

**J O B   A N A L Y S I S**  
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White Papers



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### THE IMPORTANCE OF CONDUCTING A JOB ANALYSIS IN SELECTING AND DEFENDING EMPLOYEE SELECTION MEASURES

Conducting a job analysis is often viewed as a rather mundane and necessary evil associated with the hiring process. Admittedly, the job analysis process can sometimes seem like documenting the obvious for no apparent reason. However, having a job analysis for each of an organization's positions or job families borders on imperative for a variety reasons. First, a job analysis is the very first step in developing the correct hiring process for a job. Without the in-depth information gathered during a job analysis, an employer is somewhat guessing as to what knowledge, skills and abilities are required to perform the job. Additionally, a job analysis will assist the employer in developing interview questions, selecting background checks, determining appropriate cut scores for assessments and identifying additional tools that are appropriate for use in the hiring process. Administrative agencies and courts will generally review an analysis of the job to help evaluate whether an employer's hiring techniques (e.g., interviews, assessments, reference checks, criminal background checks) are job-related and consistent with business necessity. Therefore, as discussed below, it is important that the job analysis be conducted in a professional manner and prior to evaluating candidates for the position.

### CONTENTS OF PROFESSIONAL JOB ANALYSIS

As a starting point, a job analysis should contain information documenting the following:

- The job's essential functions and responsibilities, as well as secondary functions and responsibilities
- The importance of the job's functions and responsibilities
- The knowledge, skills and abilities required to perform the job
- Educational, physical and other requirements needed to perform the job
- Minimum performance standards
- Involvement of subject matter experts in the job analysis process
- Organizational hierarchy information such as supervisor and direct reports
- Pay grade

Wonderlic's job analysis process utilizes the approach delineated above. It is a relatively easy and inexpensive process, which has high utility regardless of an employer's hiring practices. The process is used by employers to document that their hiring procedures (e.g., tests, background checks, interviews, job simulations, medical examinations) are appropriate for a specific job or job family. Additionally, a Wonderlic job analysis is required to determine the appropriate cut scores for Wonderlic assessments. While these assessments can be very effective when



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simply applied to employee selection, information gleaned through the job analysis process fine-tunes test results to maximize effectiveness.

### LEGAL REQUIREMENTS

As discussed above, legal issues are certainly not the only justification for conducting a job analysis. However, such issues are very important insofar as a wide range of legal entities (e.g., Equal Employment Opportunity Commission, Office of Federal Contract Compliance Programs, U.S. Supreme Court) have acknowledged the importance of having a job analysis—regardless of what selection procedures an employer is using.

Specifically, the Equal Employment Opportunity Commission ("EEOC") and other relevant agencies have long recognized the importance of conducting a job analysis. Specifically, according to the *Uniform Guidelines on Employee Selection Procedures* ("Guidelines") there are a number of minimum standards that need to be met in order to document that a hiring procedure is valid for its intended use. As an example, the Guidelines state the following with respect to documenting each of the three legally recognized forms of validity.

1. For procedures supported by criterion-related validity, "There should be a review of job information to determine measures of work behavior(s) or performance that are relevant to the job or group of jobs in question. These measures or

criteria are relevant to the extent that they represent critical or important job duties, work behaviors or work outcomes as developed from the review of job information."

2. For procedures supported by content validity, "There should be a job analysis which includes an analysis of the important work behavior(s) required for successful performance and their relative importance and, if the behavior results in work product(s), an analysis of the work product(s). Any job analysis should focus on the work behavior(s) and the tasks associated with them. If work behavior(s) are not observable, the job analysis should identify and analyze those aspects of the behavior(s) that can be observed and the observed work products. The work behavior(s) selected for measurement should be critical work behavior(s) and/or important work behavior(s) constituting most of the job."

3. For procedures supported by construct validity, "There should be a job analysis. This job analysis should show the work behavior(s) required for successful performance of the job, or the groups of jobs being studied, the critical or important work behavior(s) in the job or group of jobs being studied, and an identification of the construct(s) believed to underlie successful performance of these critical or important work behaviors in the job or jobs in question. Each construct should be named and defined, so as to distinguish it from other constructs."

Furthermore, under the Guidelines it is only acceptable for an employer to rely upon (e.g., use to legally defend its use of a test) criterion-related validity studies not conducted within that organization if there is job analysis in place. Obviously, the employer needs documentation that its job and the positions involved in the actual validation studies are similar in terms of duties.



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Turning to the Americans with Disabilities Act (“ADA”), a job analysis can certainly be a crucial piece of evidence under this statute, as well as similar state-based protections for the disabled. The ADA prohibits discrimination against a qualified individual with a disability on the basis of that disability. Under the ADA, a qualified individual with a disability is a person who can perform the “essential functions” of the job—with or without reasonable accommodation. The ADA further states that “For purposes of this title, consideration shall be given to the employer’s judgment as to what functions of a job are essential, and if an employer has a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.”

In the area of litigation, numerous courts, including the U.S. Supreme Court have recognized the importance of a job analysis. For instance, in *Kirkland v. New York State Department of Correctional Services*, 520 F.2d 420 (1975), an employer was unable to substantiate the job-relatedness of its hiring procedures because it did not have an adequate job analysis. The court specifically indicated that a job analysis is the “cornerstone” of supporting a content valid hiring procedure. As for the U.S. Supreme Court, it has recognized in *Albemarle Paper Company v. Moody*, 422 U.S. 405 (1975) and *Griggs v. Duke Power Company*, 401 U.S. 424 (1971) the importance of documenting what is

required to perform a job.

Furthermore, the Office of Federal Contract Compliance Programs (“OFCCP”) recently issued its Internet Applicant Recordkeeping Rule. In order to ensure compliance with this rule, employers must be cognizant of the “basic qualifications” for each of their jobs. According to the OFCCP “All basic qualifications must be established prior to the selection process. Basic qualifications are the qualifications advertised to potential applicants as being required in order to be considered for the position. If the contractor [employer] does not advertise the position but, for example, searches an external resumé database, the contractor [employer] must make and maintain a record of basic qualifications to be used in the search prior to considering any expression of interest for that particular position.

### **SUMMARY**

In sum, there are a number of reasons why employers should have a recent job analysis in place for each of the organization’s positions. This is important to employers whether or not they use pre-employment assessments—a job analysis is necessary to justify the use of and confidently implement any employment decision-making tool. Parenthetically, the prudent employer will periodically conduct an analysis of its jobs. This stems from the fact that the required knowledge, skills, abilities and responsibilities needed to adequately perform a job commonly change



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over time without any specific organizational intent. Finally, when an employer utilizes assessments such as those provided by Wonderlic (where scoring ranges and cut scores are used), the existence of a job analysis is not only helpful from a legal perspective, but from the standpoint of maximizing the accuracy of decision making.

If you have any questions regarding the information contained herein, please contact Wonderlic's General Counsel (David Arnold).