

WAGE AND SALARY ADMINISTRATION-RECRUITING, SELECTING AND HIRING

SUMMARY

Interviewing and selecting the best candidates to hire is extremely important, and the smaller the company, the more critical it is to do it right the first time. Even without the ADA and other EEO concerns to contend with, a mistake in hiring could result in lower productivity, uneven quality, and lost revenues.

The process outlined in this BMA parallels the nine steps described in the manual for the NTMA Entry Employee Selection System (available for purchase). The steps are modified slightly to include the use of the job description and other ADA considerations.

PREPARING FOR THE RECRUITING AND HIRING PROCESS

People

According to the Act, anyone who acts on behalf of the company must comply with ADA requirements. This means that management and supervisors must be aware of the special interviewing constraints. And, because hiring is a difficult and important activity, the people involved should be adequately trained and prepared beforehand.

Secondly, employment agencies which perform background checks on candidates must comply with those special requirements. The hiring company is responsible for the actions of all parties involved in employment-related tasks.

Employment Applications

It is important that job application forms be free of any questions that deal with disabilities. If an applicant is not hired and files a charge, the EEOC is first going to ask for the application form. Companies may be assumed to have violated the law on the basis of the paperwork, regardless of how the interview actually was conducted.

Facility Access

Your facilities must be accessible to qualified applicants so they can participate in the application process.

New construction or significant building alterations planned for occupancy after January 1993 must be made accessible to disabled individuals to the maximum extent feasible. These requirements apply to:

- Parking Areas
- Paths Of Travel Within The Facility
- Water Fountains
- Restrooms
- Entrances And Exits
- Public And Common Use Areas

Alterations to shop and office work areas must ensure that the paths of travel to other areas, exits, restrooms, telephones and drinking fountains are readily accessible by applicants with disabilities. The primary consideration is to ensure that each of these areas are wheelchair-accessible.

Path of travel alterations will be considered excessive, and therefore not required, when their cost exceeds 20% of the total alteration. Nothing in the ADA requires your company to

immediately remodel your shop or offices so they are handicapped accessible, only to do so when remodeling or in new construction. However, you may have to consider making these changes in order to make a “reasonable accommodation” for an otherwise qualified applicant (or employee) who is disabled.

RECRUITING, SCREENING AND CHECKING REFERENCES

Before you begin the hiring process, review the job description to identify the essential job functions; the marginal job functions; and the training, experience, physical, license, and other qualifications. As you do this, keep in mind that some applicants may ask for reasonable accommodations, and that you should be prepared to respond appropriately.

Recruiting methods include advertisements in flyers, newspapers, newsletters, radio, and television; visits to high schools, technical schools, and other training agencies; placing orders with government or private employment agencies; signs placed outside the company; and referrals by employees.

The important thing to remember is that the advertisement process can describe job requirements and qualifications, but cannot suggest that people with disabilities will not be considered.

The screening process is a way to perform an initial review and brief assessment of the applicant. Each applicant should be asked to complete a standard application form, if a resume was already submitted. A company application form ensures you have collected the same information on each applicant. (You can purchase Application for Employment forms from NTMA at a nominal cost. The form was updated in January 1992 to comply with ADA).

The main purpose of screening is to identify applicants who should be considered further, and to quickly identify those who are obviously not qualified for the job. The screening process might also include a brief screening interview in which the applicant may be asked to give more detail about answers on the application form.

You should always check references to confirm the background information provided on the application form. This includes items such as education, training, and work experience.

Be aware of two things when you call people to check references. First, remember that people list as references those who will speak well of them. To overcome the possibility of receiving glowing recommendations rather than specifics, you can ask for information to see if it matches what is on the application form, rather than describing the information and asking for confirmation.

Second, you cannot ask questions about disabilities or state of health. Only inquire about an applicant’s ability to perform specific job-related functions.

Employers may not make any pre-employment inquiries about disabilities, absenteeism, illness, or workers-compensation history. The same is true for job applications, interviews, and background or reference checks.

The purpose of the initial screening process with the application forms and background checks is to identify those who meet and don’t meet the basic job selection criteria. Those applicants who do not meet the selection criteria should be rejected and those who do meet them should continue in the selection process.

PRE-EMPLOYMENT TESTING

Traditionally, three types of tests have been administered prior to employment: medical examinations, ability tests, and aptitude tests.

Medical Examinations can no longer be administered. Under the ADA, it is unlawful to ask an applicant whether he or she is disabled or about the nature or severity of a disability, or to require the applicant to take a medical examination before a job offer is made.

