

o b j e c t i v e a s s e s s m e n t

COMPLIANCE WITH EEO GUIDELINES

The Equal Employment Opportunities Commission has guidelines for the hiring process with which you should not only be familiar, but follow as well. It is essential that your processes comply with the EEO guidelines.

Equal Employment Opportunity (EEO) is the creation of conditions that allow all workers to have an equal chance to seek and to obtain employment and to advance in their jobs. EEO requires that employees are chosen, advanced, and treated on the basis of their individual talents and capabilities. EEO aims to eliminate all forms of discrimination in recruitment, selection, training, personnel practices and conditions of employment. EEO does not assume that everyone has the same abilities, or that everyone will reach the same level. It requires that everyone have a fair chance to use their talents and abilities rather than to be blocked by barriers irrelevant to their capacity to achieve.

Anti-Discrimination laws forbid discriminatory conduct in employment on a number of grounds (including sex, marital status, parental status, pregnancy and potential pregnancy, age, race - including colour, national or ethnic origin, or immigration - and disability or impairment). The term "employment" covers job applicants as well as employees, and all types of employment: full-time, part-time and casual, permanent or contract. All work is covered.

Tests:

The use of a pre-employment "test" is one way to assure objectivity in the interview process. The test, or tests that you choose must be reliable (you can depend upon the results to be accurate) and consistent in their findings, while showing no adverse impact on the EEO Groups. The guidelines further suggest that if you use a test, the same test must be administered to all of the candidates. The test you choose should be both EEO Compliant and Validated.

[Dave Kurlan Sales Force Profile - EEOC Compliance](#)

[Dave Kurlan Sales Force Profile - Candidate Screening - Predictive Validity](#)

Pool of Candidates:

The EEO guidelines suggest that you should have a pool of candidates from which to choose rather than just one or two people.

Objectivity:

The guidelines suggest that your interview process must be objective rather than subjective. They point out that you can accomplish this by having more than one interviewer. Two interviewers can be present in the same interview or they can conduct two separate interviews. The criteria must be clear and the interviews must be consistent.

For candidates

If you are interviewed:

- You should be asked the same **core** questions, and given a chance to explore individual expertise, strengths and weaknesses separately ;
- the questions must be related to the position;
- be prepared for behavioural questions, seeking examples of your behaviour in situations similar to those anticipated in the position. You will need to be able to include in your answer: an example of a work-related situation; your response to that situation; and the outcome of your action.

Be aware that the employer is entitled to know:

- your availability for work, e.g. between prescribed hours, or at a designated time, on more than one location;
- you are legally entitled to work in Australia;
- verification of your educational qualifications;
- you are able to carry out the required work, that there is no impediment to your performing the essential tasks.

EEO Compliance

Adverse Impact Analysis of the Dave Kurlan Sales Force Profile

A Report by Correlation Research, Inc.

The Dave Kurlan Sales Force Profile is primarily aimed at distinguishing those individuals who have substantial potential for growth in sales from those with limited potential. The profile is based on a self-administered multiple-choice form filled out by an applicant or employee. From the pattern of responses, a clear determination of potential to overcome selling limitations can be assessed.

Correlation Research, Inc. was engaged to perform a study of possible adverse impact on any "protected group" that might result from use of the Dave Kurlan Sales Force Profile. According to the Equal Employment Opportunities Commission (EEOC) the three primary protected groups are:

- Women
- Minorities
- Age

According to the guidelines promulgated by the EEOC, written tests used to select employees must not discriminate against any of these protected classes of employees or applicants.

There are two main criteria that are routinely applied to decide whether more sophisticated analyses are warranted. Both of these standards are conservative and indicate only the possibility of adverse impact. Determining whether a particular test truly discriminates against a certain group can be extremely complex.

The first criterion is known as the "80% or 4/5ths rule" and is based on the ratio of the "pass rates" for the protected and majority classes. For example, suppose that 100 men and 100 women completed the Kurlan test. Then the percentage of women who are rated as having substantial growth potential should be at least 4/5ths of the corresponding percentage for men. If 50 percent of the men have growth potential, then at least 40 percent of the women should achieve this outcome.

The second criterion is whether the difference in "pass rates" for the protected and majority groups reaches statistical significance. That is, could this difference simply be a matter of random variation or does it represent a real difference? A level of statistical significance of .05 or lower means that the difference is unlikely to be the result of random variation.

To apply these criteria to the Kurlan Sales Force Profile, information on age, sex and minority status for a representative sample of 491 individuals was collected. For each individual, the Profile conclusion regarding whether or not there was substantial growth potential was also noted. The results were tabulated and analyzed by Correlation Research. A summary of the data is displayed in the following tables:

Table 1: Gender Comparison

Gender	Growth Potential	Total Sample	% Growth
Male	228	351	65.0%
Female	82	140	58.6%

Table 2: Ethnicity Comparison

Ethnicity	Growth Potential	Total Sample	% Growth
Non-Minority	295	467	63.2%
Minority	15	24	62.5%

Table 3: Age Comparison

Age	Growth Potential	Total Sample	% Growth
Under 40	242	386	62.7%
40 and over	68	105	64.8%

For all three of these comparisons, the protected group's percentage with substantial growth potential comfortably exceeded 4/5ths of the majority group's percentage. Moreover, none of the three comparisons reached statistical significance at even the conservative .05 level required to raise questions. We conclude that there is no evidence of an adverse impact by the Dave Kurlan Sales Force Profile on any protected group.

Herbert I. Weisberg, Ph.D.

July 12, 1996

For further information please email info@objectiveassessment.com.au outlining your request.