
A Legal Brief continued

As a municipal defense attorney, I am delighted with this opinion. After all, the 9th Circuit dictates law where I practice and a pro-employer bent is welcome. I do find the court's rationale persuasive, and I would have probably made the same arguments had I been the defense attorney in the case. Nevertheless, on a purely conceptual level, I cannot help but feel that there is something not quite right about kicking someone out of court on the basis that due to fortuitous and undeserved circumstances, the employer gets a chance to correct the disparate impact of a completed selection stage, after it has gone through the whole process and made its hire selections. This seems akin to looking at the bottom line of who is actually hired where there is no disparate impact, rather than at a particular step in the process where there is. In fact, I am not so sure that the 9th Circuit didn't do just that in this case.

It seems that had the court followed *Teal* literally, any single step in the selection process that had acted as a barrier to continuation in that process would be enough to

make the *prima facie* requirement. In fact, I would argue that the two 'rounds' should be seen as two separate hiring processes altogether – the first one to fill four vacancies and the second one to fill one for San Francisco, without regard to how the position happened to become available.

Ultimately, had the plaintiffs been given their day in court and the case tried, it is not likely that they would have prevailed – the opinion provides information that indicates that the screening criteria was job-related and gender neutral, and that the screening process would have withstood the challenge. —ACN

The author is Supervising Trial Attorney at the Oakland City Attorney's Office in Oakland, California. Her practice consists of municipal litigation defense, with emphasis in Labor and Employment. She was a presenter at the 2001 Annual IPMAAC Conference and is a first-time contributor to this Newsletter.

Technical Affairs

By Mike Aamodt, Associate Editor

This month's column answers a reader's question about O*NET, followed by a piece of HR Humor.

Question

*I understand that O*NET has replaced the DOT. Is there actually much difference between the two?*

Answer

The Occupational Information Network (O*NET) is a national job analysis system created by the federal government to replace *the Dictionary of Occupational Titles (DOT)*, which had been in use since the 1930s. O*NET is a major advancement in understanding the nature of work, in large part because its developers understood that jobs can be viewed at four levels: economic, organization, job, and individual. As a result, O*NET has incorporated the types of information obtained in such job analysis techniques as the Fleishman Job Analysis Survey (F-JAS), Job Components Inventory (JCI), and the Position Analysis Questionnaire (PAQ). A comparison of the information obtained in O*NET and the information obtained in selected job analysis methods is shown in Table 1.

O*NET includes information about the occupation (generalized work activities, work context, organizational context) and the worker characteristics (ability, work style, occupational values and interests, knowledge, skills, education) needed for success in the occupation. The O*NET also includes information about such economic factors as

labor demand, labor supply, salaries, and occupational trends. This information can be used by employers to select new employees and by applicants who are searching for careers that match their skills, interests, and economic needs.

Because the O*NET database is not scheduled for completion until 2004 (it will be updated annually), it is difficult to evaluate its effectiveness. However, it does look to be a big improvement over the DOT. I have been especially impressed with the efforts of the developers in using the strengths and theory of other job analysis methods.

An excellent article on the O*NET was recently published in *Personnel Psychology* (N. G. Peterson et al., 2001). Updated information on the O*NET can be viewed at www.doleta.gov/programs/onet/ and at www.onetcenter.org.

References

Peterson, N. G., Mumford, M. D., Borman, W. C., Jeanneret, P. R., Fleishman, E. A., Levin, K. Y., Campion, M. A., Mayfield, M. S., Morgeson, F. P., Pearlman, K., Gowing, M. K., Lancaster, A. R., Silver, M. B., & Dye, D. M. (2001). Understanding work using the Occupational Information Network (O*NET): Implications for practice and research. *Personnel Psychology*, 54(2), 451-492.

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Table 1 Comparison of O*NET with Other Job Analysis Methods

F-JAS = Fleishman Job Analysis Survey
 TTA = Threshold Traits Analysis
 JCI = Job Components Inventory
 JAI = Job Adaptability Inventory
 PPRF = Personality-Related Position Requirements Form
 PAQ = Positional Analysis Questionnaire
 JEI = Job Elements Inventory

	Job Analysis Method							
	O*Net	F-JAS	TTA	JCI	JAI	PPRF	PAQ	JSP
ABILITY								
Cognitive Abilities								
Verbal abilities	✓	✓	✓	✓			✓	✓
Oral comprehension	✓	✓	✓	✓			✓	✓
Written comprehension	✓	✓	✓	✓			✓	✓
Oral expression	✓	✓	✓	✓			✓	✓
Written expression	✓	✓	✓	✓			✓	✓
Idea generation and reasoning abilities	✓	✓	✓			✓	✓	✓
Fluency of ideas	✓	✓						
Originality	✓	✓	✓			✓		✓
Problem sensitivity	✓	✓						✓
Reasoning	✓	✓					✓	✓
Deductive reasoning	✓	✓						✓
Inductive reasoning	✓	✓						✓
Information ordering	✓	✓				✓		✓
Category flexibility	✓	✓						
Planning			✓				✓	✓
Decision making			✓	✓			✓	✓
Combining information							✓	✓
Quantitative abilities	✓	✓	✓	✓			✓	✓
Mathematical reasoning	✓	✓		✓				✓
Number facility	✓	✓	✓	✓			✓	✓
Use of length, distance, size, weight				✓			✓	✓
Memory	✓	✓	✓					✓
Perceptual abilities	✓	✓	✓					
Speed of closure	✓	✓						
Flexibility of closure	✓	✓						
Perceptual speed	✓	✓						
Spatial abilities	✓			✓				
Spatial orientation		✓						
Visualization	✓			✓				
Attentiveness		✓			✓			
Selective attention/concentration	✓		✓	✓		✓		
Time sharing	✓	✓		✓				
Psychomotor Abilities								
Fine manipulative abilities	✓	✓		✓			✓	✓
Arm-hand steadiness	✓	✓		✓			✓	✓
Manual dexterity	✓	✓		✓			✓	✓
Finger dexterity	✓	✓		✓			✓	✓