Medical exams can only be given if:

- A job offer has been tendered and all applicants in the same job category are subject to the same exam;
- The exam is used to determine the ability of the employee to perform the job; or
- Exams are part of an employee health program and are available at the worksite.

If a medical examination reveals a disability, the employee cannot be prevented from accepting the job or be removed unless the disability specifically prevents the employee from performing the essential functions of the job. Further, a medical exam must not use criteria designed to screen out individuals with disabilities, unless those criteria are job related and consistent with business necessity.

Ability tests

Ability tests can be administered if the ability being tested is required on the job. For example, an applicant for an office job can be asked to use a word processor to demonstrate the ability to write letters, take orders, maintain records, or generate budgets.

Similarly, a machinist can be asked to demonstrate use of one or more machines, or read a blueprint, or any of the other skills required to perform the essential job functions listed on the job description.

However, the tests cannot be structured to screen out individuals with disabilities unless the ability in question is an essential function of the job. In addition, tests should be structured to measure the abilities of the individual taking the test, rather than to reflect a disability. That is, for instance, you may need to provide a reader for a dyslexic individual taking a writing test so that test results reflect the applicant’s knowledge--not the impaired ability to read.

Aptitude tests

Aptitude tests can be administered if the test is designed to measure a person's aptitude in job-related areas. Several aptitudes have been identified as necessary for success in metalworking trades. Those aptitudes are mechanical comprehension, general reasoning, verbal comprehension, and shop math.

NTMA offers a fee-based employee testing service as part of NTMA's Entry Employee Selection System. The testing service consists of the test package and scoring of four tests in the Aptitude Test Battery:

1. The *Bennett Mechanical Comprehension Test* measures mechanical comprehension.
2. The *Guilford-Zimmerman Aptitude Survey* measures general reasoning.
3. The *Personnel Tests for Industry (PTI)* measures general reasoning.
4. The *NTMA Machine Shop Math Test* measures knowledge of shop math.

The tests typically take about three hours to complete. After the tests are administered, they are sent to NTMA to be evaluated. The individual's scores are then compared to cut-off scores. The applicant who meets or exceeds the cut-off score should proceed to the next step in the selection process.

The advantage of using a validated aptitude test is that the cut-off scores, updated regularly by NTMA's Entry Employee Testing Service, provide a basis for a legal defense of your selections and non-selections.

For more information and a free brochure describing the service and prices call NTMA's Education Department at 1-800-248-6862.

PREPARING FOR THE INTERVIEW PROCESS

The purpose of the in-depth interview is to get a complete picture of the applicant and an estimate of how well he or she will contribute to the organization. Interviews are time consuming and difficult to conduct well, but they are very important to the company. If not prepared for the interview, it may fail to identify the best person for the job.

There are at least five things you should do to prepare for an interview:

1. Gather information about your organization and possible career paths. Good people tend to have other options, and you need to be able to sell your company.
2. Review the job description, particularly the essential job functions and the job qualification requirements. These will be the bases of the questions you should ask.

3. List skills to be evaluated in the interview. Each job in your company has basic skill requirements, but it also has specific needs so each employee's abilities complement the others'. This is the time to identify the general and special skills required.

4. Review the application (and resume, if available). Become familiar with the applicant's background so you can plan what you will ask during the interview.

5. Prepare a list of questions addressing the applicant's application and his or her technical skills. There are two approaches you can take.

- a. Use the *Manual for the NTMA Entry Employee Selection System*. Chapter VI presents an explanation of how to conduct an interview while using a structured interview guide. The interview guide is 13 pages long and is designed to be photocopied. It is then filled in during the interview. It includes about 30 questions organized into the following sections:

- Preparation Checklist
- Outline for Opening the Interview
- Background Review (5 questions)
- Practical Learning (3 4-part questions)
- Work Standards (6 3-part questions)
- Oral Fact Finding (2 3-part questions)
- Planning and Organizing (4 3-part questions)
- Attention to Detail (5 3-part questions)
- Behavioral Flexibility (5 3-part questions)
- Tolerance for Stress (5 3-part questions)
- Interview Close Outline
- Post-Interview Instructions

The manual also provides details on how to rate and compare the answers given by different applicants, achieve consensus among the interviewers, make the selection decision, and hire or place the new employee. In addition, the manual includes a section on the major laws and regulations concerning employee selection (other than ADA).

