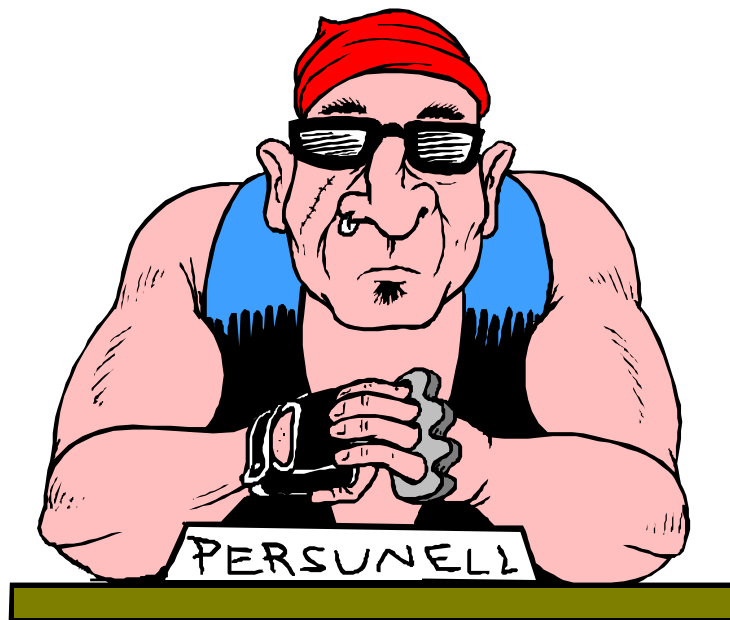# References and Recommendation Letters

Psychometric, Ethical, Legal, and Practical Issues

Symposium presented at the 20th annual conference of the Society for
Industrial and Organizational Psychology
April 15, 2005
Los Angeles California

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References and Recommendation Letters

Psychometric, ethical, legal and practical issues

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Los Angeles, CA

Presentations

- **Mike Aamodt & Felice Williams**
  - Reliability, validity, & adverse impact
- **Julie McCarthy, David Zweig, & Richard Goffin**
  - Referee characteristics
- **Mark Nagy**
  - Practical issues
- **Don Zink and Art Gutman**
  - Legal issues
- **Bobbie Raynes**
  - Ethical issues

Importance of Topic

- Over 80% of organizations check references (Bliss, 2001)
  - 89% for professionals
  - 85% for executives
  - 68% for skilled labor
  - 43% for temporary
- Academia: Letters of recommendation are used by nearly all universities
  - Student admissions
  - Faculty hiring
- Very little research

Definitions

- Reference check
  - The process of confirming the accuracy of information provided by an applicant
- Reference
  - The expression of an opinion, either orally or through a written checklist, regarding an applicant's ability, previous performance, work habits, character, or potential for future success.
  - Content and format are determined by the employer or university
- Letter of recommendation
  - A letter expressing an opinion regarding an applicant's ability, previous performance, work habits, character, or potential for future success
  - Content and format are determined by the letter writer

Reliability, validity, and adverse impact of references and letters of recommendation

Michael G. Aamodt
Radford University

Felice Williams
DCI Consulting

The Reference Checklist

- Changed over the years
- Currently
  - 7 Individual scales
    - Scholarship*
    - Academic potential*
    - Initiative*
    - Oral communication
    - Ability to work with others
    - Dependability*
    - Ability to write
  - 4 rating points (below average, average, above average, exceptional)
- Average of the 7 scales

Presentation Topics

- Method
  - Information sources
  - Scoring methods
- Findings
  - Leniency
  - Reliability
  - Validity
  - Potential adverse impact

LoR Components

- Opening
  - Happy to write letter
  - Writer and applicant relationship
- Descriptions of applicant's traits/skills/character
- Descriptions of the letter writer's research team/class
- Description of applicant's activities
  - Resume
  - Applicant statement
  - Other application material
- Overall Evaluation
  - Quality of the student
  - Strength of recommendation
  - Prediction of future success
- Closing
  - Let me know if you have any questions

Information Sources

- 601 Applicants to the Radford University master's I/O program (1996-2003)
  - Standard reference checklist
  - Letters of recommendation
- 272 Radford I/O Students (1983-present)
- 152 Graduate Teaching Fellows (1985-present)
- Meta-analysis of previous research
  - Meta Manager 5.1

