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ADMINISTRATIVE RESOURCE MANUAL
FOR PERSONNEL MANAGERS WITHIN
CORRECTIONAL FACILITIES

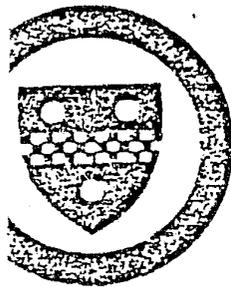
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by the



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CHAPTER TWO

RECRUITMENT AND SELECTION

I. INTRODUCTION

In the field of corrections as in all aspects of public employment, staff members must be recruited, selected, and placed within all agencies systematically and with due regard for applicable standards that govern these procedures. Federal and state laws prohibit discrimination based on race, color, creed, or national origin under any circumstances. Discrimination based on age, sex, or handicapped status violates Federal law unless it is necessary for job performance, in which case the agency bears the burden of documenting this necessity. Federal and state laws also mandate that demographic characteristics of employees within public agencies reflect proportionally the demographic characteristics of the populations that are being served by the agencies. Because of past discrimination, many public agencies have far fewer minority personnel and women than they do white males. Until a tolerable demographic consistency is achieved in each agency, which may take many years or even decades, Federal statutes and court decisions require that qualified minority and female candidates be appointed to fill vacancies within public agencies ahead of white males, even if the white males seem more qualified for the same appointments. This mandate is known as "affirmative action."

The recruitment and the selection processes are necessarily intertwined with the processes of training and development (see Chapter Four), of employee performance evaluation, and of promoting those

whose work is determined to be meritorious (see Chapter Six). The recruitment and initial selection process entails finding an individual whose qualifications are suitable for a position whose duties have been structured without any particular individual in mind. For this reason, the recruitment and initial selection processes are discussed here alongside the "position classification" system. On the other hand, when employees are promoted within an agency, they are appointed to fill vacant positions that are deemed to be compatible with the individual qualifications of the employees who are promoted. Thus, a similarity exists between the "rank-in-person" classification system, employee performance evaluations, and the promotional process within a public agency. These latter features are discussed in Chapter Four.

To a certain limited extent, of course, there is an overlap between recruitment and promotion and between selection and promotion. Whenever an individual who is already an employee of an agency is appointed to fill a higher-level position within the same agency, that appointment constitutes a promotion. Thus, even within agencies that favor the "position classification" system over the "rank-in-person" system, promotions of existing personnel occur whenever appointments are made from current agency personnel. Similarly, in a sense, even when an agency does recruit and select employees from the outside to fill vacant positions, a performance evaluation of sorts may be conducted of each candidate (or, at least, of some candidates for some positions) to determine how well they discharged their employment responsibilities at jobs that they held elsewhere prior to becoming candidates for employment within the agency. Notwithstanding this overlap, the performance evaluation aspect of recruitment and selection will be discussed in Chapter Four, while the advertising of position descriptions and the screening processes will be discussed here. Chapter Four may be reviewed alongside this chapter, however, and indeed the reader is urged to review Chapter Three when reading Chapter Four.

A. BACKGROUND

The difficulty that most public agencies face today is how to remedy past abuse in their employment practices. In the past, many public agencies have recruited their staff personnel from limited

segments of the community served by the agency. Candidates for appointment to public offices have been selected for employment unsystematically and without much regard for their relative qualifications compared with other candidates for the same position. In the past, employees have sometimes been assigned to perform tasks within agencies according to the whims of supervisors within their respective agencies with whom they may or may not have become friendly prior to or during the course of their employment.

This problem has reached critical proportions in most correctional facilities. Because many prisons were constructed in rural locations for political and security considerations, they never became popular places in which to work. To become a corrections officer meant, traditionally, that an individual would have to reside within sight of the prison in a small and isolated community that was inhabited largely by other guards and their families. Often, guards were offered housing on prison property, but paid lower salaries than they would have been likely to receive elsewhere in light of their marketable skills. This is similar to the experience of workers in "company towns" who were completely controlled by and dependent upon the industry that owned the town and, to all intents and purposes, its workers. Once employed, corrections officers found as a rule that it was difficult and sometimes impossible for them to find work elsewhere. The stigma of the inmates whom they guarded was transferred to them by a public who perceived guilt by association. As officers approached middle age, they discovered that they did not possess technical or management skills that would enable them to obtain employment elsewhere at suitable salaries and seniority levels. Their families lived in relative isolation, and they seldom were able to develop relationships with persons in other walks of life from whom assistance might have been obtained in changing occupations or in relocating. For these and other reasons, corrections officers and their families became, in the same sense as workers in those company towns, "trapped" in a situation from which there was little chance of escape.

As the children of corrections officers reached maturity, they learned that their best chances for immediate employment were at the prison where their fathers and, often, their uncles and cousins worked.

The rural and frequently impoverished communities where prisons were situated did not facilitate preparation of children for advanced education. Often, the prison was the largest employer in the town. Considerable pressure arose among prison guards collectively to cause prison administrators to hire their relatives when job vacancies occurred. Prison administrators responded to the staff demands by acquiescing, in part to keep staff morale from diminishing, but also because this was the way that these positions were traditionally filled.

It cannot be understated, however, that until this decade the average young person entering the job market did not want a job as a corrections officer. The demand for recruiting and selecting candidates for vacant corrections officer positions from a wider segment of the community emanated from the prisoners rather than from unsuccessful corrections officer candidates. As the civil rights movement of the 1960s transformed into concern about the constitutional rights of inmates in the 1970s, prisoners and their outside supporters argued that they had a right to be guarded by the representatives of a cross-section of the community. Particularly, non-white prisoners began to voice their resentment of being supervised exclusively by white corrections officers.

B. OBJECTIVES

When you have completed this chapter, you should be able to:

1. describe the process of employment including recruitment, selection, and placement within a particular corrections agency, preferably your own.
2. describe a variety of subjective and objective tests and measures that are used to examine and norm the qualifications of applicants for positions within public agencies.
3. develop a general understanding of the limitations of empirical tests and measures in terms of both validity and reliability.
4. list the major steps mandated by affirmative action guidelines.
5. explain the rationale for the recent legal constraints that have been designed to restrict racial and sex discrimination and to promote affirmative action in public employment.

II. THE RECRUITING PROCESS

A. INTRODUCTION

Traditionally, most public agencies in the United States have employed the position classification system in the recruiting process. Under this system, a specific set of duties are assigned to each of the many positions which public employees are hired to fill. The position is classified according to its relationship with other positions in the same agency or with comparable positions in other agencies of government. The person who is hired to fill a position must be capable of performing the duties that have been assigned to the position. However, the employee may be and often is more qualified than is necessary to fill the position, in which case the extra qualifications are not compensated because they exceed the scope of the duties assigned to the position. Under a position classification system, the position may be "upgraded" to reflect additional duties that are assigned to the employee who fills the position. However, until a position is "upgraded," the employee who fills it is unlikely to advance in rank or salary except for small merit increases, longevity increments, or annual salary raises to compensate for inflation. The employee who outgrows a position has little choice other than to continue working at a level of skill that has become less than the employee's level of competence, or to become a candidate for a higher position and, if hired to fill the higher position, to vacate the lower one.

An example may help to explain what is meant by the position clarification system. In many corrections agencies, both correctional officers (guards) and corrections counselors are hired to fill respective positions, which in turn may be labeled "Correctional Officer," "Correctional Corporal," and "Correctional Sergeant," or "Correctional Lieutenant." A person is hired to fill each vacant position at each level. Therefore, one who has been employed as a "Correctional Officer," for instance, cannot advance to the position of "Correctional Corporal" until such a position becomes vacated and he qualifies for it. Since a position will not ordinarily become vacated unless the person who occupies it (known as its incumbent) advances to a higher position, resigns, retires, or is removed from office, a person who occupies any given position cannot predict with certainty how long he will have to

serve in this position. One might be hired at age 25 as a "Correctional Officer" without having had any prior experience in the field of corrections. After five years of service, this person may well qualify for a "Correctional Corporal" or "Assistant Supervisor" position or even for a higher position, but if no higher position is available the individual must elect either to remain as a "Correctional Officer" or to resign and seek employment elsewhere, most likely in another field. Similarly, while occupying a position as a "Correctional Officer," a person may become concerned about counseling inmates within a prison and decide that he would prefer counseling to security duties. As a "Correctional Officer," however, his primary duty is likely to be that of security. In order to undertake counseling as his primary function, this person would have to become a candidate for and be appointed to the position of "Corrections Counselor" or a higher level counseling position. He would have to await a vacancy in such a position and then compete with other candidates for appointment to fill it.

It is well known that many correctional officers engage in counseling activities in some prisons, just as counselors may be expected to perform security functions now and then. Because a person occupies one position does not mean that at the same time he or she may not become familiar with the duties and tasks required of persons holding other positions. It does mean, however, that a person who holds a given position must continue to discharge the responsibilities that have been assigned to that job for as long as he continues to hold it, even though his skills advance beyond those duties or his interests cause him to become bored with those tasks. In a position classification system, the position dictates what activities the employee must perform, and any tasks which are completed beyond the scope of this position must be done gratuitously, as a rule. It should be rather obvious that many highly skilled individuals become trapped within positions which they have outgrown, and consequently a good deal of highly skilled labor is wasted as incumbents become over-qualified for the limited positions which they continue to occupy.

B. STEP ONE IN THE RECRUITING PROCESS: PREPARATION OF A POSITION DESCRIPTION

Whenever any position in a public agency becomes vacant for any reason, whether the position is new or old, a description must be drafted, or reviewed, classified or ranked, and advertised before anyone may be hired to fill it. The preparation of a position description requires a certain amount of skill in itself, and indeed, some positions may require their incumbents to be familiar with how to draft position descriptions for jobs that become vacant anywhere within the agency.

Normally, a position description requires a caption or heading, such as "Correctional Officer or "Corrections Counselor." In addition, the description must contain general information about the position, including the duties and responsibilities of its incumbent and other significant facts. It must be graded to conform with similar positions, as a rule, and some person who holds a position of higher rank than the one which is vacant must be named as the one who will supervise the person who becomes the incumbent within the vacant position.

1. The Position Caption

Every position must have a label, and the label should serve to describe in two or three words the basic nature of the position, as well as the grade at which the person who will be hired to fill the position will be hired. The caption "Correctional Officer" indicates that the position is in the field of corrections and that it entails security responsibilities. The word "Officer" indicates that the person who will be hired is expected to fulfill very basic duties, and that extensive preparation or experience is not required for this position, since "Officer" connotes a very basic rank.

