

HANDBOOK OF  
**EMPLOYEE**  
**SELECTION**

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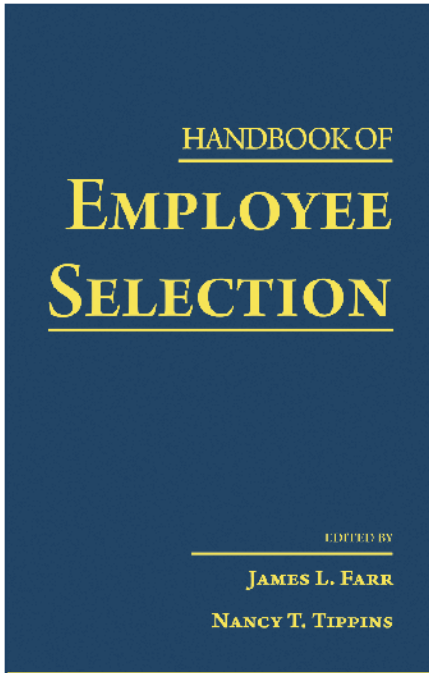
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**JAMES L. FARR**

**NANCY T. TIPPINS**

# Handbook of Employee Selection

James L. Farr and Nancy T. Tippins (Eds.)



*The Handbook of Employee Selection* provides a comprehensive review of a) contemporary personnel selection instruments, including the technical methodology for their development and evaluation of their effectiveness, b) the organizational systems necessary for the effective and efficient use of personnel selection methods as part of organizations' human resource management approach, and c) the societal and organizational factors that provide the context within which personnel selection is nested. The Handbook will include descriptions of specific examples of personnel selection procedures that have had major impact on the development of personnel selection function within organizations, as well as discussions of current and future trends in employee selection around the world.

March, 2010 • 7X10 • 1,032 pgs  
Hb: 978-0-8058-6437-3 \$99.00

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**Nancy T. Tippins** received her PhD in Industrial and Organizational Psychology from Georgia Institute of Technology. She currently works at Valtera Corporation as Senior Vice President-Selection Practice Group. She is a Fellow of SIOP and APA and Past President of SIOP (2001-2002). She has served on the editorial boards of the following journals: *Personnel Psychology*, *Journal of Applied Psychology*, and *The Psychologist Manager Journal*.

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## 30 Perspectives From Twenty-Two Countries on the Legal Environment for Selection

Paul R. Sackett, Winny Shen, Brett Myers, Filip Lievens, Eveline Schollaert, Greet Van Hoye, Steven F. Cronshaw, Betty Onyura, Antonio Mladinic, Viviana Rodríguez, Dirk D. Steiner, Florence Rolland, Heinz Schuler, Andreas Frintrup, Ioannis Nikolaou, Maria Tomprou, S. Subramony, Shabu B. Raj, Shay Tzafrir, Peter Bamberger, Marilena Bertolino, Marco Mariani, Franco Fraccaroli, Tomoki Sekiguchi, Hyuckseung Yang, Neil R. Anderson, Arne Evers, Oleksandr Chernyshenko, Paul Englert, Hennie J. Kriek, Tina Joubert, Jesús F. Salgado, Cornelius J. König, Larissa A. Thommen, Aichia Chuang, Handan Kepir Sinangil, Mahmut Bayazit, Mark Cook, and Herman Aguinis<sup>1</sup>

In the United States, the legal context plays a major role in how psychologists approach selection system development. Psychologists know well the set of protected groups, the approaches to making an a priori case of discrimination (e.g., differential treatment vs. adverse impact), the key court cases influencing selection, and the prohibitions against preferential treatment (e.g., the 1991 ban on score adjustment or within-group norming). Selection texts (e.g., Guion, 1998) and human resource management texts (e.g., Cascio & Aguinis, 2008) give prominent treatment to the legal context. In recent years, there has been a growing internationalization of industrial-organizational (I-O) psychology such that psychologists from all over the world work with clients in other countries and contribute to our journals and to our conferences. Text publishers and consulting firms establish offices all over the world. As this internationalization continues to increase, it becomes increasingly useful to take a broader look at the legal environment for selection, examining similarities and differences in various countries. For example consider a U.S. firm with operations in several other countries. Although U.S. fair employment law applies only to those overseas employees who are U.S. citizens,

<sup>1</sup> All authors contributed equally to this chapter. Paul R. Sackett and Winny Shen integrated the text materials provided by each author. Portions of this chapter were drawn from an article by the same set of authors: Myers, B., Lievens, F., Schollaert, E., Van Hoye, G., Cronshaw, S. F., Mladinic, A., et al. (2008). International perspectives on the legal environment for selection. *Industrial and Organizational Psychology: Perspectives on Science and Practice*, 1, 200-256. Used by permission of the Society for Industrial and Organizational Psychology and Wiley Blackwell.

the employment by U.S. firms of host country nationals or third country nationals is subject to the legal environment of the host country.