- b. Write your own questions. This is a two-step operation. First, write a series of questions dealing with the applicant's technical abilities. Then, have a knowledgeable person answer the questions on the form so as to provide a model of the desired content and responses.

The following questions were developed by a TMA seminar. They can provide a starting point for your questions.

Job Management

- What would be your plan of attack when starting a new job? Why?
- When would you deviate from your determined sequence? Why?

- How would you handle a problem that you have no control over?
- At what point would you consult supervisory help? Why?

Machine Set-Up, Part Execution

- What machines have you set up and operated? What tolerances, tooling and method of checking it did you use?
- What is your background and experience in machining? Years experience? What types of work (production, prototype, R & D)?
- What tools do you own?
- Can you read blueprints and understand all specifications and notes as shown?
- Can you check your own work?
- What knowledge or experience have you had with types of materials in relation to speeds, feeding and types of tooling required?

Part Measurement

- What would you do if you measured a part as .0001 out of tolerance? Why?
- How do you know that you have measured a dimension property?
- How do you determine what dimension you must meet?
- At what time would you consider it necessary to check your machining operation? Why?
- What parts of a job are important to check? Why?

Safety Habits

- How important is safety to the shop? Why?
- Why is safety important to you?
- If you were in charge of shop safety, how would you set up a program and how would you enforce compliance?
- How important are the OSHA “governmental regulations” to your job?
- Where you worked before, what safety rules did they have? How would you evaluate those rules?

- What is the relationship between proper housekeeping and safety?
- How do you feel your previous employer felt about safety/housekeeping?

Maintenance and Repair

- What would you believe to be a good maintenance schedule? Why?
- How would you go about keeping downtime to a minimum?
- What kind of maintenance schedules do you follow now for your automobile?
- If you walked into a machine shop, how would you know that a machine was well maintained?

Make up an additional list of probing questions, such as: “Because? In what way? Why? And then? How come? How so? What happened then? Therefore? Tell me more. Give an example.” The list will be a reminder during the interview.

Probing questions add information to the points being discussed. They are not judgmental. They are short, open-ended and relevant to the issue at hand.

By asking probing questions, you keep the other person talking most of the time. Also, the shorter the question, the longer the answer, and the more opportunity the questioner has to learn about the speaker.

The important thing, regardless of which process you use, is to have the questions written beforehand. If you try to make up the questions as you go along, you will have the following problems:

- You won’t be consistent. All applicants should be asked the same questions. Inconsistency leads to unfairness.
- You won’t be objective. Written questions force you to look for content. Otherwise you may get caught up with personality and human interactions.
- You won’t take accurate notes. The notes are necessary to compare your opinions with other interviewers and to compare between applicants.

When preparing to interview someone in the machine trades, you should also obtain a blueprint of the type the employee would use on the job. It should be available during the interview so the applicant can be asked some of the blueprint-related questions.

When preparing to interview someone for any job, it is helpful to be able to show the applicant the actual job description for the position. It should be available during the interview

so the applicant can be shown the essential job functions, marginal functions, and job qualification requirements. Its presence tends to give greater weight and focus to questions about capabilities and experience.

CONDUCTING THE INTERVIEW

The purpose of the interview is to get a complete picture of the applicant and to determine how close the match is between the individual's capabilities and job requirements. In addition to having a well-thought out set of questions and answers at hand, there are a number of key points that will make the interview go more smoothly.

- a. Conduct the interview in a comfortable setting where you will not be interrupted. Not only do you want to be distraction-free, but remember that you are "selling" the organization to the applicant.
- b. Keep the interview to one hour. This will keep your attention span and the applicant's at a peak.
- c. Put the applicant at ease. Keep the tone upbeat throughout. Realize that once the applicant speaks, he or she will begin to feel more comfortable, so make some small talk in the interview.
- d. While describing the job and interviewing the applicant, remember the interview is a two-way process. Remember to sell the job and the company.
- e. Use the written questions. Use them to provide structure. Also, refer to the job description when you need to illustrate why the question is asked.
- f. Make notes during the interview. Tell the applicant at the outset that you plan to take notes. Do not rely on your memory alone, especially when interviewing several applicants. If you are uncomfortable writing notes during the interview, do it immediately afterward.
- g. Be specific. Follow up your written questions with additional questions to focus on specifics in the applicant's answer. Use probing questions. Expect that past experience is an indicator of future behavior.
- h. Allow for silence. If an applicant is having difficulty in coming up with answer to a question, provide time for thought. In an interview, an applicant should do most of the talking. Also, if you allow for silence to occur, often an applicant will jump in with information you might not have discovered during questioning.
- i. Maintain control. Set the tone for the interview. Encourage someone who speaks too little to go into further detail. If someone talks too much, try to keep him or her on the point.