There are many captions that pertain to positions in public agencies. These range from "Clerk" and "Clerk Typist" to "Stenographer" and "Administrative Assistant" positions at several levels, to positions that involve specific management responsibilities such as "Deputy Superintendent for Treatment" and "Warden" or "Superintendent." In most corrections agencies, correctional officers are supervised by a uniformed chain of command, and within this chain of command superior officers hold

ranks similar to those held by military officers. Within the uniform chain of command, supervisory positions may begin with "Corporal," and rise through ranks of "Sergeant," "Lieutenant," and "Captain." Normally a captain reports to the deputy superintendent or assistant deputy superintendent for custody, although in some prisons one or more individuals may hold the rank of "Major" or "Colonel."

In corrections settings, a number of positions may exist at the professional level. These positions may be captioned "staff attorney," "staff psychologist," or "staff physician," and the person who supervises such professional personnel may hold a position that has been captioned "General Counsel" or "Medical Director." Treatment staff in a corrections agency are known ordinarily as counselors. Their positions may be captioned "Counselor" at various levels, but more senior counselors may hold positions that have been captioned "Social Worker" or "Treatment Specialist" or "Therapist," or "Counselor Supervisor."

Whenever a new position is created or an old position has work redistributed, a new position caption must be selected. Fairness as well as the maintenance of staff morale dictate that, to the fullest extent possible, positions that entail similar preparations, experience, duties, and responsibilities should bear captions and level designations that are compatible. Normally, therefore, the position which requires its incumbent to be the administrative assistant to the deputy superintendent for treatment should be compatible in caption and level with the position that requires its incumbent to be the administrative assistant to the deputy superintendent for custody. Of course, the position which requires its incumbent to be the administrative assistant to the superintendent could be expected to have a caption and level designation that both reflect a higher status. As an example, each deputy superintendent may be entitled to be assisted by an incumbent who holds a position such as "Administrative Assistant" while the superintendent may be entitled to be assisted by an incumbent who holds a position such as "Executive Administrative Assistant."

2. General Information About the Position

A position description must inform the public about the nature of the position. A position description is an official written statement about the current duties and responsibilities that have been delegated to that specific position, regardless of whether the position is empty or has been filled. Therefore, a position description does not take into account, ordinarily, the specific personal qualities of the person who will occupy the position when it becomes filled. From time to time, without doubt, position descriptions are written with a likely candidate for the position in mind. When this occurs, management exhibits dishonesty because people should be appointed in public agencies according to how well their own qualifications meet the needs of the job that is waiting to be done, rather than according to how well a given position may be tailored to the special interests of a single candidate for the position.

A position description should be the end-product of an internal evaluation by management and staff as to what tasks an agency needs to have performed which are not being discharged currently by incumbent personnel occupying existing positions. Before even attempting to draft a position description, management should agree upon the likely duties that need to be performed by the incumbent who will fill the position being created. In determining these duties, management should determine the projected work relationships that can be expected to evolve between the person who will occupy the contemplated position and those who occupy other positions and with whom this incumbent will be interacting. Once drafted, a position description becomes the written record of management's assignment of responsibilities for the fulfillment of specific work efforts. Moreover, a position description will be used as a supporting document to justify the payment of a salary to the person who will occupy the position.

A position description should be long enough to explain the work that management will expect of the incumbent who will occupy the position. Usually, a position description can be compressed into one or two pages, and both pages may be reproduced on the front and back sides of a single sheet of paper. As a rule, a position description should not exceed two single-spaced typewritten pages in length. This description should delineate exactly what activities the incumbent will be expected to engage

in on a typical work day, and preferably within each hour of such a day. Moreover, the description should specify particular skills that may be required or that may be recommended, such as the incumbent's ability to type at or above a certain speed, to take dictation or shorthand, to operate computer hardware or software, or to handle firearms competently. It should make potential candidates aware of any tests that will be required to be taken by candidates who apply to fill the position. The minimum and maximum salary levels at which the position will be filled should be recited within the description, in terms of civil service level and in terms of dollars to be paid weekly, monthly, or annually. Indirect benefits such as health and life insurance, retirement annuities, sick leave and paid vacation time should be summarized. Finally, many positions require the incumbent to serve a probationary period of between three and twelve months prior to being considered a permanent incumbent, and the applicable probationary period should be stated on the position description.

3. Format and Content of the Description

A typical position description is divided into four parts: it contains (a) a brief introduction, (b) a statement of major duties and responsibilities, (c) a summary of the supervision that an incumbent may expect to receive, and (d) a final section that will contain other significant facts such as special skills that may be required or recommended, salary levels and benefits that are available.

a. The Introduction. An introduction to a position description should be very succinct, and should not exceed two sentences. One sentence may be sufficient, and usually is. The introduction should be designed to characterize the principal function of the position's incumbent, and the agency location where the incumbent will work. As an example, the introduction to a position description might read: INCUMBENT SERVES AS ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF TREATMENT, STATE CORRECTIONAL FACILITY AT CAPITAL CITY.

b. Major Duties and Responsibilities. Major duties should be distinguished from ancillary or peripheral activities. Only the former need to be delineated in a position description. For instance, secretaries may be expected to plug-in the coffee pot when they arrive at work in the morning, and to unplug it when they leave in the afternoon. This is an example of a minor activity, because it is not as vital a duty as scheduling appointments, answering telephones, typing letters, or taking dictation in shorthand. It is important to remember that a position description should contain the major duties and responsibilities only of the incumbent, not of the agency unit as a whole. A description should not contain a synopsis of the agency's mandate, and it should not contain the duties or responsibilities of co-workers or even of the incumbent's immediate supervisor or direct subordinates.

Many people who prepare position descriptions have a tendency to avoid clearly defining the activities that will be expected of an incumbent. This results in the preparation of an inadequate description. Too often, descriptions recite only that the incumbent will "coordinate" his work with one or more other persons, "work closely with" still others, or "be available" to do any number of nebulous tasks. Instead, the description should state clearly that, for instance, an incumbent will be expected to sort and route mail, to operate a telephone switchboard that contains 25 different lines, or to conduct body searches of incoming and outgoing prisoners.

It is quite important that major duties of an incumbent not be overlooked in a position description. Some duties may be unpleasant, and in the long-run it will be preferable to turn-off candidates who dislike required duties before rather than after they become involved in the cumbersome and time-consuming recruitment and selection process. A required skill must be designated as being such on the position description, or else legally it may become impossible to compel the incumbent to utilize this skill. This remains true even if, as is frequently the case, a given skill will be utilized by an incumbent only for a minor proportion of the work-day or work-week. Correctional officers may be required to qualify in the handling and shooting of several types of weaponry, although they may be armed only when working a guard tower which in turn may be two days

a month. Secretaries may be required to take dictation in shorthand at the rate of 80 words per minute and to type at the rate of 60 words per minute, although in practice the person(s) from whom the secretaries must take and transcribe dictation may be out of the office four out of five days of the week.

Any specific activity which an incumbent may be expected to perform ritualistically for any length of time during any day or week should be mentioned in a position description. Thus, if the incumbent will be expected to drive an agency vehicle, even if only for an hour per day, this activity is relevant to the position description. How could a person who does not hold a valid motor vehicle operator's license fulfill the requirements of a position requiring operation of the agency's vehicle?

If a position requires the incumbent to serve as a supervisor over other employees, the description should estimate how many subordinates the incumbent will be expected to supervise. For instance, a description might recite that the incumbent who holds the rank of sergeant will supervise eight to ten correctional officers, or that a lieutenant will supervise four sergeants and forty correctional officers on each of three shifts requiring the lieutenant to remain on-call twenty-four hours per day. Supervisory positions should be described, also, in terms of the scope of the supervision that an incumbent will be expected to exercise over subordinates. Must the supervisor plan, assign, and review workplans of an administrative unit? What deadlines, if any, will the supervisor be expected to meet? Will the supervisor be responsible for budgetary or manpower planning or for the training of his staff? Will the supervisor be expected to resolve complaints or grievances at his level of authority, or to take disciplinary measures against his subordinates? These are a few of many questions which candidates for supervisory positions are likely to think about as they screen position descriptions while searching for employment. A position description should state the extent to which these and other major supervisory duties will be a significant part of the position, and if possible the description should indicate the percentage of the supervisor's time that should be devoted to each of these major functions. For instance, training may occupy 12 percent of a supervisor's time, while budgetary planning may occupy 25 percent of his work effort.

Some Federal agencies require the following statement to be included as part of all position descriptions for supervisory level positions, and it is recommended that state agencies follow this practice:

The incumbent must support the objectives of Equal Opportunity by demonstrating fairness in selection of employees, distribution of assignments, training and promotional opportunities, the encouragement and recognition of employee achievements, and all other areas of equal employment requiring a sensitivity to the special needs of minority groups and women.

c. Supervision and Guidance. A position description should state without reservation the extent of the supervision and guidance that an incumbent will be likely to receive from higher-level sources including his immediate supervisor. The incumbent's immediate supervisor should be identified, at least by title, in the description. Therefore, in the case of the administrative assistant to the Director of Treatment, a statement should be made in the description to the effect that the incumbent who holds this position will report to the Director of Treatment, State Correctional Facility at Capital City. The extent to which a position will require its incumbent to initiate action of any kind without first receiving specific instructions to do so should be noted in this section of a position description, and such action should be described sufficiently to indicate to a potential candidate the kinds of activities which he will be expected to perform while serving as his own boss.

Guidance other than in the form of supervisory counseling may be available to an incumbent, and, if it is, its availability should be mentioned in a position description. For instance, an incumbent may be expected to become familiar with manuals, agency procedures, or operational precedents either before or immediately after assuming a position. These expectations should be recited within this section of the position description, the sources of guidance should be footnoted.

d. Other Significant Facts. This section of a position description should contain the essential information about salary and benefits which the incumbent will receive, in dollar amounts as well as in terms of level or

grade of employment. In addition, this section should indicate specifically the minimum level of education required, such as that all candidates must hold a high school graduation diploma or its equivalent. If additional formal education is required or recommended, a statement should be made concerning how much more education a candidate should possess, and the field(s) of concentration if these are important to the position. Thus, a statement might be made that two years of college are preferred, and that a concentration or major in a behavioral or a social science would be helpful. For some professional positions, a state license is required, or at least a candidate must be qualified for licensing following appointment to hold the position. Thus, a position for a staff attorney may require that the incumbent hold a law degree and have been admitted to the Bar of the state. A position for a social worker may require that the incumbent hold a master of social work degree and be certified.

A minimum length of work experience is required of candidates for some positions, especially for positions that will entail supervisory responsibility. If a minimum number of work years will be required of an incumbent, that minimum should be recited within this section of the position description. For instance, the statement might be made that the position requires a minimum of five years work experience in a related field, or even a minimum of five years experience as a supervisor.

Some sensitive positions require that candidates submit to various forms of testing including a physical examination and psychological or personality tests. Also, a background investigation may be required to determine the character of candidates. When this information is to be gathered, candidates for a position should be warned in this section of a position description. Finally, some positions may be deemed to be unusually hazardous to the incumbent's health, and some positions may require an extraordinary amount of physical effort from an incumbent. When such is the case, a warning of the situation should appear in this section of the position description. It may be helpful to candidates, also, for this section of the description to indicate whether an incumbent will be expected to work special shifts such as evenings or nights, or whether "swing" shifts will be required so that the incumbent will have to work days during some weeks and nights during others.