Scoring Letters of Recommendation

- Overall judgment of favorability
- Evaluation of applicant's traits/skills/character (trait method)
  - Mental agility (openness)
  - Vigor (energy and motivation)
  - Urbanity (extroversion)
  - Cooperation/Consideration (agreeableness)
  - Dependability/reliability (conscientiousness)
- Evaluation of components
  - Quality of the student
  - Strength of recommendation
  - Prediction of future success
- Presence of problems (pass/fail)

Example of the Trait Method

Dear Mr. Daniels:

It is a pleasure to write this letter in support of Mr. James Beam. I have known Jim for 10 years as he was an accounting associate in our firm.

Jim is one of the most intelligent, original, and creative individuals I have ever met. He is always developing new ideas. In addition to being so smart, Jim has a great sense of humor, is very friendly, and always cheerful.

MA	Vigor	Urbanity	C/C	D/R
5	0	3	0	0

Prediction of the Future

6	Will do extremely/very well
	Will make an impact/positive contribution/add value
	Will be an excellent/strong/outstanding student
5	Will be successful/do well
	Has the necessary skills to succeed in graduate school
4	Will complete the program
3	Applicant has potential/shows great promise
2	Unsure if applicant will be successful
1	Has doubts about the applicant's success

Quality of the Student

10	Best student I ever had
9	One of my best students ever
8	The best student in the department
7	One of the best students in the department, Best in the class
6	One of the best students in the class
5	Received an A, exceptional/outstanding/superior student
4	Very good/solid/strong student
3	Above average/good student; Received a B in my class
2	Average/respectable/satisfactory student
1	Less than average student/has problems

Our Findings

Strength of Recommendation

6	My strongest/highest possible endorsement
5	Strongly/enthusiastically/highly/whole heartedly/unequivocally recommend
	Recommend without reservation/would accept into our program
4	Fully support the application
3	Recommend
2	Recommend with reservation
1	Do not recommend

Leniency of References

- Our applicants are from Lake Wobegon
  - Excellent (60.27%)
  - Above average (35.94%)
  - Average (3.56%)
  - Below average (0.23% - only 16 out of 6,854 ratings!)
- Mosel and Goheen (1958)
  - 0.5% of ratings were poor
  - 6.4% were average
- Zeleznik (1983)
  - 74% very highly/highly recommended
  - 25% recommended
  - 1% recommended with reservation

Reliability of Letters

Trait Category	Two Writers, One Applicant	Same Writer, Two Applicants
N	819	107
Mental agility (openness)	.18*	.48*
Vigor	.08*	.27*
Urbanity (extraversion)	.11*	.11
Cooperation/consideration	.04	.11
Dependability/reliability	.10*	.18
Overall impression	.23*	.32*
Structured scoring	.28*	
Lines	.21*	.58*

Correlations Among Predictors

	1	2	3	4	5	6
1. UG GPA		.10	.48*	.13	.45*	.50*
2. GRE			.09	.10	.00	.07
3. Reference checklist				.00	.51*	.44*
4. Mental agility traits					.10	- .02
5. Overall impressions						.61*
6. Structured scoring						

Reliability of Reference Checklist

Checklist Category	Two Writers, One Applicant	Same Writer, Two Applicants
N	810	81
Scholarship	.24*	.22*
Academic potential	.24*	.23*
Initiative	.15*	.30*
Oral communication	.22*	.13
Work well with others	.11*	.46*
Dependability	.14*	.34*
Writing ability	.16*	.21
Average rating	.24*	.35*

Validity: Graduate GPA

Predictor	N	r
G.R.E.	264	.23*
Junior/Senior G.P.A.	262	.38*
Trait Method		
Mental agility (openness)	223	.15*
Vigor	223	- .16*
Urbanity (extraversion)	223	.02
Cooperation/consideration	223	- .07
Dependability/reliability	223	.02
Overall evaluation of letter	173	.16*
Structured scoring	166	.19*

LoR Reliability: Meta-analysis

	K	N	r	SE%
Writer				
Favorability	5	1,841	.22*	100
Length	2	1,351	.16*	30%
Reader				
Favorability	4	405	.68	21%