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Technical Affairs continued

	O*Net	F-JAS	TTA	JCI	JAI	PPRF	PAQ	JSP
Control movement abilities	✓	✓		✓			✓	✓
Control precision	✓	✓					✓	✓
Multilimb coordination	✓	✓					✓	✓
Response orientation	✓	✓					✓	✓
Rate control	✓	✓					✓	✓
Reaction time and speed ability		✓	✓	✓	✓			
Reaction time	✓	✓		✓				
Wrist-finger speed	✓	✓		✓				
Speed of limb movement	✓	✓						
Physical Abilities	✓							
Physical strength	✓		✓	✓				
Static strength	✓	✓		✓				
Explosive strength	✓	✓		✓				
Dynamic strength	✓	✓						
Trunk strength	✓	✓						
Endurance/Stamina	✓	✓	✓					
Flexibility, balance, coordination	✓	✓	✓	✓			✓	✓
Extent flexibility	✓	✓		✓				
Dynamic flexibility	✓	✓						
Gross body coordination	✓	✓		✓			✓	✓
Gross body equilibrium	✓	✓		✓			✓	✓
Sensory Abilities		✓	✓					
Visual abilities	✓	✓	✓					
Near vision	✓	✓		✓			✓	
Far vision	✓	✓					✓	
Visual color discrimination	✓	✓		✓			✓	
Night vision	✓	✓						
Peripheral vision	✓	✓						
Depth perception	✓	✓					✓	
Glare sensitivity	✓	✓						
Sense of color				✓				
Auditory and speech abilities	✓							
Hearing sensitivity	✓	✓	✓					
Auditory attention		✓	✓					
Sound localization	✓	✓						
Sound recognition							✓	
Sound localization							✓	
Speech recognition	✓	✓						
Speech clarity	✓	✓						
Other senses								
Sense of taste				✓			✓	
Sense of smell				✓			✓	
Sense of touch				✓			✓	
Sense of body movement							✓	

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Technical Affairs continued

F-JAS = Fleishman Job Analysis Survey
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Job Analysis Method

	O*Net	F-JAS	TTA	JCI	JAI	PPRF	PAQ	JSP
WORK STYLES								
Achievement orientation		✓		✓				
Achievement/effort	✓		✓			✓		
Persistence	✓	✓	✓					
Initiative	✓		✓					
Social influence		✓						
Energy	✓							
Leadership orientation	✓						✓	
Interpersonal orientation		✓						
Cooperative	✓		✓				✓	
Concern for others	✓						✓	
Social orientation	✓							
Tolerance			✓					
Friendliness							✓	
Sense of humor				✓				
Interest in negotiation							✓	
Adjustment	✓							
Self-control	✓						✓	
Stress tolerance	✓							
Adaptability/flexibility	✓	✓	✓		✓	✓		
Adaptability to change			✓		✓			
Adaptability to repetition			✓					
Adaptability to pressure				✓		✓		
Adaptability to isolation				✓				
Adaptability to discomfort			✓		✓			
Adaptability to hazards/emergencies			✓		✓			
Interpersonal adaptability					✓			
Cultural adaptability					✓			
Problem solving adaptability					✓			
Resilience		✓						
Conscientiousness	✓						✓	
Dependability	✓							
Attention to detail		✓						✓
Integrity	✓		✓			✓		
Personal appearance			✓					
Work ethic						✓		
Independence	✓							
Practical intelligence	✓							
Innovative	✓		✓					
Analytical	✓							

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Technical Affairs continued

	Job Analysis Method							
	O*Net	F-JAS	TTA	JCI	JAI	PPRF	PAQ	JSP
SKILLS								
Basic content skills	✓			✓				
Active listening	✓			✓				
Reading comprehension	✓			✓				
Writing	✓			✓				
Speaking	✓			✓				
Mathematics	✓		✓	✓				
Science	✓							
Basic processing skills	✓							
Active learning	✓							
Learning strategies	✓							
Monitoring	✓							
Critical thinking	✓							
Problem-solving skills	✓		✓					
Problem identification	✓							
Information gathering	✓							
Information organization	✓							
Synthesis/reorganization	✓							
Idea generation	✓							
Idea evaluation	✓							
Implementation planning	✓							
Solution appraisal		✓						
Resistance to premature judgment		✓						
Planning			✓					
Social skills	✓							
Social perceptiveness	✓	✓						
Coordination	✓							
Persuasion	✓	✓	✓	✓			✓	✓
Negotiation	✓			✓			✓	✓
Instructing	✓						✓	✓
Advising				✓			✓	✓
Supervising							✓	✓
Service orientation	✓			✓			✓	✓
Oral fact finding (interviewing)		✓		✓			✓	✓
Oral defense		✓						
Public speaking				✓			✓	✓
Entertaining							✓	✓
Sales interest		✓						

