

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Argued April 10, 2026

Decided September 4, 2026

No. 24-7038

RONDA L. DAVIS, ET AL.,
APPELLEES

KARONE GRAY, ET AL.,
APPELLANTS

v.

DISTRICT OF COLUMBIA,
APPELLEE

Consolidated with 24-7039

Appeals from the United States District Court
for the District of Columbia
(No. 1:10-cv-01564)

Anna Wells, Student Counsel, argued the cause for appellants. With her on the briefs were *Aderson B. Francois*, Supervisor, and *Alexandra Neuhaus-Follini* and *Cailey McByrne*, Student Counsel.

Holly M. Johnson, Senior Assistant Attorney General, Office of the Attorney General for the District of Columbia,

argued the cause for appellee. With her on the brief were *Brian L. Schwalb*, Attorney General, *Caroline S. Van Zile*, Solicitor General, and *Ashwin P. Phatak*, Principal Deputy Solicitor General. *Graham E. Phillips*, Deputy Solicitor General, entered an appearance.

Before: SRINIVASAN, *Chief Judge*, HENDERSON and RAO, *Circuit Judges*.

Opinion for the Court filed by *Circuit Judge* RAO.

RAO, *Circuit Judge*: In 2010, the District of Columbia Child and Family Services Agency laid off more than one hundred employees in order to implement significant budget cuts. Some of those former employees filed a class action lawsuit alleging race and age discrimination. After the district court granted summary judgment for the District, this court resurrected the plaintiffs' race-based disparate impact claims with respect to two employment practices. On remand, the plaintiffs made a prima facie case of racial disparate impact with respect to these practices. But because the District showed the practices were consistent with business necessity, and the plaintiffs did not demonstrate an adequate alternative practice, the district court again granted summary judgment for the District.

Once an employee makes a prima facie case of disparate impact, Title VII requires the employer to show that the challenged employment practice is "consistent with business necessity." 42 U.S.C. § 2000e-2(k)(1)(A)(i). Title VII's business necessity test requires only that an employment practice reasonably fit with a legitimate interest of the employer. The District has shown that the two challenged employment practices reasonably fit with its legitimate interests in making necessary budget cuts while still providing important public services. And the plaintiffs have not presented

an adequate alternative practice that similarly serves the District's legitimate interests. The district court properly rejected the plaintiffs' disparate impact claims, and we affirm.

I.

The Child and Family Services Agency is the District's child welfare agency. The Agency employs hundreds of social workers who support struggling families and respond to reports of child abuse and neglect. D.C. Code § 4-1303.01a(b). The Agency's social workers carry out these job responsibilities with support from other Agency employees.

Following the recession of 2007 to 2009, the District faced a substantial revenue shortfall.¹ The D.C. Council passed a Fiscal Year 2011 budget that reduced the Agency's annual funding by \$12.1 million and eliminated 52 full-time positions. To comply with these cuts, the Agency implemented a reduction in force ("RIF") that terminated 115 employees. The RIF involved two employment practices.

First, the Agency eliminated the Social Work Associate ("SWA") and Social Service Assistant ("SSA") positions, resulting in the firing of 70 employees. SWAs and SSAs supported social workers in different ways. SWAs provided substantive support, such as performing casework and conducting interviews. SSA duties were more administrative, involving tasks like accompanying social workers to home visits, driving Agency clients to appointments, and preparing records. Reflecting these differing responsibilities, SWAs were required to hold a bachelor's degree in social work and be

¹ The following summary of the case background is taken from our prior decision in *Davis v. District of Columbia* ("*Davis I*"), 925 F.3d 1240, 1244–47 (D.C. Cir. 2019).

licensed to perform social work, whereas SSAs were not required to have a bachelor's degree or a social work license.

The Agency replaced the 70 terminated SWAs and SSAs with 38 Family Support Workers ("FSW"), a new position created to implement the RIF. The FSW position is a hybrid of the SWA and SSA positions, which the Agency created to assist social workers more efficiently. FSW duties include performing casework, accompanying social workers on home visits, driving Agency clients to appointments, and interviewing children and families. Because some of these duties mirror those of SWAs, the Agency requires FSWs to possess similar, although not identical, qualifications. FSWs generally must hold a bachelor's degree in social work or a related social services field, like psychology or sociology. When initially hiring FSWs, the Agency gave priority to the terminated SWAs and SSAs, as well as other employees let go in the RIF. The Agency ultimately rehired 18 former employees, including 6 former SWAs and 10 former SSAs, for the FSW position.