Checklist Validity: Graduate GPA

Predictor	N	r
Checklist Category		
Scholarship	213	.27*
Academic potential	213	.27*
Initiative	213	.22*
Oral communication	127	.14
Ability to work with others	123	.03
Dependability	213	.24*
Ability to write	122	.07
Average rating	213	.29*

LoR Validity: Teaching Ratings

Predictor	N	r
G.R.E.	146	- .01
Undergraduate G.P.A.	148	.00
Trait Method		
Mental agility (openness)	132	- .09
Vigor	132	- .03
Urbanity (extraversion)	132	.19*
Cooperation/consideration	132	.09
Dependability/reliability	132	- .18
Overall Impressions	58	.07
Structured Scoring	57	- .08

Meta-analysis Comparison

Meta-analysis	K	N	r	ρ
Aamodt & Williams (2005)	30	7,419	.18	.29
Hunter & Hunter (1984)		5,389		.26
Reilly & Chao (1982)	8	3,696	.18	

Checklist Validity: Teaching Ratings

Predictor		
Checklist Category	N	r
Scholarship	118	- .08
Academic potential	115	- .12
Initiative	117	- .06
Oral communication	33	- .06
Ability to work with others	33	- .05
Dependability	116	.06
Ability to write	33	- .06
Average rating	**118**	**- .05**

Validity Comparison

Predictor	r	ρ	Meta-analysis
Structured interview	.34	.57	Huffcutt & Arthur (1994)
Work samples		.54	Schmidt & Hunter (1998)
Cognitive ability		.51	Schmidt & Hunter (1998)
Job knowledge		.48	Hunter & Hunter (1984)
Assessment center	.28	.38	Arthur et al. (2003)
Situational judgment tests	.26	.34	McDaniel et al. (2001)
Integrity tests	.21	.34	Ones et al. (1993)
References	.18	.29	Aamodt & Williams (2005)
Conscientiousness	.15	.24	Hurtz & Donovan (2000)
Unstructured interviews	.11	.20	Huffcut & Arthur (1994)
Interest inventories		.10	Hunter & Hunter (1984)

Validity: Meta-analysis

Criteria	K	N	r	95% Conf		ρ	90% Cred		SE%
				L	U		L	U	
Performance	30	7,419	.18	.15	.22	.29	.13	.44	41%
Tenure	3	2,131	.08	.04	.12				100%

Correlations with Sex and Race

		Sex		Race
		Writer	Student	Student
Trait Category N	1,065	427	427
Mental agility (openness)		- .09*	- .08	- .04
Vigor		- .03	.05	.06
Urbanity (extraversion)		.06	.05	.05
Cooperation/consideration		.08*	- .04	.05
Dependability/reliability		.03	.05	- .13*
Structured scoring		-.07	.09	- .02
Overall Impression		- .06	.03	- .11
Lines		.01	.06	.06

Sex (1=m, 2 =f), Race (0=white, 1=minority)

Correlations with Sex and Race

Checklist Category	Sex		Race
	Writer	Student	Student
N	1,013	368	368
Scholarship	.00	.10*	- .19*
Academic potential	- .01	.04	- .10*
Initiative	- .04	.03	.01
Oral communication	.04	.07	- .03
Ability to work with others	- .01	.01	.00
Dependability	- .06	.06	- .09
Ability to write	.01	.09	- .21*
Average rating	- .01	.08	- .11*

Form of Reference

	Form of Reference	
	Informal	Formal
Applicant Sex		
Men	86.7%	13.3%
Women	83.5%	16.5%
Writer Sex		
Men	85.5%	14.5%
Women	83.1%	16.9%

None of the main effects are significant, nor are the interactions

Group differences: Meta-analysis

				95% Conf		
Criteria	K	N	d	L	U	SE%
Sex						
Favorability	3	735	.01	-.01	.02	70
Length	2	732	.01	-.07	.10	70
Race						
Favorability	2	7,586	-.08	-.08	-.08	100
Length						