On the following page is a sample position description which shows how all the elements described above may be interwoven.

C. STEP TWO IN THE RECRUITING PROCESS: CERTIFICATION OF THE POSITION DESCRIPTION

Every position description must be certified by an official of the respective agency which has created the position. The purpose of the certification is to identify the individual who bears primary responsibility for the accuracy of the position description. An example of a certification is as follows:

I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of the law.

Signature of Immediate
Supervisor

Date

In many public agencies, not only must the incumbent's immediate supervisor certify the position description, but additional certifications are required of higher authorities, also. Generally, the individual who bears responsibility for the overall operations of the agency, or his delegatee, must certify each position description that emanates from the agency. In some agencies, all appropriate signatures have to appear on a single form, but in most agencies one signature (by the immediate supervisor) on the position description itself is sufficient, and additional certifications may be obtained by higher officials on a separate form.

D. STEP THREE IN THE RECRUITING PROCESS: ADVERTISING THE POSITION VACANCY

Once a position has been created and a position description has been drafted and approved by authorities at all applicable levels, the position vacancy must be announced to the population of likely candidates

NOTICE OF POSITION VACANCY

Title of
Position: Corrections Officer Corporal

Location
of Duty: State Correctional Facility, Capital City

Salary
range: \$10,000-\$13,500 per annum

Benefits: Blue Cross and Retirement paid for by State

Background/
Education: High school diploma or its equivalent is required, as is at least two years service as a correctional officer at a civilian or military correctional institution.

Description: This is a supervisory position that will entail line management responsibility for ten to fifteen correctional officers and support responsibility for the maintenance of security of a prison housing 1,500 to 2,000 residents.

The incumbent will supervise a platoon of correctional officers on a given shift (60%), reporting to the Sergeant of the Guard directly and, indirectly, to senior correctional officers. (Shifts are selected by personnel within each rank on the basis of seniority). The incumbent will be expected to possess the ability to schedule shift and duty assignments of each correctional officer whom he supervises (10%); to draft and maintain reports related to institutional security and to both staff and inmate behavior and performance (15%); to enforce institutional rules pertaining to the mobility of residents within the Facility and to communication by residents with outsiders (by mail, telephone, and personal visit) (10%); to oversee the Facility's main or branch gates or entry to or exit from cellblocks and work areas (5%).

The incumbent will be supervised by a Sergeant or a Lieutenant at all times. The incumbent's performance will be reviewed by his supervisors and evaluated by the Deputy Superintendent.

Shifts are ten hours in length, and employees at this Facility work six consecutive days after which they draw four days of leave.

Candidates for this position cannot have any record of criminal arrests, convictions, or imprisonment; and cannot have any physical or emotional handicaps that would impede the discharge of the foregoing responsibilities. All candidates must consent to a thorough background investigation, and must undergo physical and psychological examinations by licensed practitioners. Candidates must be over 21 years old.

Because of the nature of the duties, this position will be filled by a male.

THIS FACILITY IS AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER, and does not discriminate on the basis of race, color, creed, or national origin. Minorities are especially encouraged to apply.

Applications are available from any branch of the State Personnel Department, or by mail from the following office:

Director of Personnel
State Corrections Department
Capital City
555-1212

who may want to apply for appointment to the position. Today, position vacancies in public agencies should be advertised extensively and outside of the agency itself in order to apprise the general public that a position is available for which qualified candidates may apply. Agencies also should publicize the existence of vacant positions within the agency as a courtesy to agency employees who may desire to change positions.

Care must be taken by an agency when advertising a position vacancy. The position cannot be misrepresented in fact, and it should not even appear to be misleading. Agencies have to resist the temptation to restrict notification of a position vacancy to a limited audience in order to minimize the number of qualified candidates who will apply who are "cronies." Normally, the larger the number of applicants, the higher qualified will be the successful candidate for a position. As a general rule, an agency should cause notification of a position vacancy to be published in several different ways for a reasonable period of time. Some state laws dictate what minimum length of time is reasonable, but surely at least one week and perhaps two to four weeks are warranted. Notification of vacant positions may be made by photocopying the position description and posting copies on agency bulletin boards as well as on bulletin boards of sister agencies and of unemployment bureaus. In addition, a synopsis of position descriptions may be itemized within lists that contain all agency vacancies at a given time and that are updated daily or weekly and then circulated with the agency, within sister agencies, and within unemployment bureaus. Of course, advertisements about a vacant position may be placed in newspapers and magazines or even on radio or television. Multiple forms of advertising are expected to occur before any position in a public agency becomes filled.

Concern about recruitment of minority and female citizens has led to the enactment of various Federal and state laws on affirmative action. Public agencies are compelled by law to be affirmative action employers, and as such special advertising requirements must be met before vacant positions may be filled. Position descriptions must be disseminated to minority and female individuals who have expressed a prior interest in being employed by a given public agency. Moreover, advertisements must be placed in newspapers and magazines that are known to be read by significant numbers of minority and female citizens.

Generally, advertising must continue and a position in a public agency may not be filled until either a sufficient number of minority and female candidates have applied for the position or the agency can show that no minority or female citizens are qualified or likely to apply for the position vacancy. Ordinarily, an agency should try to attract at least three minority or female candidates for a position, and if it cannot do so the burden rests with the agency to document the extent and type of its advertising and to explain the reason(s) why such citizens have not expressed any interest in such a position.

E. STEP FOUR IN THE RECRUITING PROCESS: REVIEWING THE POSITION

Once a new position has been created, it should be reviewed after the elapse of a short trial period. Many agencies review positions after the expiration of 90-180 days from the time of creation. For obvious reasons, an agency should complete the process of reviewing a position during the probationary period of the incumbent. The process of reviewing a position is separate from but interfaces with the companion process of reviewing the initial performance of the position's incumbent. The objective of a position review is to determine whether various duties, responsibilities and tasks that have been assigned to a position are compatible. Is there enough time in the work day for all of these work efforts to be completed? Do any of the activities which have been made a part of a new position interfere with similar activities assigned to other positions? Can legal objections be raised to changing the position's grade?

When review of a position leads to the conclusion that a change in the scope of activities is warranted, then such a change can be implemented far easier earlier rather than later. It must be mentioned that review of a position may uncover the need to make a change in the position's incumbent. Such a change may have to be made, if at all, during the incumbent's probationary period, which terminates generally at the end of the first 90 days following employment. However, review of a position may uncover changes that should be made in the demands of the position which will not reflect unfavorably upon the incumbent at all. The incumbent may even be the one who suggests the changes, since

he is in the best position to know whether the duties and responsibilities of his position are appropriate. Review of a position may illuminate inadequacies in both the position description and in the abilities of the incumbent. Management must take care to distinguish deficiencies of one type from the other, and should be prepared to remedy deficiencies in a position prior to deciding to replace the incumbent, because one reason why an incumbent may be performing poorly could be that the position demands are ambiguous or unreasonable.

F. AFFIRMATIVE ACTION CONSIDERATIONS IN RECRUITING

The most important affirmative action consideration that pertains directly to the recruiting process is the requirement that, to comply with affirmative action guidelines, a position advertisement must be placed in a number of journals (including but not limited to newspapers) which have a suitably large minority or female readership. Some of these journals or newspapers may be oriented toward black or Spanish-speaking Americans, while others may be oriented toward women generally.

In addition, to comply fully with the affirmative action mandate, a position description should contain on it in a conspicuous place mention of the fact that the employer is an equal employment opportunity employer. To be more specific and to avoid the possibility that some minority candidates may not be familiar with the meaning of the words "equal employment opportunity," a position description might contain the following sentence: "Minority and female candidates are especially encouraged to apply."

Following advertising of a position, and throughout the remainder of the recruitment as well as the selection process, minority and female candidates who apply for a position vacancy should be treated differently from white male candidates. Although the wisdom and value of this aspect of affirmative action may be doubtful to the individual who is recruiting on behalf of a public agency, nevertheless it is the law, and so long as it continues to be the law it must be obeyed. Applications may contain space for an individual to check special minority or female status, usually at the candidate's option. Some public employers attach a separate page to an employment application on which minority or female

us may be indicated in cases when it is felt to be inappropriate to do this on the application form itself. Some larger institutions, or a statewide Department of Corrections, may have a distinct affirmative action office, and a separate "minority status sheet" is either mailed or taken directly to that office. The application contains no indication on this issue.

Many public agencies have decided to involve minority and female employees in the affirmative action process, particularly during the recruitment stage. By sending minority and female employees out into the field to interview individual minority or female candidates, for example, or to lecture to groups in the midst of which potential minority or female candidates may be found, an agency may enhance its image as an affirmative action employer. Similarly, an agency may employ minority or female personnel to manage or to operationalize its affirmative action plan at the recruitment or even at the selection stage, in order to avoid even the implication that it is not complying with the affirmative action mandate. There is another reason for this, also. White male employees may find the affirmative action mandate frustrating and unjustifiable, and, while they may not subvert its mission deliberately, it may be so distasteful to them that they will be unable successfully to recruit minority or female candidates in the disproportionately large numbers that an agency may desire or that may be imposed upon an agency by court order if the agency has not complied fully on its own initiative with an affirmative action mandate.

Study Questions

1. Why have public agencies adopted "affirmative action" mandates?

5. What information should be included on a position description for a supervisory position?

Answers to Study Questions

1. Pursuant to Federal and state court decisions, public agencies, which in the past have been guilty of discriminating against minority and female candidates for employment, are required to give preference to such candidates now and in the future until the agency is staffed by minority and female candidates at all levels in proportion to the demographic distribution of these candidates in the community. Thus, if half of the community is female and ten percent is black, an agency must follow an affirmative action hiring plan until half of its employees are female and at least ten percent are black.
2. People have become prison guards, traditionally, to follow in the footsteps of relatives who have served as prison guards because they are born and raised within a community in which the prison was the major or even the sole employer.
3. Under a "position classification system," ordinarily, a person cannot be promoted in rank until such time as a given position (at a higher rank from his own) becomes vacated by death, retirement, or other termination of its "incumbent," not withstanding his abilities.
4. A "position description" should be sufficiently detailed to delineate precisely what qualifications a successful candidate must possess, what tasks management will expect the successful candidate to perform, and what mechanisms such as tests, interviews, etc., will be used to evaluate each candidate's qualifications for the position. In addition, the description should include some notation of benefits and salary ranges that will be offered to the successful candidate.

5. A supervisory position description should include all information pertinent to any position description. It should also note any specific supervisory or administrative experience which the successful candidate will be expected to possess. If personalities of the candidate will be of crucial importance in measuring his projected effectiveness as a supervisor this should be stated on the supervisory position description as well.