Second, to meet its lower budget, the Agency made individual decisions to terminate 45 additional employees across different offices and divisions. The Agency eliminated positions it found unnecessary, consolidated other positions, and fired additional employees. These individual terminations were based on consultations with the Agency's deputy directors and senior managers in charge of the various offices and divisions.

Former Agency employees brought a class action lawsuit against the District, alleging race and age discrimination under Title VII and D.C. law. After several years of discovery, the district court granted summary judgment for the District on all claims. As relevant to this appeal, the district court rejected the

plaintiffs' race-based disparate impact claims because the plaintiffs did not challenge a specific employment practice, which is a threshold requirement for a Title VII claim.

The plaintiffs appealed, and this court mostly affirmed the district court's decision. *Davis v. District of Columbia* ("Davis I"), 925 F.3d 1240, 1257 (D.C. Cir. 2019). With respect to the disparate impact claims, however, the panel held that the plaintiffs had challenged the two employment practices that made up the RIF and that these practices were sufficiently specific to support a Title VII claim.

On remand, the district court applied Title VII's burden-shifting framework for disparate impact claims. The district court first held the plaintiffs had made out a prima facie case of racial disparate impact from the two challenged employment practices. *See* 42 U.S.C. § 2000e-2(k)(1)(A)(i) (requiring plaintiff claiming disparate impact to make a prima facie case by showing a "particular employment practice ... causes a disparate impact on the basis of" a protected characteristic). Specifically, the court found that black Agency employees were overrepresented in the RIF. The burden thus shifted to the District to show that the challenged employment practices were "job related for the position[s] in question and consistent with business necessity." *See id.*

After years of additional discovery and briefing, the district court again granted summary judgment for the District. The court first held the District carried its burden to show the two challenged employment practices were job related and consistent with business necessity. While acknowledging that this court has not articulated a test for business necessity, the district court concluded that an employer could demonstrate business necessity by showing an employment practice was "reasonably consistent with a legitimate business need." *Davis*

v. District of Columbia (“*Davis II*”), 2024 WL 756640, at *9, *13 (D.D.C. Feb. 23, 2024).

The court held that both of the District’s employment practices were consistent with business necessity. The elimination of the SWA and SSA positions was consistent with the Agency’s undisputed need to cut costs and its determination that it would be effective to employ a new teaming model in which a smaller number of FSWs could provide social workers with both substantive and administrative support. The termination of 45 other employees across different offices and divisions also was consistent with the Agency’s mandate to cut costs while minimizing the impact of the terminations.

The district court next held the plaintiffs failed to carry their burden to set forth an adequate “alternative employment practice” that served the District’s interests just as well but with less disparate impact. *See* 42 U.S.C. § 2000e-2(k)(1)(A)(ii) & (C). Because the District carried its Title VII burden and the plaintiffs could not carry theirs, the court granted summary judgment for the District. The plaintiffs timely appealed.

II.

We review the district court’s entry of summary judgment de novo. *Bunting v. D.C. CVS Pharmacy, LLC*, 172 F.4th 36, 39 (D.C. Cir. 2026). Summary judgment is appropriate if “the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a).

III.

For an employer to carry its burden to show that an employment practice is consistent with business necessity under Title VII, the challenged practice must reasonably fit

with the employer's legitimate interests.² Because both of the disputed employment practices were consistent with the District's legitimate interests in making necessary budget cuts while continuing to provide important public services, the District carries its burden.

A.

This court has not previously articulated the test for business necessity in the Title VII context. We now hold that to satisfy the business necessity test, an employer must show only that the challenged employment practice reasonably fits with the employer's legitimate interests.

1.

Congress provided disparate impact liability for employment decisions in the Civil Rights Act of 1991. *See* Pub. L. No. 102-166, 105 Stat. 1071. In doing so, Congress explicitly stated that it was “codify[ing] the concepts of ‘business necessity’ and ‘job related’ enunciated by the Supreme Court in *Griggs v. Duke Power Co.*, 401 U.S. 424 (1971), and in the other Supreme Court decisions prior to *Wards Cove Packing Co. v. Atonio*, 490 U.S. 642 (1989).” 105 Stat. at 1071, § 3(2). We therefore interpret the statutory text in light of these decisions.