Conclusions

- References and LORs
  - Have low interrater reliability and LORs may say more about the writer than the applicant
  - Can be reliably scored if a structured system is used
  - Are valid (r = .18) but don't seem to add incremental validity
    - Structured methods that are job related may be best
  - Seem not to be influenced by the sex or race of the writer or the applicant
    - Low probability of adverse impact
- Further Research Areas
  - Need more info on sex and race differences
  - Need more studies using content valid methods for specific jobs
- Letter Length Trivia
  - Average was 26 lines
  - Shortest was 3 lines
  - Longest was 132 lines

Group Comparison

	Sex	Race	Meta-analysis
Cognitive ability		1.10	Roth et al. (2001)
GPA		.78	Roth & Bobko (2000)
Biodata		.33	Bobko et al. (1999)
Structured interview		.23	Huffcutt & Roth (1998)
Personality		.09	Schmitt et al. (1999)
References	- .01	.08	Aamodt & Williams (2005)
Integrity tests		.07	Ones & Viswesvaran (1998)

Sex is Men-Women   Race is White-Black

Call for Papers

- Special issue of Applied H.R.M. Research
  - Short papers
  - Need submissions by October, 2005
- Reliability, validity, leniency, and potential adverse impact
- Template will be on website
  - www.radford.edu/~applyhrm

From The Referee's Perspective: The Impact of Personal Characteristics and Referee Reactions on Letters of Recommendation

Julie M. McCarthy and David Zweig
University of Toronto

Richard D. Goffin
University of Western Ontario

Letters of Recommendation (LOR)

Leniency Bias

-tendency to describe applicants in a favourable light

Past Studies

-mixed findings

Military Study

Sample

- Predictor: standardized letters of recommendation
- Criteria: performance ratings

Three standardized LOR forms

- Multi-item scales
- Relative Percentile Method
- Global Trait Rankings

Multi-Item LOR Scales

1	2	3	4	5	6	7
Not at all descriptive			Somewhat descriptive			Extremely descriptive

1. The applicant maintains composure in stressful situations.
2. The applicant successfully directs the activity of others.

Relative Percentile Method LOR Scales

0	10	20	30	40	50	60	70	80	90	100
Below Average					Average					Above Average
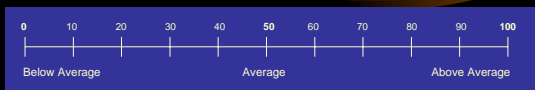
1. Composure
   -stays composed under stressful situations
   -calm and collected
2. Leadership
   -has the ability to influence others to act
   -takes charge in group-like situations and speaks and acts as representative for the group

---

Rank Order LOR Scales

1. _1_ COMPOSURE

   -stays composed under stressful situations, calm and collected

2. _5_ LEADERSHIP

   -has the ability to influence others to act, takes charge in group like situations and speaks and acts as representative for the group

Results

Prediction of Performance

Multi-Item Scales:	R^2=.11	R^2_{adj}=.00, n.s.
RPM Scales:	R^2=.24**	R^2_{adj}=.18, p<.01
Rank Order Scales:	R^2=.13	R^2_{adj}=.03, n.s.

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This Study

Military Sample

Additional data
- Referee characteristics
- SLOR scores (three standardized forms)
- Performance

Goals

1. How do referee characteristics relate to SLOR scores?
2. What are the predictive validities of the three standardized forms?
3. Is predictive validity moderated by referee reactions?

8

Dimensions in all three SLOR forms

- Composure
- Leadership
- Physical Endurance
- Cognitive Ability

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Conceptual Model
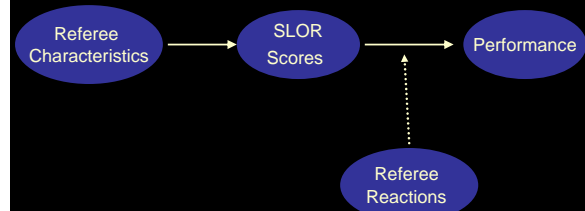
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Goal 1: Referee Characteristics

	Multi	RPM	Rank
Rater Education	-.07	.17**	-.15*
Well Known	.28**	.27**	.16**
Long Known	.08	.01	.03
LOR Experience	-.12~	.07	.17**
Total	R=.28**	R=.33**	R=.24**
	R^2adj=.08	R^2adj=.10	R^2adj=.04

