose a valuable resource for deciding which tools they should use to select qualified candidates.

## **CONSEQUENCES OF RESCISSION**

### **Economic and Productivity Impact**

Meta-analytic research spanning 85 years shows that well-designed and validated selection procedures can increase productivity by 20-50% (Sackett et al., 2022). Rescinding the Uniform Guidelines puts these economic gains at risk, potentially costing the U.S. economy billions in lost productivity. Without clear guidance, organizations may abandon proven methods in favor of informal, unvalidated approaches that fail to identify highly qualified candidates. This directly contradicts merit-based principles and reduces workforce quality.

### **Absence of Replacement Framework**

Application of the Uniform Guidelines now reflects five decades of accumulated knowledge built on scientific consensus. Rescission without a modern replacement leaves organizations without federal guidance on how to conduct rigorous, merit-based selection. This creates a vacuum that invites inconsistent practices and reduces the quality of hiring decisions across the economy.

### **Legal Uncertainty**

Eliminating uniform federal guidance would leave compliance interpretation to individual court cases and varying state regulations. This patchwork approach would create inconsistent standards across jurisdictions, require additional employer effort to understand and comply with jurisdictional differences, and increase litigation risk, particularly for organizations operating in multiple states.

## **SIOP'S POSITION**

**SIOP strongly opposes the rescission of the Uniform Guidelines.**

We strongly oppose the rescission of the Uniform Guidelines. If a decision is

made to eliminate them, they should be replaced with a modernized version that reflects advances in selection science and maintains the fundamental, evidence-based principles and practices embedded in the Uniform Guidelines. Wholesale rescission without replacement would discard a proven framework that promotes both organizational effectiveness and genuine merit-based hiring.

The fundamental principles underlying effective personnel selection—studying jobs systematically, validating selection procedures through rigorous research, and demonstrating that hiring decisions are job-related—represent sound professional practices that benefit organizations, employees, and the economy.

### **RECOMMENDED ACTION**

Federal agencies should retain the Uniform Guidelines rather than rescind them. If rescission occurs, SIOP urges immediate development of uniform replacement guidance that preserves the scientific foundation for merit-based employment decisions.

### **Reference:**

Sackett, P. R., Zhang, C., Berry, C. M., & Lievens, F. (2022). Revisiting meta-analytic estimates of validity in personnel selection. *Journal of Applied Psychology*, 107(11), 2040–2068.