To rebut a *prima facie* showing of disparate impact, an employer must show the challenged employment practice is

² At the second step of Title VII's burden-shifting framework, the employer must show the challenged employment practice is both “job related for the position in question and consistent with business necessity.” 42 U.S.C. § 2000e-2(k)(1)(A)(i). Because the parties do not separately dispute job relatedness, we follow the parties in focusing only on the business necessity prong.

“consistent with business necessity.” 42 U.S.C. § 2000e-2(k)(1)(A)(i). Starting with the first half of the phrase, an employment practice must be “consistent with” business necessity. This requires only some relationship or compatibility between the employment practice and an employer’s interests. *See Consistent*, Black’s Law Dictionary (6th ed. 1990) (“Having agreement with ... something else; accordant; harmonious; congruous; compatible; compliant; not contradictory.”). The use of the stronger phrase “required by business necessity” in other subsections of Title VII confirms that “consistent with” means a looser fit than showing that a practice is required. *See, e.g.*, 42 U.S.C. § 2000e-2(k)(2) (“A demonstration that an employment practice is *required by* business necessity may not be used as a defense against a claim of intentional discrimination.”) (emphasis added); *see Pulsifer v. United States*, 144 S. Ct. 718, 735 (2024) (“In a given statute, ... different terms usually have different meanings.”). “Consistent with” is best understood to direct a reasonable fit between an employment practice and business necessity.

Moving to the second half of the phrase, Congress codified the Supreme Court’s articulation of business necessity from cases predating *Wards Cove*. 105 Stat. at 1071, § 3(2). Those precedents support a fairly expansive conception of business necessity as including a range of employer interests. In *Griggs*, the Court stated that business necessity is the “touchstone” of disparate impact liability and that an employment practice that produced a disparate impact could nonetheless survive litigation if it served as a “reasonable measure of job performance.” 401 U.S. at 431, 436. Subsequent decisions of the Court made clear that the business necessity defense required showing only that an employment practice served an employer’s “legitimate interest.” *See Albemarle Paper Co. v. Moody*, 422 U.S. 405, 425 (1975); *see also N.Y.C. Transit Auth. v. Beazer*, 440 U.S. 568, 587 n.31 (1979) (“legitimate

employment goals”); *Watson v. Fort Worth Bank & Tr.*, 487 U.S. 977, 998 (1988) (plurality) (“legitimate business reasons”). Such legitimate interests were recognized broadly to include, among other things, safety, efficiency, employee ability, and job performance. *See Watson*, 487 U.S. at 998 (plurality); *Beazer*, 440 U.S. at 587 n.31; *Albemarle Paper*, 422 U.S. at 425, 433; *Griggs*, 401 U.S. at 436. Because Congress expressly codified these Supreme Court decisions, “business necessity” is best read to refer to an employer’s broad set of legitimate interests.

The Supreme Court confirmed this interpretation in *Ricci v. DeStefano*, 557 U.S. 557 (2009).³ The Court assessed whether firefighter promotion examinations were consistent with business necessity under Title VII. *Id.* at 587–89. Citing its pre-*Wards Cove* decision in *Albemarle Paper*, the Court explained that the inquiry turned on whether the examinations comported with the employer’s legitimate interests. *See id.* at 578. The examinations passed muster because they were related to the duties of the relevant senior positions. *See id.* at 587–89. Consistent with the statutory text and the decisions codified by the 1991 Act, *Ricci* reinforces that for an employment practice to be consistent with business necessity, an employer must simply show that the practice is compatible with its legitimate interests. *See also Tex. Dep’t of Hous. &*

³ Our sister circuits have also adopted a similar understanding of Title VII’s business necessity test. *See, e.g., Abril-Rivera v. Johnson*, 806 F.3d 599, 606–08 (1st Cir. 2015) (concluding that “legitimate business justifications” like cost and safety satisfied the business necessity test); *El v. Se. Penn. Transp. Auth.*, 479 F.3d 232, 242 (3d Cir. 2007) (holding an employer’s hiring policies “need not be perfectly tailored to be consistent with business necessity”); *cf. Reyes v. Waples Mobile Home Park Ltd.*, 91 F.4th 270, 277 (4th Cir. 2024) (in the Fair Housing Act context, reasoning that a business necessity is merely a legitimate interest and “need not be a do-or-die matter”).

Cnty. Affs. v. Inclusive Communities Project, Inc., 576 U.S. 519, 541 (2015) (explaining that the business necessity test is satisfied by a “reasonable measurement of job performance”) (cleaned up).