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Goal 2: Predictive Validity

	Multi	RPM	Rank
Composure	.12	.13	.06
Leadership	.02	.07	.03
Physical Ability	-.09	-.21	-.10
Cognitive Ability	.19**	.32**	.16*
Total	R=.24*	R=.36**	R=.21
	R^2adj =.04*	R^2adj =.11**	R^2adj =.02

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Goal 3: Moderation

Multi-Items Scales: Accuracy

Rank-Order Scales: Accuracy

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Multi-Item Scales: Importance

RPM Scales: Importance

Rank-Order Scales: Importance

RPM Scales: Confidence
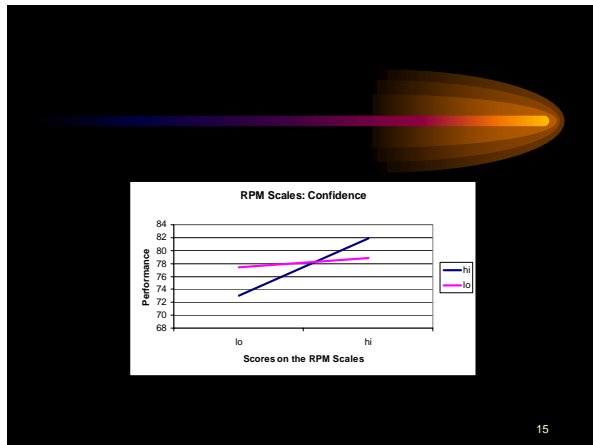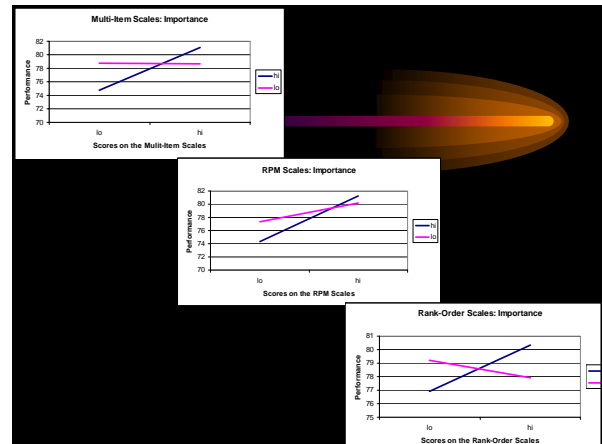
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Summary and Implications

- How WELL rater knows applicant has an impact on LOR scores, how LONG they have know applicant does not

- Standardized LOR forms can enhance validity

- Applicant IQ is the best predictor of performance

- SLOR predictive validity is moderated by referee reactions: referees seem to have a good idea of what predicts

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Future Research

- Wider range of referee characteristics and reactions
  - Liking
  - Type of Relationship (e.g., work-based, friend)
  - Motivation
  - Attitudes towards SLOR's
  - Fear of negative repercussions
  - Referee burnout

- Compare the predictive validity of SLOR's with traditional selection techniques to assess incremental validity

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Practical Suggestions in Providing and Asking for References and Letters of Recommendation

Mark S. Nagy, Ph.D.

Xavier University

Problems with Using References

- Inflation
  - Applicants Choose References
  - References fear defamation suits or interpersonal conflict
- Writer Influences
  - Low Reliability Among References
  - Higher Reliability Among Writers!

Background on References

- 80% Reported Letters to be "Very Important"
- Top 3 Selection Criteria
  - More than GRE & GPA
- Used in a Wide Variety of Settings
  - As Much as 89% of Organizations
- Validity Relatively Low (about .18)

Suggestions for the Applicant

- References = 360 Degree Performance Appraisal
- Choose References to Provide Information from Multiple Perspectives

Suggestions for the Applicant

- References Address/ Communicate Important Qualities to Recipient
- Do Not Waive Right to See Letters
  - References are More Positive

Suggestions for the Reference

- Be Honest
  - Reputation at stake
  - Moral obligation?
- Allow Applicant to Read Letter and Decide to Use
  - Puts Applicant in Control
  - Should Protect Against Defamation

Suggestions for the Reference

- Focus on Behaviors and Outcomes
- Use Plenty of Examples
  - Viewed more positively
  - Unique to individual
- Write Relatively Long Letters
  - Viewed more positively than short letters
  - Remember that it's not about you!