III. SELECTION PROCESS

A variety of tests and measures may be used during the employment selection process, and many of these may be repeated throughout an employee's career as he becomes a candidate for a promotion in rank or a change of assignment. Tests and measures provide normative and objective documentation that can be used to assist management in determining who may be the best qualified among numerous candidates for employment. Information that is generated by tests and measures is normative because it reflects the abilities of an individual in relation to similar abilities of other people from the same geographic region who have taken the same test or are measured the same way. This information attempts to be objective because the scores themselves are empirical and do not vary according to whether the person who administers the test likes the candidates who are tested or measured. In this way, clearly, tests and measures are much different from oral interviews which are subjective rather than objective and which may be expected to be biased according to the prejudices of the interviewer.

Psychologists and other behavioral scientists use the words "tests" and "measures" frequently, and sometimes the meanings of these words overlap. Usually, although not always, a test consists of a set of questions which the person being tested is asked to answer, or a set of tasks which the person being tested is asked to perform. The end-product of a test is a score. A test may be defined as being "a standardized situation designed to elicit a sample of an individual's behavior."¹

¹Tyler, L. Tests and Measurements. Englewood Cliffs, 1971, Prentice Hall, p. 24.

When the behavior that has been sampled is expressed as a numerical score, this process may be called measuring. Measurement may be defined as being "the assignment of numerals to things according to rules."² Thus, not all measures pertain to the assessment of the characteristics of individuals. Some measures are designed to determine characteristics of our environment generally. For example, it might be desirable to measure the average length of time that elapses between the moment when a position description is published and the time when at least five seemingly qualified candidates have applied for the position. In this context, we are not measuring characteristics of any particular person, and ordinarily such a measurement would not be considered a test.

Whenever any kind of measurement but particularly whenever any kind of test is being considered for use, two questions must be raised. Is the test or measure valid? Is it reliable? Too often, tests are administered and relied upon without sufficient reflection upon the significance, if any, of the scores. A test or a measurement is useful only to the extent that it is believed to be both valid and reliable. Otherwise, very harmful, and reliance upon it may be misplaced.

Reliability is much easier to define and to understand than is validity. To be reliable, a test or measure must be capable of accomplishing consistently whatever it is intended to accomplish. As an example, if 50 persons are asked to take an intelligence quotient (IQ) test today and the same test again next year (or at any other time after enough time has elapsed so that testees have forgotten the answers to the earlier test), the results of the two tests should be the same or very similar for each person, with only minor variations. If a test shows a person to have an IQ of 100 today but an IQ of 85 next year, then the test would be unreliable unless the differential scores could be explained by factors unrelated to the test, such as the subject's loss of the mental reasoning ability on account of trauma or injury to the brain.

A test or measure is considered to be valid if it can be shown to actually measure what it is intended to measure. An aptitude test,

²Ibid, p. 26.

for example, that is designed to predict in advance how well a candidate will do scholastically in college is valid only to the extent that most people whom the test predicts as being poor scholars actually receive poor grades in college and most people whom it predicts as being good scholars actually receive good grades in college. In recent years, many aptitude tests and some achievement tests (tests that are taken following a course of study rather than before, to measure retention of knowledge) have been criticized for being "culturally biased." A test that is culturally biased may be invalid as a measure because its scores do not reflect actual aptitude or achievement but only the ability to do well on the test itself. There is some evidence that tends to show that persons who have been raised in affluent homes perform better than socially and economically disadvantaged persons, not because they are more intelligent but because their greater familiarity with social skills enables them to take tests more easily and rapidly. An individual must know the rules of the game in order to win while playing it, in other words.

Extensive preparation for a test or for a set of tests may tend to invalidate the scores, as is likely also to be the case when an individual repeats the same test several times. By repeating the same test a number of times, one may memorize the answers, or one may at least memorize the questions and research the answers. By preparing extensively for a test, one may become so familiar with answers to likely questions that these anticipated answers can be used to satisfy the inquiries made on the test itself.

The validity of some tests may be questionable in other ways also. A test is only significant to the extent that its scores will distinguish the test takers from each other in ways that are meaningful to the purpose of the test. Thus, if the intended purpose of the test is to separate people who can type rapidly from those who can only type slowly, measuring an individual's aptitude for singing would be meaningless. For a potential employer to restrict the hiring of secretaries to only those candidates who can sing well according to a test, hoping that good singers will make good stenographers, would be an example of misplaced reliance upon a test. Similarly, for a corrections agency to restrict the hiring of prison guards

o individuals who have qualified as expert marksmen on M-16 rifles would be ludicrous, because the immense firepower and long range of these weapons preclude their effective use within the confined space of a prison, and there is no correlation between one's marksmanship and effectiveness as a prison guard. Even though testing and measuring contain many pitfalls, they can be valuable tools for use in screening candidates for employment.

A. TYPES OF TESTS AND MEASURES

Many different tests and even more varieties of measurements are used to screen candidates for employment, but only a few of these can be discussed in this chapter. Psychological tests include intelligence testing, personality assessment, and measures of aptitude and achievement. Measures of physical capacity include height and weight requirements, tests of vision and hearing, tests of physical agility and strength, as well as the complete physical examination. Measures of character and experience include the background investigation, the candidate's educational level, and the candidate's employment history. These tests and measures will be explained briefly so that the correctional manager can gain some understanding of their developmental history, structure, and purposes.

1. Psychological Tests

a. Intelligence Testing. Early in the Twentieth Century, two French psychologists developed the first reliable test for measuring intelligence in children. Alfred Binet and Theophile Simon published their first Binet-Simon intelligence scale in 1905. Their early definition of intelligence as measured by their original scale was:

the tendency to take and maintain a definite direction; the capacity to make adaptations for the purpose of attaining a desired end; and the power of auto-criticism.

The "Stanford-Binet" test was revised by Terman and Maud Merrill in 1937, and by Merrill again in 1970. The Stanford-Binet test was designed to produce an intelligence quotient ("IQ") that could be calculated by dividing a child's mental age ("MA") by his chronological age ("CA"), and then multiplying the quotient by 100 to eliminate the decimal point.

Binet tests measure intellectual maturity of an individual as well as rate of intellectual growth up to the point of testing. Thus, a child whose chronological age is 10 but whose mental age is 11 would have an IQ of 110 ($11/10 \times 100$). Since the 1960 revision, however, the Stanford-Binet test has not been computed by dividing chronological age into mental age. Instead, the examiner compares each child's test score with a table of scores which indicates the extent to which the given child's score differs from the mean (average) score obtained by a representative group of children in his own age bracket. The new "IQ" scores indicate merely how many "standard deviations" a child is above or below average for his age. A "standard deviation" is a statistical term that signifies the proportion of the population that would be expected to score at different intervals above or below the mean or average score. Slightly over two-thirds of any population will always be within one standard deviation of the mean (above or below), 95 percent will be within 1.96 standard deviations, and 99 percent will be included within 2.58 standard deviations from the mean. Thus, if the standard deviation on an intelligence test is 15 points, then two-thirds of any population taking the test would be expected to score within 15 points of the mean, above or below.

One inadequacy in the concept of the intelligence quotient ("IQ") is that it is not an appropriate way to measure the intelligence of adults. Just as physical growth slows down and becomes more erratic in adults compared with children, mental growth does also. The 30 year old cannot be expected to have a mental age that is necessarily advanced over that of the 25 year old, for example. Therefore, in 1939, David Wechsler published a set of intelligence tests which measured variations in intelligence on the basis of standard deviations from the mean scores of a group of adults who had taken the test. The 1955 Wechsler Adult Intelligence Scale (WAIS) was designed to measure the intelligence of adults over the age of 16 years. On the Wechsler tests, answers to questions are grouped into sets, and in turn sets are grouped into two classes of scores, labeled verbal and performance. Verbal scores are derived from information, comprehension, digit span, similarities, arithmetic, and vocabulary tests. Performance scores are derived from picture arrangement, picture completion, block design, object assembly, and digit symbol tests. The standard deviation from the mean score on the WAIS is 15 points, therefore, two-thirds of any adult population would be expected to score within 15 points above or below the the mean for a given test.

Intelligence tests measure the ability of individuals to use and interpret symbols. As the mental growth of an individual proceeds to maturity, the person becomes more highly skilled in using and in interpreting certain types of symbols. Intelligence tests do not effectively measure creativity, however, which is a major shortcoming. Similarly, some individuals may score relatively low on an intelligence test not only because of impaired mental growth, but because they have not mastered elementary reading or basic mathematical techniques. It is also critical to remember that an intelligence test measures mental growth only up to the point at which the test is taken, but that no intelligence test is capable of predicting future mental growth reliably.

A candidate's score on an intelligence test may not be important if the candidate has applied for a position that demands few or no thinking skills. This would be true, for instance, in positions that require only manual labor. Indeed, recent research has revealed that people who performed very poorly on intelligence tests performed trivial tasks quite well (as well or even better than people with higher test scores) once they were programmed to do the specified tasks. One reason for this may be that these individuals may have more patience for working at seemingly unrewarding tasks because they have fewer career goals or fewer collateral interests in life.

One's score on an intelligence test may be important when a person is a candidate for a position that will demand the incumbent to be extremely adaptive to work situations that may be expected to change constantly and erratically. The supervisor who will have to operate an administrative unit within a limited budget and who, consequently, will have to "stretch" that budget by cutting one kind of expenditure to compensate for excessive costs that have already been incurred in another area will have to possess the ability to "see the forest through the trees." Such an ability is measured rather accurately by intelligence tests that measure an individual's ability to manipulate symbols.

b. Personality Assessment. Personality affects how people think, feel, and react to circumstances that will arise during the course of their lives. An individual's personality may be of importance to prospective employers because personality may affect the ways in which a person will

react to situations that may be expected to arise on the job, including stressful situations. Some people are more tolerant of others and maintain self-control in the face of adversity more so than do others. Moreover, some individuals are more sociable than others, some crave socioeconomic status and some enjoy exercising power over other people, while others prefer to be led.

One difficulty that is inherent in measuring someone else's personality is the fact that anyone's judgment about another person's personality may be clouded by his own personality. This limitation is a constraint on personality assessment, but it can be coped with as long as the limitation is recognized. Personality inventories are referred to as being assessments rather than as being tests of measures because of the likelihood that conclusions drawn during the course of the evaluation may be influenced by the evaluator. Hence, one psychologist may assess a given client's personality in a somewhat different vein from the way another psychologist might do the same thing. Neither would be right or wrong, necessarily, but one might be more inclined than the other to emphasize selected personality traits as being strong or weak.

Unlike intelligence tests which, of course, have answers that are either right or wrong as a rule, personality inventories are derived from asking the person whose personality is to be assessed to answer questions about himself. Naturally, in fact he will answer the questions according to how he perceives himself, if he answers honestly. A person may perceive himself differently from the way in which many others perceive him. There is a temptation for some people to fabricate responses during a personality assessment, either intentionally or subconsciously. For instance, a person who has few acquaintances may indicate that he has many close friends, or a person who is fearful of danger may select answers which he knows are expected of one who is brave. For these reasons many different questions have to be asked in order to assess even one personality trait of an individual, and a number of different traits must be inventoried in order for a full assessment to be made of anyone's overall personality.