2.

The plaintiffs challenge this conception of the business necessity test, but their arguments cannot be squared with the text of Title VII or with the Supreme Court decisions that Congress codified.

First, the plaintiffs argue the business necessity test requires that an employment practice be essential to the employer’s business. As already explained, this interpretation finds no support in the text of Title VII, which requires that a practice simply be “consistent with,” not required by, business necessity. 42 U.S.C. § 2000e-2(k)(1)(A)(i). To support their interpretation, the plaintiffs mine isolated quotes from two of this court’s Title VII disparate impact decisions, which used the term “necessary” in reference to the business necessity test. *See Davis I*, 925 F.3d at 1248–49, 1253; *Anderson v. Zubieta*, 180 F.3d 329, 344–45 (D.C. Cir. 1999). But *Davis I* and *Anderson* did not purport to define the scope of “necessity” or “necessary,” nor did they address the precise contours of the business necessity test. The passing mentions of “necessary” are irrelevant because that term is “susceptible of various meanings” depending on context. *Necessary*, Black’s Law Dictionary (6th ed. 1990); *cf. McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316, 414 (1819) (recognizing the word “necessary” does not have a “fixed character” but rather “admits of all degrees of comparison”). These cases do not support the plaintiffs’ position.

Moreover, the plaintiffs’ interpretation is logically inconsistent with Title VII’s burden-shifting framework. After

an employer satisfies the business necessity test, plaintiffs may still succeed in their disparate impact claim if they can offer an adequate alternative employment practice. 42 U.S.C. § 2000e-2(k)(1)(A)(ii) & (C). But if an employment practice must be essential to meet the business necessity test, then there will be no alternative employment practices that a plaintiff can put forth to satisfy the employer's interest. Under the plaintiffs' interpretation, the third step of the burden-shifting framework would be wholly superfluous. Focusing the business necessity test on legitimate business interests gives meaning to each statutory step in the disparate impact analysis.

Second, the plaintiffs contend that the 1991 Act forecloses a conception of the business necessity test that focuses on legitimate business interests. In *Wards Cove*, the Supreme Court described business necessity as the "legitimate employment goals of the employer." 490 U.S. at 659. Since Congress intended for the 1991 Act to overrule *Wards Cove*, the plaintiffs claim, this court cannot adopt a conception of business necessity akin to that used in *Wards Cove*. It is true that Congress codified the conception of business necessity applied in Supreme Court decisions "prior to *Wards Cove*." 105 Stat. at 1071, § 3(2). As already explained, those decisions conceived of business necessity as encompassing an employer's legitimate interests. See *Watson*, 487 U.S. at 998 (plurality); *Beazer*, 440 U.S. at 587 n.31; *Albemarle Paper*, 422 U.S. at 425; *Griggs*, 401 U.S. at 436. Even if those decisions understood business necessity in a manner similar to that expressed in *Wards Cove*, the 1991 Act directs us to follow them.⁴

⁴ Commentators have debated the precise relationship between the 1991 Act and *Wards Cove*. Compare Michael Carvin, *Disparate Impact Claims Under the New Title VII*, 68 Notre Dame L. Rev. 1153, 1162 (1993) ("Since *Wards Cove* was simply an interpretation and

In sum, to rebut a prima facie case of disparate impact, an employer must demonstrate that a challenged employment practice is consistent with business necessity. That test is met by showing that a practice reasonably fits with the employer's legitimate interests.

B.

Applying the business necessity test, we conclude that the two challenged employment practices reasonably fit with the District's legitimate interests in making required budget cuts while maintaining public services.

1.

The elimination of the SWA and SSA positions satisfied the business necessity test because it reasonably fit with the Agency's legitimate interests. As a government entity, the Agency's legitimate interests include complying with budgetary constraints set by the District and providing public services. *See Lyng v. Int'l Union, United Auto., Aerospace, & Agr. Implement Workers of Am., UAW*, 485 U.S. 360, 373 (1988) (acknowledging the "fiscal integrity of Government programs" as a "legitimate concern of the State") (cleaned up).

application of Supreme Court decisions prior to *Wards Cove* ..., the Act's codification of the concepts embodied in those pre-*Wards Cove* cases provides no basis for the Supreme Court to depart from *Wards Cove*."), with Susan S. Grover, *The Business Necessity Defense in Disparate Impact Discrimination Cases*, 30 Ga. L. Rev. 387, 391 (1996) (arguing that the business necessity analysis of *Wards Cove* "met with congressional disapproval" and Congress implemented a "stricter standard" in the Act). We need not wade into this debate because the Supreme Court decisions prior to *Wards Cove* clearly articulate the scope of business necessity, and we follow those decisions as required by the 1991 Act.