Suggestions for the Reader

- Use care in making inferences
  - Strange phrases
    - *He is cuter than a baby's butt*
    - *She has no sexual oddities that I am aware of*
  - Missing information
  - Annoying comments
    - *I/O has long been dominated by white males and accepting Karen will give you an opportunity to rectify that*
    - *You previously accepted two of our mediocre students so I see no reason why you wouldn't accept Fred*

2

Job References: Some Legal Considerations

Donald L. Zink
Personnel Management Decisions
Evergreen, Colorado

Arthur Gutman
Florida Institute of Technology

The opinions expressed in this presentation are solely those of the presenter, and are not to be construed as legal advice.

Balancing of Risks

- Lawsuit potential if you provide job references

- Lawsuit potential if you don't provide job references

Subtitle

- Don't ask, don't tell

- See no evil, speak no evil

What do Reference Providers Fear?

- Defamation
- Retaliation
- Interference with Business Relation
- Intentional Misrepresentation
- Invasion of Privacy

Common Attitudes/Opinions

- Only give "name, rank, and serial number"

- Providing references is risky – the result could be a lawsuit

- References are a "potential minefield for employers"

- Liability can arise for both seekers and givers

- Everyone wants them but no one wants to give them

State Tort Law

- Possible Title VII Implications
  - Retaliation
  - Disparate Treatment
- Common Law Applies

Defamation

- "A communication is defamatory if it tends so to harm the reputation of another as to lower him in the estimation of the community or to <u>deter third persons from associating or dealing with him</u>."

- Restatement Second, Torts § 559

Common Law Defenses

- Consent
- Truth
- Privilege
  - Absolute
  - Qualified

Elements of Defamation

- A defamatory statement

- Published to a third party

- Harmful to reputation

Loss of Privilege

- Malice
- Not Within Scope
  - Private Matters
  - Excessive Publication

Employer's Defenses

- Common Law

- Statutory (State)

Statutory Protection (Some States)

- 40 States have some statutory protection for references
- Vary widely in details

States Without Statutes

- **Alabama**
- **Kentucky**
- **Louisiana**
- **Massachusetts**
- **Mississippi**
- **New Hampshire**
- **New Jersey**
- **New York**
- **Pennsylvania**
- **Vermont**

NOTE: District of Columbia, Puerto Rico and the Virgin Islands also do not have job reference statutes

A Good Example (Arkansas)

A current or former employer may disclose the following information about a current or former employee's employment history to a prospective employer of the current or former employee upon written receipt of consent from the current or former employee:

- ✓ **Current pay rate and wage history**
- ✓ **Job description and duties**
- ✓ **The last written performance evaluation**
- ✓ **Attendance information**
- ✓ **Results of drug/alcohol tests**
- ✓ **Threats of violence/ harassment**
- ✓ **Voluntarily or involuntarily separated and reasons**
- ✓ **Eligibility for rehire**
- ✓ **Date and duration of employment**

Arkansas Revised Statutes § 11-3-204

Some Common Elements
(Most States Don't Have All)

- ➢ **Presumption of "Good Faith"**
- ➢ **Truthful (not false)**
- ➢ **Factual**
- ➢ **Job related (performance)**

What to Do (Generally)

- ➢ **Provide references**
- ➢ **Tell the truth**
- ➢ **Don't retaliate**
- ➢ **Review within-house council**
- ➢ **Lobby if no statutory protection**

Less Frequent Provisions

- ➢ **Copy to employee**
- ➢ **Consent of employee**
- ➢ **Written**
- ➢ **Employee access to what is disclosed**

What to Do (Specifically)

- ➢ **Implement a policy for all employees**
- ➢ **A requirement for hiring**
- ➢ **Tie to performance evaluations**
- ➢ **Be factual**
- ➢ **Disclose to employee**
- ➢ **A regular practice**
- ➢ **Written request and consent**
- ➢ **Avoid negligent actions**
- ➢ **DON'T RETALIATE**

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Conclusion

Not Everyone Agrees but I Like This:

The legislature finds that the disclosure by an employer of truthful information regarding a current or former employee protects employment relationships and benefits the public welfare. It is the intent of the legislature that an employer who makes a disclosure based on information obtained by the employer that any employer would reasonably believe to be true should be immune from civil liability for that disclosure.