A number of personality inventories have been constructed over the years, and many of these continue to remain popular while new ones continue

to be devised. An example of a popular inventory is the Minnesota Multi-phasic Personality Inventory (MMPI). Originally, the MMPI consisted of nine scales through which different kinds of psychiatric disorders could be identified. Many additional scales have been added, designed to assess nonpsychiatric variables such as social introversion. The Edwards Personal Preference Schedule assesses 15 kinds of personality needs, such as need for affiliation and need for order. The Strong Vocational Interest Blank (SVIB), developed by E.K. Strong, assesses occupational motivation by vocational interests expressed by people whose personalities remain un-inventoried with vocational interests expressed by other persons whose personalities have been inventoried and who have demonstrated either occupational success or failure. The California Psychological Inventory (CPI), developed by Harrison G. Gough, began by inventorying items that became known as "folk concepts," and that included ideas about personality which ordinary people use in their daily lives as they judge other people and attempt to forecast what others are likely to do in response to different stimuli.

As a rule, personality inventories that have been derived from the Strong Vocational Interest Blank (SVIB) make use of 54 occupational scales and 22 basic interest scales for men, or 58 occupational scales and 19 basic interest scales for women. Occupational scales predict success at different lines of work based on expressed interests some of which bear no relationship to employment and include amusement, hobbies, and preferred reading material. Basic interest scales unravel what activities an individual is happiest at, such as adventure, public speaking, or scientific experimentation. Several other supplementary scales are also used routinely to measure variables such as academic motivation.

The California Psychological Inventory (CPI) may be scored for as many as 18 different personality traits, including:

I. Measures of Poise, Ascendancy, Self-Assurance, and Interpersonal Adequacy

1. Do Dominance
2. Cs Capacity for Status
3. Sy Sociability
4. Sp Social Presence
5. Sa Self-acceptance
6. Wb Sense of Well-being

II. Measures of Socialization, Maturity, Responsibility, and Intrapersonal Structuring of Values

- 7. Re Responsibility
- 8. So Socialization
- 9. Sc Self-control
- 10. To Tolerance
- 11. Gi Good impression
- 12. Cm Communnality

III. Measures of Achievement, Potential and Intellectual Efficiency

- 13. Ac Achievement via conformance
- 14. Ai Achievement via independence
- 15. Ie Intellectual efficiency

IV. Measures of Intellectual and Interest Modes

- 16. Py Psychological-mindedness
- 17. Fx Flexibility
- 18. Fe Femininity

Different personality inventories may be assembled using different projective techniques. For instance, questions may be asked verbally, or written questions may be posed. Instead, however, more ambiguous stimuli may be used. Common examples of this technique include the use of inkblots and pictures of human activities. Pictures may be displayed on cards or on slides. The individual whose personality is being assessed will be asked to project from a picture which is being displayed his own ideas about life and emotional attitudes.

A popular projective test that uses inkblots is known as the Rorschach test, designed in 1921 by Hermann Rorschach, a Swiss psychiatrist. Ten inkblots are used, some of which are black or white and some of which are in other colors. Scores are based on separate analyses of each response to each inkblot in terms of both structure (style of response) and content. For instance, the number of different responses offered by an individual following projection of an inkblot stimulus may indicate the depth of his reaction. Whether the person reacts to the inkblot as a whole or only to a part of it may indicate his preoccupation with color, form, or shading. Content analysis will reveal the extent to which a person associates each different inkblot with human or animal figures, anatomical diagrams, maps, clouds, or other objects. The originality of responses may also be of interest to the examiner who is assessing personality.

An equally popular projective test that uses cards instead of inkblots is the Thematic Apperception Test (TAT). On the cards are the images of people who are engaged in undefined situations, and the individual whose personality is being assessed is asked to create a story for each picture, including his own account of events that lead to the situation portrayed in each picture, the thoughts and feelings of each character, and his anticipation of what will be the outcome of each event that is portrayed. In so doing, the person will reveal traits of his own personality. Trends will be observed as they recur while the client explains successive pictures to the examiner.

The ultimate significance of any personality inventory lies in the use to which it is put in each individual case. What inferences may be drawn from a given individual's personality inventory? Sometimes, a personality inventory may reveal that one person cannot abide confinement within a limited space, or that another person who experiences claustrophobia (fear of confined space) would be unlikely to enjoy working inside of a prison, just as a person who is paranoid (unreasonably afraid) of being touched by other people would be unlikely to enjoy working with criminal offenders who have been convicted of assaulting other people. When used to predict compatibility between candidate and position of employment, personality assessment techniques can be of immense value. The value begins to come into doubt, however, when personality assessment is used to predict success or failure, either in life generally or at a particular occupation or profession. The art of psychology has not been refined sufficiently to enable any examiner to predict with sufficient confidence that, among people of equal intelligence and similar backgrounds, one will succeed and the other will fail. There is too wide a margin for error. When a person's testing ability is used to limit his career opportunities to the degree that he might not succeed in the calling of his choice, the process of psychological testing is abused. In the correctional setting, as elsewhere in the domain of public employment, candidates for employment who are qualified to begin to work at a certain job should not be precluded from doing so merely because some candidates may acquire additional qualifications more predictable or more rapidly than may others.

c. Measures of Aptitude and Achievement. Different people possess different special abilities. While one person may excel in science, another does so in music and still a third becomes an excellent mechanic. The reasons vary why some people succeed at vocations or even at avocations at which others fail. Intelligence and personality explain partially but not completely why individuals do not all succeed in performing the same activities. In addition, some people seem to be motivated more than others are to acquire special skills and knowledge, and in part their motivation seems to stem from a basic interest in one variety of subject matter over another. The interface of interest and motivation which may result in the emergence of special ability has become known as aptitude.

Since most people wish to be successful at something in life, the tendency exists for individuals to turn to the crystal ball once again in an effort to predict in advance the likelihood of success at any given endeavor. The implication that surrounds aptitude testing is that the road to success may be easier for a person who embarks upon a career doing what he possesses the "aptitude" to do compared with doing anything else. The difficulty is, of course, that aptitude cannot be predicted with certainty in advance of the time when any given individual proves predilection for a certain activity by becoming successful at doing it.

In the early 1940s, the United States Employment Service devised the General Aptitude Test Battery (GATB) as a test that could measure reliably the minimum aptitude or predilection for specific jobs which individuals would have to possess in order to have much chance of success at those particular jobs. The GATB measures nine different types of aptitudes, as follow: G (general intelligence), V (verbal ability), N (numerical ability), S (spacial ability), P (form perception), Q (clerical perception), K (motor coordination), F (finger dexterity), and M (manual dexterity). The test lasts for 2½ hours and minimum scores in each of the nine aptitudinal areas may be interfaced to form 36 different Occupational Ability Patterns. Based on GATB scores, therefore, a person can become aware of a number of career fields for which he seems to possess the minimum aptitude, as well as some fields which he might do well to avoid. The GATB and other aptitude tests are not entirely reliable, and may be biased against individuals whose backgrounds have been atypical of the average person taking the test.

It is difficult, if not impossible, to separate aptitude from achievement. The reason why one person may display an "aptitude" for a certain kind of activity may be that this individual has amassed a greater amount of experience engaging in that activity than have other persons who display less of an "aptitude." Most people prefer to continue performing activities at which they succeed but to stop performing those at which they feel they tend to fail. Thus, an early failure at a given activity may cause a person to dislike that activity, just as an early success may inspire further desire to pursue the activity. The more about a specific endeavor that a given person knows at any point in time compared with other people who know less about the same endeavor, the stronger this individual's "aptitude" may appear to be for that endeavor.

For this reason, several combination aptitude-achievement test batteries have been constructed. The Differential Aptitude Test (DAT) has become popular for use in high schools. The DAT is composed of eight separate tests which measure: (1) verbal reasoning, (2) numerical ability, (3) abstract reasoning, (4) space reasoning, (5) mechanical reasoning, (6) clerical speed and accuracy, (7) spelling, and (8) sentences. Clearly, some of these abilities are influenced more by a student's scholastic achievements than by his interests or preferences. Regardless of whether a person possesses an innate ability to spell, for instance, one's spelling score on the DAT is unlikely to be very high unless the person has enjoyed an opportunity to observe and memorize how common words are spelled.

Civil Service examinations that are administered by the United States Government and by many states contain a combination of intelligence, aptitude and achievement testing. The tests that are conducted for special purposes, such as for police or for correctional officers, are likely to contain questions that relate at least partially to the respective line of work. Thus, questions for police may focus on street settings, and questions for correctional officers may focus on a prison setting. Basic examinations test intelligence and aptitude more than achievement, although some grammar, spelling, and mathematics questions may also appear. Examinations for supervisory positions will contain more detailed achievement questions, and even some technical questions that pertain to principles of command, finance, law, personnel management, or other areas in which a supervisor at the respective level of competence should be proficient.

Civil Service examinations are scored according to what is known as a "curve." In other words, each examination will be scaled in relation to the mean (average) performance by all persons who have taken the same test. Then, the score will be calibrated on a scale of 0-100, out of which a score of 70 or above will be passing. However, whether or not a candidate has "passed" the Civil Service examination may be meaningless, because his score will be ranked with those of other candidates. It will be more important whether, among a group of ten applicants for a vacant position, a given candidate ranks among the top three candidates who took the test, and the successful candidate for the second available position had to be chosen from among the next group of three candidates. Unfair, perhaps, was the practice of excluding the second and third "runners-up" in the first group, for instance, from consideration for a second or subsequent position vacancy.

2. Measures of Physical Capacity

While some positions require an incumbent to be in top physical shape in order to be prepared to react to emergency situations, this should be viewed as being the exception rather than the rule. Most positions require an incumbent to be able to discharge only a very limited number of duties that require any measurable amount of physical exertion. It must be remembered that it is unfair to require candidates for any position to pass rigorous standards of physical endurance if, upon being hired, they will be permitted to allow their physical shape to dissipate.