The District slashed the Agency's funding, thereby requiring substantial cost cuts to achieve a balanced budget. To continue providing important public services, the Agency did not fire any of its frontline social workers but decided to cut other employees providing substantive and administrative support. In making these cuts, the Agency considered the changing nature of its work, including that total caseloads had declined over the previous seven years while the average case had become more complex.

The Agency's solution was to fire all 70 SWAs and SSAs and hire 38 employees into the new FSW role. By taking that action, the Agency decreased its employee headcount and effectuated a substantial budget cut. The Agency could not guarantee that 38 employees would provide the same level of support as 70 employees had previously provided. But the creation of the new FSW role was intended to efficiently deploy the Agency's reduced resources, especially in light of the fewer but more complex cases that confronted its social workers at the time. FSWs are charged with handling substantive social work and therefore must possess a bachelor's degree in a social services field. Although the substantive responsibilities of FSWs are similar to those of SWAs, FSWs are also tasked with administrative duties previously performed by SSAs. As the district court recognized, the Agency's new teaming model was a "practical choice" that responded to both the need for budget cuts and the changing nature of the Agency's work. *Davis II*, 2024 WL 756640, at *15.

Because the Agency's employment practice was compatible with its legitimate interests, it was consistent with business necessity.

The plaintiffs raise several arguments against this conclusion. First, they maintain the district court improperly

treated the Agency differently from private employers. Second, the plaintiffs dispute the Agency's motivations, arguing that employee workloads surged after the RIF and employees dealt with complex cases prior to the RIF. Third, the plaintiffs contend the Agency should have used objective metrics to terminate only the lowest performing SWAs and SSAs, rather than eliminating those positions entirely. Finally, the plaintiffs doubt the necessity and effectiveness of the FSW position, which they maintain does not serve the Agency's interests.

The plaintiffs fail to establish a genuine dispute of material fact sufficient to survive summary judgment. Because public and private entities have distinct constraints and interests, the district court correctly appreciated that the business necessity test has "different contours in the context of a government RIF versus a private-sector RIF." *Id.* at *12. With regard to the Agency's motivations, a decrease in caseloads over a seven-year period is not inconsistent with an increase after the RIF reduced total staffing numbers. Likewise, it can of course be true that employees dealt with some complex cases before the RIF and that the average case was becoming more complex over time. Moreover, because the Agency's elimination of the SWA and SSA positions reasonably fit with its legitimate interests, there was no need to use metrics to terminate only some employees.

Finally, the plaintiffs' criticisms of the FSW position are not persuasive. The Agency designed the FSW position as a hybrid of the SWA and SSA roles. Because FSWs perform substantive social work not assigned to SSAs and administrative work not assigned to SWAs, the FSW duties are not identical to those of either previous role. That some SSAs may have performed substantive work later assigned to FSWs does not overcome the difference in formal job responsibilities,

or the fact that only FSWs are required to hold a bachelor's degree in a social services field.

With regard to the effectiveness of FSWs, the plaintiffs point to negative employee feedback received after the RIF. The question, however, is whether the Agency's action was consistent with its legitimate interests at the time of the action. Faced with budget cuts, the Agency reasonably determined that the new teaming model would be effective. Post hoc factual assertions do not undermine a decision that was otherwise reasonable and consistent with business necessity at the time it was made.

In sum, the business necessity test requires only a reasonable, not a perfect, fit between an employment practice and an employer's legitimate interests. As the Supreme Court has admonished, courts must avoid "interpreting disparate-impact liability to be so expansive as to inject racial considerations into every [government] decision." *Inclusive Communities Project*, 576 U.S. at 543 (cleaned up).

2.

The second challenged employment practice, the Agency's termination of 45 other employees across multiple offices and divisions, was also consistent with business necessity.