Texas Labor Code § 103.001

Ethical Issues Involving Employment and Academic References

Bobbie L. Raynes
New River Community College
&
DCI Consulting

Causes of Unethical Dilemmas

- Relationship to party
- Inexperience
- Lack of training
- No guidelines
- Guided by own values and personal preferences (Badaraco, J. & Webb, A., 1995)

Law/Policies vs. Ethics

Law/Policy

Rules of conduct, usually with specific penalties for violators, that are established by government (laws) or organizations (policies). **If something is legally wrong, it is said to be ethically wrong.   Legal boundaries are minimum standards. They tell you what you CAN'T do.**

Ethical Dilemmas

Ambiguous situations that require a personal judgment of what is right or wrong and for which there are no rules, policies, or legal statutes guiding such decisions. Individuals often rely on their morals and personal values which often lead to different decisions by different people in similar situations. **Ethical boundaries are maximum standards. They tell you what you SHOULD do.**

Ethical Dilemmas in References

Professional

1. Not being allowed to give a reference (even a positive one) on a former employee (can only confirm they were employed
2. Being allowed to only give the same neutral references, regardless of whether person was a good or poor performer
3. Giving a reference on a poor employee (is there a duty to disclose both negative and positive?)
4. Giving a reference on a friend/family member who may not be right for the job
5. Giving a reference on someone who is a good worker/student but is disliked by me and others
6. Giving a reference on someone whose lifestyle conflicts with the reference-provider values
7. Using unsolicited references from neighbors/friends that are negative but not job-related.

Organizational Level

- Balancing the fear of legal liability with the desire to be fair to both former employees and prospective employers.

Academic

- Giving a reference on a below average student
- Providing unauthorized disclosures of the student's personal circumstances (illnesses, disability)
- Determining if there is an obligation to give references on all my students, if I do it for one
- When contacted by employers for a list of best students, determining if I should let all eligible students know or just use my own judgment and submit names I think are best
- Refusing to give a reference on a good student because of bad relationships between writer and student

Case 1: Close Relationship

Situation:

I had a worker who had 4 years of college in engineering but who wanted to be a teacher. I was asked by him to provide a reference for him. He was a very nice guy, very friendly, in fact I considered him a friend, but he was not the brightest crayon in the box. I didn't think he would be a good teacher.

Cases 2 & 3

Course of Action (Case 2): I told the person I would not write it because I honestly felt didn't think I could make it sound favorable because of our differences

Course of Action (Case 3): Although I was still angry with the student and felt he would try the same stunt again, I wrote the reference, focusing only on his academic abilities and the likelihood that he would successfully complete the program.

Case 1

Course of Action:

I wrote the letter telling of his good traits (friendly, nice person, good with kids). I didn't address any qualification that might make him a good teacher. By not listing those qualifications, I was hoping that they would figure out I didn't feel he was qualified for the job.

Case 4: Close Relationship

Situation: My very closest friend worked with me in the same plant. He was unhappy at work, applied for other work, and asked for a reference from me. He had poor attendance and often got his work in late.

Cases 2 & 3: Negative Relationships

Situation (Case 2):

I was asked to write a reference on a person I did not like. She was actually a good worker, but I just didn't like her overbearing personality. I was her supervisor.

Situation (Case 3):

A student that I had a run-in with asked me to write a reference to get into graduate school. Our differences were unresolved.

Case 4

Course of Action: This guy was my best friend, but I didn't want to write a dishonest reference. I did write the reference, but I only talked about the skills he had, which were good I didn't talk about his attendance or his poor attitude. I am still not sure if this was an ethical reference.

Cases 5 & 6: Lifestyles

Situation (Case 5):

I was asked by a coworker to write a letter of reference. She was a good worker, but she had a particular lifestyle that I did not approve of (gay). I feel that a person's personal life can sometimes affect their performance in the workplace. I wasn't sure she would even be accepted by other employees if she was hired.