There are many different measures of physical capacity, some of which are reasonable for many occupations, but many of which are unreasonably handicapped in ways that will be incidental to the principal demands of the occupation. Measures of physical capacity vary widely in usage, but the more popular ones include (a) height and weight requirements, (b) tests of vision, (c) tests of hearing, (d) tests of physical agility, and (e) the complete physical examination.

a. Height and Weight Requirements. Many law enforcement positions, including those that involve the supervision of persons in custody as is the case with a prison guard, have height and/or weight requirements. A typical height requirement compels a candidate to be at least 5 feet 5

inches tall but no taller than 6 feet 6 inches tall may possess glandular dysfunctions which may be accompanied by personality disorders which, in turn, may make it difficult or impossible for an individual to interact well with other people. Similarly, there is some belief, perhaps less justified, that the very short candidate will encounter more difficulty than a person of average height in commanding respect among people whom he must supervise. Somewhat arbitrarily, most police departments have tried to maintain 5 feet 10 inches as the average height among their officers, and this average has poured-over into correctional services. There is a speculation among many law enforcement managers that the unusually tall or short individual may not be as coordinated as people who are of average height. A more likely reason for this hesitancy to hire short or tall persons is the fact that they are more difficult to uniform, and that they may have cause to complain about working conditions that make it difficult for them maneuver. (For example, many American prisons have passageways that are not very high. Thus exceptionally tall correctional officers may be inclined to have problems with the construction of our existing prisons.)

A candidate's weight should be proportional to his height, or a likelihood emerges that he will be uncoordinated, and this will be a deficiency for a correctional officer whose primary function is to maintain security by the use of force whenever necessary. Of course, candidates for positions that do not pertain to security matters, such as counseling, require much less physical coordination or even none at all. Nevertheless, most corrections agencies prefer to hire males who weigh at least 150 pounds, perhaps as a vestige from earlier times when nearly everyone who worked at a prison discharged some security function of one kind or another. Some agencies will permit male candidates to weigh as little as 130 pounds, and female candidates may be permitted to weigh 120 pounds or even less.

b. Tests of Vision. Vision standards vary among the different correctional agencies. As a rule, deficient vision must be corrected with eyeglasses. Some agencies require corrected vision to 20/20, but others require corrected vision only to 20/40. A few agencies require corrected vision to 20/20 in one eye but to only 20/40 in the other eye. A few correctional agencies compel candidates for initial employment to have

20/20 uncorrected vision in both eyes. This requirement seems to be unreasonable in an age when even professional athletes wear glasses or contact lenses, and when both glasses and contact lenses are available in materials that will not break or shatter from ordinary impact.

c. Test of Hearing. Most corrections agencies do not conduct specific tests for hearing. However, if evidence of a candidate's hearing impediment emerges during the interview process, the candidate may be rejected on that account. Instead of doing this, an agency should determine exactly how many decibels of sound a candidate for a particular position must hear, and then measure the candidate's ability to hear on an audiometer. Just as vision may be corrected, hearing may be corrected as a rule by means of the hearing aid.

d. Test of Physical Agility and Strength. A physical agility test is a set of valid and reliable exercises that are designed to determine whether an applicant can withstand the physical rigors of a position. Not every position in public service requires any significant physical effort, however, and few positions are likely to require some amount or some type of physical proficiency, and successful completion of training may also require agility.

A typical physical agility test consists of push-ups, pull-ups, timed-runs, and weight-lifts. It may consist, also, of timed or untimed distance runs and swims, low crawls, or parallel bar crossings as well as broad-jumps and rope climbs, among other exercises. The primary difficulty associated with physical agility tests is not in the exercises so much as in the number of exercises, which may be imposed arbitrarily. Is a candidate's ability to do 15 but not 20 push-ups in a row significant?

Most physical agility tests are graded on a "pass" or "fail" basis. However, some agencies require a candidate to "pass" each exercise separately in order to qualify for a position. It might be fairer to require a candidate only to "pass" some but not all of the exercises, or to compensate for deficiency on a few by exhibiting greater than normal proficiency on others. Similarly, some physical agility exercises may not be related at all to the work which a candidate for a certain position will be expected to perform. In a prison setting, for instance, an emer-

gency situation might well require a guard to lift himself into the air, and so the pull-up may be an exercise that validly measures his ability to protect himself and others in his custody. On the other hand, a prison staff member is less likely to be compelled to complete a distance run in the course of his work, since most prisons are erected on a small physical plot.

e. The Complete Physical Examination. A complete physical examination is divided, ordinarily, into two facets. First, the person who is being examined is asked to answer questions about his medical and treatment history. Secondly, a medical doctor will examine the person as to his current medical condition or need for treatment. Sometimes a variety of clinical tests may be conducted to facilitate or to support the physician's subjective evaluation of a person's condition. These tests range from x-rays and routine blood count tests to patch or sputum tests for tuberculosis and the Wassermann or other tests for syphilis.

It is of critical importance that a physical examination be conducted by a licensed physician. One vital purpose that is served by a physical examination of a candidate for an agency position is the protection of the agency against a future lawsuit that might be brought by the candidate following employment. An agency would be remiss to employ a person at labor that is too strenuous to be performed by this individual, and failure of the agency to determine the extent to which an employee may be assigned strenuous physical tasks to perform is likely to be viewed in court as being the negligence of the agency's management.

Most physicians prefer not to evaluate any patient's physical condition without benefit of a complete medical history supplied by the patient. Therefore, the medical history which a candidate for employment may be asked to submit may be complex and consist of several pages of written questions. The candidate may be asked to state whether he has ever suffered from specific varieties of common diseases such as measles, mumps, or whooping cough, and whether he has ever been treated for major physical injuries such as a hernia, a bone fracture, a head concussion, or a back sprain. Inquiry should be made as to whether the candidate has ever undergone a surgical procedure and whether the candidate is allergic to any substances, including drugs. Female candidates may be asked to recite a

brief synopsis of their reproductive histories, including the age of their menarche (onset of menstruation), the existence of symptoms such as painful menstruation, and the number of pregnancies, if any, which they have had. Male and female candidates may be asked to indicate whether they themselves or any member of their immediate families have suffered from any form of cancer or heart condition.

The complete physical examination will include, at a minimum, the physician's observation of the candidate's entire body without clothes to detect amputations, bullet or knife wounds, and evidence of skin diseases; the physician's listening to the candidate's heart and lungs to detect symptoms of heart murmur or of any shortness of breath; and the physician's probing of the candidate's abdomen to detect signs of a hernia. Moreover, the physician may check for bacterial infections or physical abnormalities. For this reason the physician may look into the candidate's mouth and throat. A probe of the candidate's ears and nose is common, and, in the case of a female candidate, an examination of the vagina.

The number and type of clinical tests that a physician may request will depend upon the results of the candidate's medical history narrative and of the physician's initial physical examination. A patch or a sputum test for Tuberculosis may be required if the candidate has noted that he was once exposed to this disease or that he once suffered from it. Similarly, a candidate who discloses that he has suffered from a venereal disease may be asked to have blood drawn from which a test for syphilis will be performed. In some states, people who prepare food or who work in kitchen areas or in infirmaries within institution are required to be tested regularly for syphilis, tuberculosis, and other communicable diseases.

3. Measures of Character and Experience

Most public agencies in the corrections field as elsewhere are prepared to employ only persons whose character is above reproach in most ways. For this reason, some investigation of a candidate's character is likely to occur prior to his employment to any except the lowest of positions. Similarly, while entry-level positions may require only a minimum amount of education and virtually no relevant experience, higher-level ones require

as a rule that the incumbent possess some familiarity with the tasks which he will be expected to perform on the job, and his previous work experience may be accepted as being evidence of this familiarity. However, many public agencies have resisted efforts to require candidates to have attended or to have graduated from college as a requirement for most positions other than professional ones. Recently, a number of agencies have begun to accept college credits and, particularly, a college degree as being acceptable evidence of familiarity with the responsibility of employment in lieu of some or all of the prior work experience that would be required of candidates who never attended college.

a. The Background Investigation. During the application process, most candidates for any employment position are asked to submit the names of references who may support their candidacy and vouch for their character. Many agencies are suspicious of referees who have been named by a candidate and prefer to commission an independent investigation into the applicant's character. At the beginning of such an investigation, the information being assembled may be open-minded and very general in scope. As the investigation progresses, however, it may focus upon specific issues related to the applicant's character.

The first search of an applicant's background which an agency is likely to commission is a search for any evidence that the candidate may have been involved in criminal activity. The background investigation may begin by obtaining fingerprints from the applicant, and then transmitting one set each to a state investigation bureau and to the Federal Bureau of Investigation. From the fingerprints, a determination can be made as to whether the individual whose prints are being investigated has ever been charged with or convicted of a crime. The fingerprints, rather than the candidate's name, are used as the independent variable in the search, because they are impossible to fabricate and one may give an alias instead of his true name in an effort to deceive investigators. Many agencies will disqualify a candidate from employment at most positions if there is government evidence that the applicant has ever been involved in criminal activities, whether or not he has ever been convicted of crime. Perhaps this is unfair, inasmuch as people from disadvantaged backgrounds may have acquired a criminal record along the way in life for no reason other than having

been in the wrong place at the wrong time. An agency should communicate with the police department which filed a record of arrests without prosecution, to determine if eventually the individual named was cleared of criminal involvement.

The next search of an applicant's background may be for evidence that the candidate has accumulated unreasonable debts or has become a credit risk. Such a person might "moonlight" during employment, or could even accept or demand bribes during the course of official activities. A person who has refused or been unable to repay sums of money which he has borrowed from creditors may not be trustworthy as an employee, or may embarrass the employer by continuing to do the same thing once employed.

Most good investigators prefer to make personal contacts before submitting a background investigation report, rather than to rely upon official or unofficial records alone or even on telephone conversations. An investigator may visit with a neighbor, former employer, or ex-spouse of the candidate and pose different questions during the interviews. Such information by itself may not be so valuable, but it will provide a polygraph examiner with assorted questions which he may ask the applicant to answer.

A background investigation is likely to culminate with a polygraph examination, unless this is illegal as it is under the laws of some states. In this investigation, the polygraph examiner will ask the candidate different questions that range from the innocuous to provocative. Questions may be raised about the applicant's loyalty to the United States, about his consumption of alcohol or sexual preferences, and about his honesty in situations about which he has never before been questioned.

Different agencies are prepared to disqualify applicants for different reasons, and even a given agency may disqualify an applicant for one position but not for another, based upon the same background investigation report. Although the background investigation may be useful to an employer, it can become a "witch hunt" in which skeletons begin to fall out of the closets of virtually every candidate for a position. The courts, and especially the Federal courts, have begun to intercede in cases where either a background investigation itself or the information generated by it have

been abused. Thus, an investigation which turns up evidence of an applicant's misconduct as a juvenile offender but which violates the law because that juvenile record has been legally expunged or erased from public record may be enjoined in court, and an agency may be compelled to either hire such an applicant notwithstanding the suppressed information or show cause if it can why it should not do so based on other reasons it may have. Similarly, an investigation that was carried out properly may reveal that a candidate's wife is an alcoholic, for instance, which probably is not a valid reason for not hiring the candidate.

b. The Candidate's Educational Level. Most public agencies require all applicants for employment to possess a high school diploma or its equivalency, except for the lowest caliber of positions such as janitorial work. Some positions may require an incumbent to have attended college for a specific length of time, such as two years, or even to have graduated from a four-year college. A position may require an incumbent to have taken particular courses in certain designated fields, or to have obtained a quality point grade average above stated minimum. Generally, a candidate for employment will be asked to indicate all schools at which he has ever studied, and certified transcripts from each school may be required for documentation purposes. Because some candidates for employment lie about their education and even submit forged transcripts, education may be included as an item that will require verification by means of a background investigation.

c. The Candidate's Employment History. Many positions are available almost constantly in most public agencies in the corrections field as elsewhere for which a candidate need not have had any previous experience in similar work. Mostly, these are entry-level positions with minimum starting salaries and no supervisory responsibility. Still, an agency may request information about a candidate's previous employment history, including part-time or summer employment, in order to detect evidence of erratic employment, dishonesty, or incompatibility. The training which most employees are expected to undergo over at least the first year of employment is expensive and time-consuming for supervisory personnel. For this reason, agencies are reluctant to hire workers whose past employment histories show that they seldom remain at any job for a very long time.

