

Legality and Validity of the Achiever

Neither the E.E.O.C. nor the Department of Labor or any other government agency has the right to approve any test or employment procedure. The extent of their authority is to audit or investigate unacceptable procedures which have resulted in or are resulting in discrimination.

On numerous occasions, the FDIC has audited banks using the Achiever assessment system. In each case, the system has always passed with flying colors. The same is true with the OFCC audits of federal contractor clients. The Dallas district office of the EEOC and other EEOC offices across the country are acquainted with Candidate Resources' assessment systems. To date, there has never been an adverse finding against any employer for using the Achiever system, nor any out-of-court settlement.

The Achiever was reviewed by Mr. Charles E. Duffy, District Director of U.S. Department of Labor, Employment Standards Administration Office of Federal Contract Compliance Programs; 55 Erieview Plaza, Suite 520, Cleveland, Ohio 44114; 215-522-7380, who commented that there is no need to have the Achiever validated within each company since there is only a slight possibility of any adverse effect on a protected group, particularly since there are no passing or failing scores yielded by the Achiever. Nevertheless, the Achiever is validated through the construct validation process and concurrent validations are continuously in progress on an ongoing basis.

Utilizing the Achiever properly ensures protection against E.E.O.C. problems and adverse impact. When the Achiever is properly implemented and utilized in conjunction with other standard hiring and interviewing procedures, it strengthens the employers' position of taking affirmative action to ensure that applicants and employees are treated fairly without regard to race, color, age, religion, sex or national origin.

Validity

The Achiever has been established and validated in accordance with the procedures described in "*Standards of Educational Psychological Tests and Manuals*," which is referred to in paragraph (2) 1607.6, "Minimum Standards for Evaluation," *Federal Register Volume 35*, dated Saturday, August 1, 1970. It is therefore not discriminatory and is in compliance with E.E.O.C. and other Federal Regulations.

The Achiever was professionally developed and validated in accordance with both Construct and Criterion methods of validation. CRI will defend the validation or content of the Achiever, provided the assessment is utilized according to CRI recommendations.

CRI cannot assist any organization company as a result of the misuse or abuse of the Achiever.

There are four forms of validity:

CONSTRUCT refers to the extent in which dimensions with similar names on different tests relate to one another. Two things that correlate highly are not necessarily identical, but do provide reassurance that they are related and are a "construct" or part of the makeup (like honesty, dependability, sociability, etc.) of an individual as related to actual job performance.

CONCURRENT is that approach whereby people who are successful within a given job within a given company or industry are evaluated and generally grouped TOP THIRD, MIDDLE THIRD, BOTTOM THIRD. The assessment scores of the people who fit each of these ranges are then compiled and Job Benchmark Standards of the TOP THIRD are used to hire, train or manage.

PREDICTIVE occurs when the employer hires people for a job based on normal hiring procedures (interviewing, reference checks, education/experience, etc.) and at the same time has them complete the assessment, but does not utilize any data from it in the hiring decision. Within six months, or any appropriate period of time later, the assessment is scored, and benchmarks established of the people who were hired in the new jobs who are still with the employer and whom the employer considers successful. Job Benchmark Standards are thus established through the Predictive approach.

CONTENT represents job function testing, i.e., typing, mathematics, design, CPA exams, physical work endurance, etc. Content validation is not the method utilized by CRI, since we do not provide content assessments to the marketplace.

CRI recommends that an organization establish and utilize a consistent standard hiring process when making hiring decisions. Information should be gathered in each step of the standard hiring process to have specific and measurable data to utilize in making a final hiring decision. The assessment used should count no more than one-third of the hiring decisions. The preliminary interview, job history check, in-depth interview results and evaluation of education, experience and other pertinent factors should be considered as well.

Under the Uniform Federal Guidelines adopted in the 1970's, validation of any part of the hiring process (assessments included) was no longer deemed necessary unless a company was not meeting the 4/5ths Rule in either hiring or promotional practices. Consequently, there are three optional approaches to using assessments:

1. Establish your own successful employee Job Benchmark Standards by conducting a concurrent validation by job classification. By tying job-related criteria to the aptitudes and personality dimensions of the assessment, the ultimate in validation and job relativity is assured. Also, the Job Benchmark Standards simplify the interpretation and use of the assessment in the hiring process, since it establishes a model for hiring, promotion and training purposes.
2. Establish Job Benchmark Standards by job classification by answering job-related questions on the requirements of the job. CRI will then develop Job Benchmark Standards based on the requirements of the job and traits required in the individual to successfully perform the job.
3. Use of Job Benchmark Standards comprised of successful people in jobs across the United States. Then, after a reasonable period of time, compare the successful people selected to the Benchmark Standards used for that job for confirmation of correctness and/or modification of the benchmark standards.