Situation (Case 6)

I was asked to provide a reference on a person who smokes pot all the time. Although I had no proof, I wasn't sure if he smoked it right before work, which would have been wrong.

Case 7

Course of Action:

I wrote the letter, talking about how bright she was, how friendly, and how pleasant. I didn't mention anything about her "people skills", however. I often wonder if it was ethical to refer a person who might have difficulty getting along with other people in the workforce. But, since I didn't see this side of her, I wasn't sure if it would have been fair to mention that.

Cases 5 & 6

Course of Action (Case 5):

Although I didn't like or approve of her lifestyle, I did write the letter, focusing only on her excellent skills.

Course of Action (Case 6):

Since I didn't want a company to hire a person who might be smoking pot or drinking right before work, I decided it wasn't ethical of me to write the letter, no matter how good of performer the person was. Maybe the person just smoked on the weekends, but I didn't want to be the one who got in trouble for giving a good reference on someone who might cause problems in the work place.

Case 8: Unsolicited and/or Irrelevant Information

Situation (Case 8)

Our company was in the process of hiring for entry level managers. I live in a small community where everyone seems to know each other and each other's business. I went to lunch one day with a friend who had learned that this particular person was applying for the position. He told me that the person used to smoke pot in college, was known for having a difficult personality, and no one really liked him.

Case 7: Technical Skills vs. People Skills

Situation:

I was asked by a student to write a reference letter for a job. She had been in 3 of my classes and got "A"s in all three. She seemed very pleasant and polite to me, but some of her classmates apparently didn't like her because they thought she had an abrasive personality. Yet, I really wanted to see her get this job.

Case 8

Course of Action:

I had to consider if what the person told me was relevant to the job. I didn't know whether to go ahead and throw out the person's application right then and there, or to act like I had never had this conversation with my friend. I chose to ignore the conversation.

3

Case 9: Seeking Irrelevant Information

Situation (Case 9):

I was in charge of screening applications and checking references. Although I didn't personally know one of the applicants, I knew of her through comments by other people who did know her. Those comments included the fact that she had gone through several divorces which had left her an emotional, unstable wreck.

Individual Guidelines for Ethical References

- Always refer to your company or school policy
- State the relationship between the writer and the applicant (professor-teacher; supervisor-employee; coworker; family member)
- Be honest with the applicant about the degree to which the reference will be positive
- Meet deadlines for writing and submitting references
- Appropriately use job titles and official letterhead
- Avoid conflicts of interest when asked to provide a recommendation for two or more people applying for the same position
- Decline to provide a reference on a person with whom the writer feels negatively towards
- Maintain confidentiality
- Refrain from asking personal questions about the applicant which is irrelevant to the position

Case 10: Getting around company policy

Situation:

I had a really outstanding employee a few years ago who left for another job. Because of company policy, supervisors weren't allowed to say anything except that the employee had worked there and the dates of employment. I felt it was unfair that this exceptional employee couldn't get more of a reference from an organization to which she had given 10 loyal years.

- Acknowledge the impact the relationship between the reference seeker and the applicant (good or bad) may have on the reference seeker.
- When contacted by prospective employers for a list of "good students," post/email the position for all qualified students to see
- Don't share any information without getting an authorization from a student/applicant.
- After writing a reference letter, allow the student/applicant to see it, and to decide whether or not they want the letter to be passed on.
- Provide only job related information
- Do not camouflage information on a substandard employee.
- Do not talk about facts "off the record."
- Have requests for references made in writing

Case 10

Course of Action: I got a blank piece of paper that did not have the company's name on it and wrote a very positive reference on behalf of this employee. I stated that I had been her supervisor and that because our company had a policy of not giving out anything but neutral references, that I was writing as a friend. I'm sure this was unethical because I was breaking policy, but I thought it was the fair thing to do.

Organizational Guidelines for Ensuring Ethical References

- Get legislation passed that sets guidelines (or)
- Organizations should voluntarily adopt a reasonable disclosure policy
- Limit the number of people who are allowed to provide references
- Ensure that reference givers are well trained in the laws and ethics of references
- Limit references to documented job-related information
- Obtain consent forms

4

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