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Technical Affairs continued

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Job Analysis Method

	O*Net	F-JAS	TTA	JCI	JAI	PPRF	PAQ	JSP
Technical skills		✓						
Operations analysis	✓							
Technology design	✓							
Equipment selection	✓							
Installation	✓							
Programming	✓							
Testing	✓							
Operation monitoring	✓							
Operations and control	✓							
Product inspection	✓							
Equipment maintenance	✓			✓				
Troubleshooting	✓							
Repairing	✓							
Electrical/electronic		✓						
Mechanical		✓						
Tools		✓		✓			✓	✓
Map reading		✓		✓				
Drafting		✓						
Reading plans		✓		✓				
Driving		✓					✓	✓
Typing		✓						
Shorthand		✓						
Filing				✓				
Spelling		✓						
Grammar		✓						
Computer programming				✓				
Craft knowledge			✓					
Craft skill			✓					
Systems skills	✓							
Visioning	✓							
Systems perception	✓							
Identification of downstream consequences	✓							
Identification of key causes		✓						
Judgment and evaluation	✓							
Systems evaluation	✓							
Resource management skills	✓							
Time management	✓							
Financial resource management	✓							
Material resource management	✓							
Personnel resource management	✓							

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HR HUMOR

A rural police department was conducting a structured interview for the position of patrol officer when Gomer Pyle walked in. The interview panel first asked, "What is one and one?" to which Gomer replied, "11." Though that was not what the panel was looking for, they concluded that his answer had some merit and awarded him three of the five points.

The interviewers next asked, "What two days of the week start with the letter T?" Gomer replied, "Today and tomorrow." Again, it was not the top answer but they had to admit he was right and awarded Gomer another three points.

For the final question, the panel asked, "Who killed Abraham Lincoln?" Gomer thought for a minute, and then replied, "I'm not real sure." Because Gomer was the only candidate, the interviewers told him to go home and think about it.

On his way home, Gomer stopped at the barbershop to speak with his friends. "How did it go?" they asked. To which Gomer replied, "It must have gone well. It was my first day on the job and I'm already working on a murder case!" —ACN

IPMAAC Across the Nation – News of the Councils

Bay Area Applied Psychologists (BAAP)

On Monday, February 4, 2002, Shelley Zedeck will present "Predicting Lawyering Success: How and Why?" at Kaiser Permanente in Oakland, California. This discussion will focus on the use of the LSAT and the undergraduate grade point average to admit students to law schools. The BAAP sponsors a speaker once a quarter who delivers a presentation to its members. The location varies, but the format involves networking from 6 to 7 p.m., followed by the speaker's presentation at 7. BAAP speakers are typically leaders in the field and deliver interactive presentations with plenty of group discussion. Check the website at www.baaponline.org for the most current information on upcoming events, speakers, and topics.

Chicago Industrial/Organizational Psychologists (CI/OP)

The January 18, 2002 meeting focused on Career Opportunities in I/O Psychology. Upcoming meetings will be on March 1 and April 5 (topics TBA). The Annual Dinner Meeting will be held on June 6, 2002. CI/OP generally has Friday afternoon sessions from 1 to 5 p.m. featuring several speakers addressing a topic. Visit their website at www.iit.edu/~ciop/.

Metropolitan New York Association for Applied Psychology (METRO)

Harold Goldstein presented "g: Is That Your Final Answer?" at the January 16, 2002 meeting. Upcoming meetings include February 13, where Jim Smither will present "Effectiveness of Executive Coaching;" and March 12, where Elizabeth Kolmstetter and Paul Squires will present "National Skills Standard Board Project." Visit METRO's website at www.metroapppsych.com for additional information.

Mid-Atlantic Personnel Assessment Consortium (MAPAC)

The Winter 2002 MAPAC Meeting took place in Baltimore on January 30 through February 1 and included the following presentations: Sheila Schultz, Ph.D. presented "Development and Validation of a Competency Model;" Robert Ployhard, Ph.D. presented "Development and Construct Validity of a Measure of Adaptability;" Sigrid Gustafson, Ph.D. presented "A Conditional Reasoning Instrument to Identify Aberrant Self-Promoters;" James Outtz, Ph.D. presented "Development and Validation of a Firefighter Selection Battery;" James Sharf, Ph.D. presented "Minimum Qualifications Necessary for Successful Performance;" Nicholas Vasilopoulos, Ph.D. and Jeffrey Cucina presented "Factors Impacting Responses to Items on Self Report Measures;"

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