Higher-level positions, and, particularly, supervisory ones are more likely to require work experience in a specific field. Evidence that a candidate has been terminated from earlier employment may disqualify the applicant or at least provoke questions that will necessitate further explanation by him. Many public as well as private agencies are willing to "steal" an employee away from a competitor. If he or she has been praised or promoted by his or her current or former employer, this may be taken as evidence of qualification for the job. Indeed, the fact that a candidate is presently employed with another agency that considers his services there to be satisfactory may inspire a potential employer to offer him a salary or benefits at levels that are higher than they otherwise would. On the other hand, some agencies are reluctant to employ candidates who have worked recently for competitors, and prefer to hire people who have worked in different but related fields. A public corrections agency may prefer a candidate who has been employed previously by a private organization or in academia, for instance, over other candidates who have worked continuously in agencies that are similar to the one presently doing the screening. Keep in mind, however, that all selection decisions must be based upon the requirements of the job and the mission of the unit.

B. THE SUBJECTIVE DIMENSION

Although objective tests and measures serve a purpose in employment screening, most function only as a means toward an end--they provide data on which decision-makers may rely to justify their subjective decisions. It is a fact of life that few agency managers will hire a candidate whom they dislike or intuitively mistrust, notwithstanding his impressive performance on objective tests and measures. A manager who desperately wants to hire a certain candidate above all others may protract the testing and measuring process until, finally, this candidate endures scrutiny beyond all others. The subjective dimension becomes apparent at the face-to-face selection interview, in weighing objective measures, and in political considerations.

1. The Face-to-face Selection Interview

This interview serves as an opportunity for agency management and staff to converse in person with the top candidates for a position. It is

important that this interview occur after much of the preliminary testing and investigating has been completed, for several reasons. There is no reason for staff time to be wasted interviewing candidates who cannot be hired because of obvious deficiencies in education, experience, or personality. Moreover, questions about a candidate's qualifications may survive the preliminary testing and investigating processes, and these questions may be asked of the candidate himself during the oral interview. The most pressing reason for delaying the oral interview until immediately before a decision is to be made is because the decision-maker(s) will want to retain a clear impression of each candidate up to the moment when a decision is reached.

The oral interview facilitates many inquiries that are not possible earlier. Here, an agency's management and staff have an opportunity to see the major candidates in the flesh, to observe characteristics of affect, dress, and hygiene, and to listen to the candidates as they listen and speak on a person-to-person basis. While it should not be the purpose of management or their staff members to purposefully embarrass a candidate during the oral interview process, nevertheless this is the time to confront a candidate about qualifications that remain unsettled or about doubts that have not been alleviated.

The International City Management Association's Institute for Training in Municipal Administration has published several interviewing techniques within its book entitled: Municipal Police Administration.³ These techniques are vital to any oral interview of a candidate for public employment. They are as follows:

1. Plan the interview. Decide in advance what you are looking for, and write down the various questions which must be put to every candidate.
2. Put the candidate at ease. This is a good rule to follow with job applicants. A courteous greeting, a relaxed, friendly, manner, a concentration on the interview--all help to make a favorable impression on the applicant, and help him to reveal what you are seeking.

³Washington: International City Management Association, 1971.

3. Look for what is important. Presumably, you have already determined the characteristics of a good recruit. It is important that the interview decide whether or not one candidate has these qualifications in a greater or lesser degree than other candidates. Appearance, manner of dress, ability to express himself, and ability to organize his thoughts can be measured in an interview. It is advisable to avoid making judgements on character traits, which cannot be measured in an interview, if at all. You cannot measure his honesty or integrity by any line of questioning. Such traits can be estimated only by studying the record of his investigation.
4. Records should be kept of the selection interview. These records can be useful in case there is a later question concerning an applicant who was not selected, or in case he reapplies at a later date. This is not to suggest that he should again be turned down. In fact, such records may be useful in deciding in his favor the second time. Some candidates go to elected officials, who seek an explanation. Records enable the (decision-maker) to give the inquiring official a straightforward reply.⁴

2. Weighing Objective Measures

Another aspect of the subjective dimension in the personnel selection process involves the weighing of objective measures. It is one thing to collect information in the form of intelligence, aptitude, and personality tests as well as physical examinations. What use is to be made out of this information? How much credence is it to be given? Ultimately, the person(s) responsible for making personnel decisions must decide what weights are to be given to the objective measurements, particularly when these criteria are not in agreement with each other. For instance, who will be offered a position, the person who has a slightly higher score on an intelligence test but whose aptitude for the position is lacking, or the one who has a slightly lower intelligence test score but whose aptitude for the position is strong? Moreover, of what significance is a slight physical handicap, such as an amputated finger, when the overall physical condition of an applicant exceeds that of most other candidates?

While objective measures, including tests, are important in the personnel selection process because they add a relatively impartial

⁴Ibid., at pp. 179-180.

dimension, nevertheless a personnel manager's own good judgment, however subjective, cannot be ignored just because it differs from the results of tests or other measures. A candidate for a position vacancy may do well on all objective tests that have been administered to him, but leave a negative impression in the minds of all or most of the staff who have interviewed him. Ultimately, the final personnel decision must be made in the best interests of the agency. This means, among other things, that the existing staff will have to live with the decision when it is made, and may have to work with a new employee for many years to come. They cannot be expected to disregard their own impressions of how well he can be expected to fit into the agency's routine activities. Now and then, even the best of objective tests and other measures are inadequate and even deceiving. While an agency's management and staff cannot violate the law by discriminating invidiously (e.g., on the basis of race, color, creed, or sex, unless sex discrimination can be justified by performance demands of the position) against a particular candidate or group of candidates, this does not mean that they cannot discriminate at all. One set of objective criteria may be viewed as being more reliable than another set, at least for the needs of a specific position. The impressions of key agency staff, when especially negative in a given case, may take precedence over positive test scores.

3. Political Considerations

Many states have a strong civil service law which prevents political considerations from entering into the employment decision, but where this is not the case, membership in a particular political party may be very helpful to an individual who is seeking employment within a public agency. Usually, such membership is helpful when the candidate belongs to the same political party as the person(s) doing the hiring at a given moment. Ordinarily, the political preferences of candidates cannot be asked directly, even during the oral interview process. Nevertheless, since membership in a major political party entails public registration, an agency's management may check the rosters of registered Democrats and Republicans before deciding upon which of a final list of applicants to hire for a certain position. Political considerations are more likely to be important when

candidates are being screened for management for high-level staff positions than when candidates are being screened for positions that entail fewer skills. Similarly, political considerations may play a more critical role in the personnel selection process of professional staff at starting levels and at top management levels as opposed to mid-management levels. At starting levels, few candidates have much experience, and "good Democrats" may be preferred over "equally good Republicans," or vice versa. At top management levels, political levels, political leaders may prefer to appoint persons who follow the ideology of their own political party rather than of the opposition party. On the other hand, most public agencies cannot afford to hire either Democrats or Republicans exclusively. Therefore, if an agency has become saturated with members of one major political party, the fact that a given candidate is a member of the other party may help to secure his employment.

4. The Final Decision

As a rule, the final decision to employ anyone for a vacant position and the final decision to employ one candidate over others rests with the administrative head of any agency or with the delegatee whom he has named for that purpose. In some agencies, these decisions may have been delegated to a board of three or more agency staff members. A number of agencies, including corrections agencies, have affirmative action committees made up primarily of minority and female staff members who make recommendations to the administrative head of the agency concerning the qualifications of minority and female applicants for employment. Generally, these recommendations are advisory and not binding, and agency heads may be reluctant to ignore recommendations tendered by their own appointees without good cause for failing to do so.

In the normal course of events, the administrative head of an agency will be persuaded as to whom to hire for a position by the feeling of the person who will serve as that position incumbent's immediate supervisor. This is the individual who will become directly responsible for training, evaluating, and monitoring the new employee, and it is very helpful if these two people can be friendly from the start. In some public agencies, however, there is an unwritten rule that among equally

well-qualified applicants, including affirmative action candidates, those who are members of the controlling political party will be favored ahead of independents, and both will be favored ahead of members of the opposition political party. In other words, it has been a tradition of long-standing in this nation among Democrats that a good Democrat is better than a good Republican, and among Republicans that a good Republican is better than a good Democrat! Unfortunately, however, this tradition has become abused all too often, and agency appointment officers have tended toward the view that even a poor candidate who is a member of their political party is better than a good applicant who is a member of the opposition party.

In making the final decision on whom to hire for any given position, the appointing officer will be inclined to eliminate from further consideration any candidate whose performance on the major objective tests has been inadequate or whose background shows signs of questionable character, lack of necessary education, or previous employment that has been erratic or insufficient. Among the remainder of the candidates, if any are left, the appointing officer will rank their qualifications in terms of specific strengths and weaknesses, and then construct a composite ranking to be made. As a rule, an appointing officer will be inclined to hire one of the top three candidates. This tradition was inaugurated under the Civil Service system and may be mandatory in states which follow Civil Service examination scores in rating candidates for public employment. Even if it is not mandatory, an appointing officer is likely to follow this pattern ordinarily in his own discretion, if only to justify his actions against the risk of a challenge that might be launched in the future by one or more unsuccessful candidates.

C. REVIEWING THE SELECTION: THE PROBATIONARY PERIOD

After the recruitment and the selection processes have been completed and a vacant position has been filled by the hiring of a new incumbent, a limited opportunity is created for an agency's management to observe how well the new incumbent's expertise matches the agency's needs and with the duties that are expected to be performed by the incumbent who fills that position. This opportunity is limited by time more than

by anything else, since virtually every public agency must grant "permanent status" to all employees except top managers (those whose positions are unclassified or not graded for civil service purpose). The period at the end of which such permanency must be granted varies from one state to another and, in the case of county and municipal governments, from one unit of government to the next in some states. However, the probationary period is unlikely to exceed one year and may be limited to three months (90 days) or six months (180 days). If management is dissatisfied with the services of an employee during the probationary period, the task of removing this employee from the position will be much easier at the end of the probationary period than it will be thereafter.