The decision to fire these employees satisfied the business necessity test because it reasonably fit with the Agency's legitimate interests in implementing budget cuts while still providing important public services. The District cut more than \$12 million in funding from the Agency's FY 2011 budget, and the Agency was required to make personnel reductions that would minimize the impact on its primary function of providing public services to children and families. After the

Agency's director consulted with his deputy directors and other senior level managers, the Agency fired 45 employees across multiple offices and divisions. The specific reason for termination varied within this group: some employees were fired as part of a shift to a new teaming model that required fewer resources, others were dismissed because their positions were deemed superfluous, and still others were let go because they held low-level administrative or temporary positions that were deemed nonessential to the Agency's primary functions.

The plaintiffs challenge this second employment practice as inconsistent with business necessity in two ways. First, they frame the terminations as acts of unbridled discretion that could not be compatible with an interest in providing public services. But the Agency's leadership consulted with deputy directors and senior managers to understand which employees could be let go in a way that minimized impacts on the Agency's delivery of public services. Given their responsibilities, these officials were well equipped to answer that question.

Contrary to the plaintiffs' assertions, the Agency was not required to use objective performance metrics to justify every employment practice. *See Watson*, 487 U.S. at 991 (plurality) ("Some qualities—for example, common sense, good judgment, originality, ambition, loyalty, and tact—cannot be measured accurately through standardized testing techniques."). Facing the hard constraint of a substantially reduced budget, the Agency based its decisions primarily on the relative importance of individual employees to the Agency's work. The District has shown that Agency managers were capable of deciding which employees were amenable to termination on a case-by-case basis.

Second, the plaintiffs try to create a genuine dispute of material fact by claiming the Agency's explanation for firing

these 45 employees was inconsistent—the Agency relied on seniority while also stating there were no uniform criteria used for the terminations. We see no inconsistency. The Agency explained it relied on seniority to fire 12 employees who were in non-critical administrative or temporary roles. At the same time, it clarified that the remaining 33 employees were let go for other reasons, including shifts to new teaming models. The Agency suitably explained that it relied on seniority to fire some employees and did not rely on any uniform criteria to fire all 45.

The termination of 45 employees across offices and divisions was consistent with the Agency's business necessity because it reasonably fit with the need to implement budget cuts while maintaining public services.

IV.

Because the District has satisfied the business necessity test for each of the two challenged employment practices, the burden shifts back to the plaintiffs to present an adequate alternative practice. 42 U.S.C. § 2000e-2(k)(1)(A)(ii) & (C). The plaintiffs must show an alternative practice that would similarly serve the District's legitimate interests but result in less disparate impact. *Ricci*, 557 U.S. at 578.

The plaintiffs fail to carry their burden. They argue that the Agency should have given fired employees a preference when hiring for the new FSW role.⁵ But there is no genuine dispute

⁵ On appeal, the plaintiffs waited until their reply brief to propose another alternative: that the Agency comply with various D.C. municipal regulations that the RIF allegedly violated. Not only is this argument forfeited, but it also fails because plaintiffs do not explain how following those regulations would have reduced the disparate impact of the RIF.

that the Agency did give fired employees preference when hiring FSWs. For example, while the FSW position generally requires a bachelor's degree in a social services field, the Agency considered former SSAs with a bachelor's degree in any field. The Agency also interviewed qualified former employees before external candidates. The Agency ultimately hired 18 former employees into the FSW role, including 6 former SWAs and 10 former SSAs.

The plaintiffs recognize this fact but argue the Agency should have adopted an even stronger hiring preference that would have resulted in the hiring of more former employees. This argument fails because the proposed alternative practice is not sufficiently specific. *See Allen v. City of Chicago*, 351 F.3d 306, 313 (7th Cir. 2003) (criticizing the proposal of "vague" alternative employment practices that, if accepted, "would frustrate [Title VII's] statutory scheme"). To the extent that the plaintiffs gesture at requiring the Agency to rehire SSAs who lacked any bachelor's degree, this proposal would not have similarly served the District's legitimate interests because those SSAs were not equally qualified for the FSW role. *See Johnson v. City of Memphis*, 770 F.3d 464, 472 (6th Cir. 2014) (concluding that plaintiffs are "obligated to prove equally effective alternatives") (cleaned up).

* * *

Title VII's business necessity test requires that an employment practice reasonably fit with a legitimate interest of the employer. The District has shown that the two challenged employment practices were compatible with its legitimate interests in implementing significant budget cuts while still preserving the Agency's capacity to provide important public services. And because the plaintiffs have not identified an adequate alternative practice that would similarly serve the

District's interests, their disparate impact claims fail. We therefore affirm the grant of summary judgment for the District.

So ordered.