- j. Be aware of your body language and the applicant's. Your relaxed yet professional body language will set the tone for the interview.
- k. Answer the applicant's questions. Anticipate questions and be prepared to answer them.
- l. Dispel your first impressions and remember the interview pitfalls:
 - Be wary of following a gut reaction to a candidate. If you have a reaction you can't put into words, investigate further by asking more questions.
 - Beware of the tendency to like candidates because they are similar to you in education, experience, hobbies, or social and family background.
 - Watch for the halo effect, which occurs when one outstanding trait makes all other characteristics seem better. This can also work in the opposite way.

You can ask an applicant questions about ability to perform job-related functions, as long as the questions are not phrased in terms of a disability. You can also ask an applicant to describe or to demonstrate how, with or without reasonable accommodations, the applicant will perform job-related functions.

REASONABLE ACCOMMODATION

Reasonable accommodation, is only required if the applicant requests it by making you aware of his or her physical or mental impairment. Of course, this does not mean that an applicant or employee must always inform you of a disability. If a disability is obvious, e.g., the applicant uses a wheelchair, you would "know" of the disability even if the applicant never mentions it.

The requirement will generally be triggered by the applicant, who may be able to suggest an appropriate accommodation. If the applicant does not request an accommodation, you are not required to provide one.

If the applicant requests an accommodation, but cannot suggest an appropriate one, you must make a reasonable effort to identify one. The best way is to consult informally with the applicant about potential accommodations that would enable the individual to participate in the application process or perform the essential functions of the job.

If this consultation does not identify an appropriate accommodation, you may contact the EEOC, state or local vocational rehabilitation agencies, or state or local organizations representing or providing services to individuals with disabilities.

There are two instances when an individual who asks for a reasonable accommodation would not have to be hired: When providing a reasonable accommodation would cause an undue hardship, and when accommodation cannot be provided.

Undue hardship means that an accommodation would be unduly costly, extensive, substantial, or disruptive or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation.

However, if a particular accommodation would be an undue hardship, you must try to identify another accommodation that will not pose such a hardship. If cost causes the undue hardship, you must also consider whether funding for an accommodation is available from an outside source, such as a vocational rehabilitation agency, and if the cost of providing the accommodation can be offset by state or federal tax credits or deductions. You must also give the applicant or employee with a disability the opportunity to provide the accommodation or pay for the portion of the accommodation that constitutes an undue hardship.

Sometimes one's best efforts don't work; accommodation cannot be provided. For example, if the job qualification requirements state that the applicant have eyesight correctable so that fine instruments, such as micrometers, can be read, and the applicant cannot read fine print, and if you cannot provide accommodation such as having other read the instruments, then the applicant need not be hired. Hearing, lifting and pulling, skin not bothered by oils and cutting fluids, are other examples of physical requirements.

There are several other instances where you are not required to hire a disabled person:

- If you have several qualified applicants for a job, the ADA does not require that you hire the applicant with a disability. You may hire the most qualified applicant. The ADA only makes it unlawful for you to discriminate against a qualified individual with a disability on the basis of disability.

- You are not required to hire a disabled person if doing so poses a direct threat to the health or safety of that person or others. The risk posed by a disabled individual must be significant to justify discrimination. Federal guidelines provide four specific factors to be considered when assessing risk: the duration of the risk; the nature and severity of potential harm; the likelihood that the potential harm will occur; and the imminence of the potential harm.
- You are not required to hire an individual who uses drugs. Further, the ADA does not prevent employers from testing applicants for current illegal drug use, or from making employment decisions based on verifiable results; a test for illegal use of drugs is not considered a medical examination under ADA.

However, be aware that ADA covers people with AIDS. Congress intended the ADA to protect persons with AIDS and HIV disease from discrimination.

After a job offer is made and prior to the commencement of employment duties, you may require that an applicant take a medical examination if everyone who will be working in the job category must also take the examination. You may condition the job offer on the results of the medical examination. However, if an individual is not hired because a medical examination reveals the existence of a disability, you must be able to show that the reasons for exclusion are job related and necessary for conduct of your business. You must also be able to show that there was no reasonable accommodation that would have made it possible for the individual to perform the essential job functions.

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