This does not mean that removal of an employee during the probationary period can be accomplished arbitrarily or capriciously, such as at the will of a disgruntled manager who develops a personal animosity toward a new incumbent. It does mean that the new incumbent may be removed during or at the end of the probationary period for "cause," such as incompetence at discharging the required duties as specified on the position description, which in turn may be exhibited in the form of slowness, lack of precision, major errors in work products, or unwillingness to arrive at work and leave work at prescribed times. Following completion of the probationary period, these criteria may be insufficient to establish "cause" for terminating an employee, since even if the worker is in fact incompetent, the agency may be deemed to have ratified that incompetence (agreed to it) by approving the level of effect offered by the employee during the probationary period. Thereafter, "cause" for discharge must be more serious in nature, such as insubordination (failure to obey reasonable instructions of a superior), unlawful or immoral conduct, or refusal without justification to work at all ("gold-bricking").

The probationary period should not be viewed by management as being a time when a new employee may be harassed on the job. By making unreasonable demands upon a new employee, other staff within an agency may create a "self-fulfilling prophecy" by which the new employee performs work tasks poorly as a reaction to the unreasonable demands themselves. For instance, agency staff cannot use the probationary period as an excuse for ridiculing a new employee or as an opportunity to elicit sexual favors from female

employees on threat of terminating the worker from the position. Instead, the probationary period should be used as a time within which an agency staff can interact with a new employee on an ongoing basis to determine if the new employee does his job as well as do other staff members in similar positions elsewhere within the agency. An employee should not be discharged at the end of a probationary period merely for not doing perfect work, as long as the work that is done satisfies the needs of the agency and is average or better in comparison with co-workers. In this fashion, the probationary period provides a final double-check in the selection process.

D. AFFIRMATIVE ACTION CONSIDERATION IN SELECTION

Many public agencies and private organizations have discriminated repeatedly throughout history against minority and female applicants for employment. Consequently, the proportions of workers in these agencies who have been non-white or female, for example, have been much lower than the proportions of non-whites and females in the populations served by these agencies. To compensate for past discrimination practices in employment, public agencies are required by Federal and state laws to hire minority and female applicants ahead of white or male applicants and especially ahead of white male applicants who may be more qualified than the minority or the female candidate, so long as the latter possesses minimum qualifications for the position.

To comply with the mandate of affirmative action, a public agency must actively recruit employment applications from the non-white and female communities, as has been mentioned already. Then, when it has received minority and female applications for a vacant position, the agency must determine how many, if any, of these special applicants meet the minimum qualifications for the position. Those who do must be hired ahead of other applicants for the same position(s), up and until the point where minorities and females are represented across the agency in proportion to their percentages in the overall community. It should be stressed that affirmative action requirements pertain to an agency as a whole, and not to particular positions. Therefore, as an example, an agency that has hired an ample proportion of non-whites or females to subservient positions may not be

deemed to have complied fully with the affirmative action mandate until it has hired an ample proportion of these candidates in management, including executive positions.

Among minority and female candidates, a hierarchy may be mandated by court order. To the extent that all applicants meet minimum qualifications for a position, a candidate who is black and female must be given preference over a candidate who is black and male, and in turn he must be preferred over a candidate who is white and female. To the extent that other minorities beside blacks are prevalent in a given state or community populations, these minority groups must be considered for affirmative action purposes in proportion to their representation in the minority population of the area. Thus, an area such as California which has a large Chicano (Mexican-American) population must consider Chicano applicants alongside or even ahead of black applicants for the same positions. Similarly, an area such as central Massachusetts, northern Connecticut, or Rhode Island must consider applicants from the large Puerto Rican population living there. Lack of past discrimination against a particular minority population will negate the necessity for affirmative action hiring of that group, but it will not negate the necessity for preferential hiring of any other group(s) who were discriminated against by the agency in the past. To the extent that an agency alleges that it has not discriminated in its past employment practices or that minority or female candidates for a position are unqualified at all for the job, the burden of proof rests with the agency to prove the truth of these contentions by a preponderance of the evidence whenever challenged in court.

Study Questions

6. Whenever any kind of measurement, and particularly any kind of test, is being considered for use, what two questions must be raised?

Answers to Study Questions

6. Is the test or measurement valid?
Is the test or measurement reliable?
7. A test or a measure is considered to be valid if it can actually be shown to measure what it is intended to measure. Thus, an aptitude test can be "validated" by comparing scores of people who have taken the test with their subsequent performance on the job.
8. A test or a measure is reliable when it accomplishes consistently whatever it is intended to accomplish. Thus, an intelligence test which indicates that persons X, Y, and Z have lower IQ levels than persons A, B, and C is reliable only to the extent that persons A, B, and C each have mental ages that are higher than persons X, Y, or Z. If person "B" has a mental age that is lower than persons X and Y for instance, the test is unreliable. It has made a drastic mistake.
9. Different types of tests are used to obtain the most accurate picture possible about an individual candidate's potential for job success. No single test is as likely to yield an accurate projection as will several different tests. For instance, a person with a high "IQ" level may be resourceful at performing tasks, but because of a belligerent personality this person may lose the esteem of his supervisor, co-workers, or subordinates. Thus, a personality test should be administered in addition to an intelligence test.
10. Public agencies, such as correctional agencies which offer services to the public that are sensitive, must be confident that candidates for employment have revealed all relevant information about their background. Moreover, these agencies must be confident that such candidates are prone to telling the truth. If they lie about themselves, they may lie about other persons such as inmates whom they will be responsible for supervising.

IV. CASE STUDY

Below a personnel selection situation is described. Your task is to review the situation presented and to note any questions that might be raised about the process given the points raised in this chapter on the recruiting and selection process. You can compare your comments with those which are provided after the case study.

Case Study

The Capital City Corrections Facility has announced a vacancy for the position of "Correctional Officer II," in which the principal duty of the incumbent will be to guard prisoners in their cellblocks during either the day, evening, or night shifts. The position description indicates that a high school diploma or its equivalency is required, and that the successful applicant will have experience as a civilian or military prison guard totaling at least one year. In addition, the description tells interested applicants that psychological test batteries and measures of physical agility and strength will be conducted of candidates prior to appointment. Deadline for the submission of applications was set for June 30th.

On July 1st, personnel management assembled applications of 25 individuals for this position. Initial screening of the applications revealed that 10 applicants either did not possess a high school diploma or its equivalency, or did not have one year's experience as a prison guard. These candidates were eliminated thereupon from further consideration.

Between July 1st and August 1st, the remaining 15 candidates were scheduled to receive psychological test batteries, including intelligence tests, personality assessments, and measures of both aptitude and achievement. As each of these applicants had experience in the field of corrections, results of aptitude and achievement testing showed little variation. All applicants were more than one standard deviation above the mean intelligence testing score, except one who was almost one standard deviation below the mean and was thereupon disqualified for that reason. Of the remaining 14 candidates, two were found by the prison psychologist to display personality traits that are inappropriate for prison guards to possess; one showed a very high preference for dominance coupled with interpersonal inadequacy; the other showed signs of lacking both self-control and tolerance.

Between August 1st and August 15th, the remaining 12 candidates were measured for physical capacity. Two had heart murmurs which were considered serious enough by the prison physician to be poor health risks. Two others failed to pass several portions of a physical agility test, but compensated for these deficiencies by scoring high enough on other portions to pass the overall test. The two candidates with heart murmurs were

eliminated from consideration, but no one was eliminated on the basis of the agility testing. Ten candidates remained in contention. Background investigations were initiated on all ten.

On September 1st, an interview schedule was developed whereby all ten of these candidates would meet and talk informally by key staff members, including the Superintendent at the prison. Interviews were scheduled for September 15-18 to allow time for preparation of initial background investigation reports.

At the interview, it became apparent that of these ten candidates, two were white females and two others were black males. The rest were white males. Three of the white males were found to have been convicted of some form of a criminal offense, and each was asked to explain the circumstances. One convinced the interviewers that he had merely been riding in an automobile in which the operator had been transporting marijuana, unknown to him or to any other passenger. The other two candidates admitted involvement in a burglary and a robbery scheme respectively, and thereupon they were eliminated from consideration and told this. One of the black male applicants admitted on his own initiative that he had been adjudicated a juvenile delinquent and placed on probation but not committed to a detention facility. The interviewers appreciated his candor, noted that this information had been expunged from court records and therefore had not turned-up in the background investigation. Under the rules related to expunged juvenile offenses, they did not give any weight to it. However, they did give positive consideration to the applicants forthrightness.

Of the remaining candidates, two were females, two were black males, and four were white males. Based on a staff formula that had been developed by prison management in conjunction with outside personnel consultants and found to be both valid and reliable, these eight candidates were ranked. The highest rank was received by a white female candidate, followed by two white male candidates, followed by the black male applicant who admitted juvenile delinquency, followed by two other white males and the other black male candidate. Thus, their ranking was as follows:

1. White female #1
2. White male #1
3. White male #2
4. Black male #1 (with expunged juvenile offense)
5. White female #2
6. White male #3
7. White male #4
8. Black male #2

The prison Superintendent consulted the general counsel, who advised him that female candidates for employment within cellblocks of male prisoners may be denied for reasons that relate to job performance. Therefore, he declined to appoint the highest-ranked candidate because she was female. The Superintendent decided, however, that his prison had discriminated against black applicants throughout the past, and that he would appoint a qualified black candidate ahead of white candidates. His choice became one between the higher black male candidate who had admitted juvenile delinquency, and the lower-ranked black male. He appointed the higher-ranked black male candidate, reasoning that the applicant's honesty in revealing his background and experience interacting within the juvenile justice system as a youth were benefits rather than detriments.

Suggested Considerations

The events described in this case study do not seem to reveal any potential problems. Disqualification of candidates for lack of reasonable educational or experiential qualifications is permissible, as is disqualification for a significant lack of intelligence. The personality disorders that may be likely to impede job performance, or the serious physical health conditions that were recited were sufficient to eliminate those candidates who were rejected. There is little logic to elimination of the situational offender, although many public agencies would have disqualified him. It would be contrary to Federal law to reject the juvenile offender whose juvenile record has been expunged, although historically it has been the case that candidates have been wrongly disqualified for this reason.

The most pointed dilemma faced by the prison superintendent was whether to disqualify the leading candidate because she was a female.

Should women be permitted to guard men in their cellblocks? On occasion, men have guarded women. But there is evidence that the presence of females in a celibate environment of males may be deleterious to the morale of the prisoners, and even dangerous to the safety of the females. Probably, this action in disqualifying the candidate was valid unless the state had enacted a statute forbidding discrimination against female guards in male prisons.

Affirmative action required the superintendent to employ one of the black candidates ahead of the white candidates, and especially ahead of the white male candidates. His only choice was between the two black candidates. The one who ranked higher was probably the better choice notwithstanding his delinquency background, particularly inasmuch as the other candidate ranked lowest among all candidates, male or female, black or white.