### DATA COLLECTION METHODOLOGY

To compare and contrast the legal environment for selection in various countries, the senior author prepared a set of questions about the legal environment for selection, prepared model answers describing the legal environment in the United States, and contacted psychologists in various countries, asking them to prepare a document responding to each question and describing the legal environment in their country. They were also invited to suggest additional project participants in other countries. Some invitees declined, some initially agreed, but subsequently did not participate. The goal was to obtain a range of perspectives by sampling about 20 countries, that is, by no means a complete catalog of the legal environment around the world. Researchers and practitioners who are experts on the topic of selection participated from the following 22 countries: Australia, Belgium, Canada, Chile, France, Germany, Greece, India, Israel, Italy, Japan, Kenya, Korea, The Netherlands, New Zealand, South Africa, Spain, Switzerland, Taiwan, Turkey, the United Kingdom, and the United States. As the list indicates, the countries covered do broadly sample the world. Because of space constraints, the write-up for each country was subsequently summarized and organized by issue (e.g., what groups are protected; is preferential treatment of minority group members permitted) rather than by country to create this chapter. For more context on the legal, social, and political environment of the countries surveyed, see Myers et al. (2008). Contributing authors from each of the 22 countries responded to several questions, nine of which are addressed in turn in this chapter.

**Question 1: Are there racial/ethnic/religious subgroups such that some are viewed as "advantaged" and others as "disadvantaged"?**

Table 30.1 identifies the major groups viewed as "disadvantaged" in each country (note that gender is treated separately in the next section, and specific legal protections for disadvantaged groups are treated under Question 4). As Table 30.1 indicates, the disadvantaged groups differ on several dimensions. First, the basis for disadvantaged status varies: (a) native/aboriginal people in a setting where colonizers became the majority group (e.g., Native Americans in the United States, Maori in New Zealand, First Nations Peoples in Canada), (b) recent immigrants (e.g., many European countries), (c) racial groups either native to or with long histories in the country (e.g., African Americans in the United States; Blacks, colored individuals, and Indians in South Africa), (d) religious groups (e.g., India), and (e) language groups (e.g., Francophones in Canada, Rhaeto-Romanic speakers in Switzerland). Second, the size of the minority population varies, from a very small percentage of the population in some countries to the South African extreme of a previously disadvantaged Black majority. These findings illustrate that there is considerable variability from country to country in what constitutes a disadvantaged group.

**Question 2: What is the general picture regarding women in the workplace (e.g., historical trends regarding employment for women; current data on percentage of women in the workforce; and current status regarding occupational segregation, such as gender representation in various job classes and at various organizational levels)?**

Among the countries surveyed, women make up a substantial portion of the workforce. In general, women make up from over one quarter to slightly less than one half of the working population (see Table 30.2). Great strides have been made such that women are being increasingly involved in the workforce across all countries surveyed, as evidenced by reports of the increased rate of women's participation in the workforce, with the exception of Turkey, who reports a slight decline in the recent years (34% in the early 1990s down to 25.4% in 2004; State Institute of Statistics, 2006). There is substantial variability among countries in terms of the percentage of women who

*"SIOP emphasizes the scientist-practitioner model. Who exemplifies this model more in the field of selection than Drs Farr and Tippins? The new Alliance of Organizational Psychology includes EAWOP, Division 1 of IAAP, and SIOP members. This book includes the perspectives of authors with a global view of selection. There is simply no more authoritative text on the planet than this one for members of the Alliance."* -**Gary Latham, Secretary of State Professor of Organizational Psychology, Rotman School of Management, University of Toronto, and Past President of the Canadian Psychology and the Society for Industrial-Organizational Psychology**

*"Farr and Tippins have assembled an impressive line-up of leading scholars in the field to present a comprehensive and up-to-date treatment of employee selection. Broad in scope and rich in content, the Handbook of Employee Selection offers an evidence-based perspective on the design, implementation, and evaluation of selection systems in organizational contexts. The handbook also offers an in-depth treatment of criterion development, important legal and ethical issues in employee selection, and an in-depth discussion of the unique selection associated with various organizational contexts, including the military, blue collar occupations, and multinational corporations. This book is a must-read for practitioners and academics alike, and is positioned to have a major impact on the field of employee selection."* - **Lillian T. Eby, Professor of Psychology, Associate Editor, Personnel Psychology, University of Georgia**

*"James L. Farr and Nancy T. Tippins have produced a 'must have' Handbook on employee selection for anybody engaged in the selection and recruitment of talent at work, and for all students and academics in HR and personnel/occupational psychology. It contains most of the international leading lights in the field. It not only includes the state of the art research in this arena, but also how this can be translated into effective practice. A book shelf in HR is not complete without this volume."* - **Cary L. Cooper, CBE, distinguished professor of organizational psychology and health at Lancaster University Management School, England**

*"Farr and Tippins' Handbook of Employee Selection is an impressive compilation of chapters written by leaders in the field covering a) psychometric issues b) design, implementation, and evaluation issues, and c) historical and legal contexts relating to selection of employees in organizations. Chapters are, at the same time, sophisticated and readable. They summarize the state of the science and practice to date, and provide signposts to the future of employee selection. Many of the handbook's chapters will be citation classics well into the 21<sup>st</sup> century. It's on my bookshelf and should be on yours too!"* -**Charles E. Lance, Associate Editor, Organizational Research Methods, The University of Georgia**

*"Farr and Tippins have assembled the definitive who's who in employee selection."* -**Milton D. Hakel, Bowling Green State University**