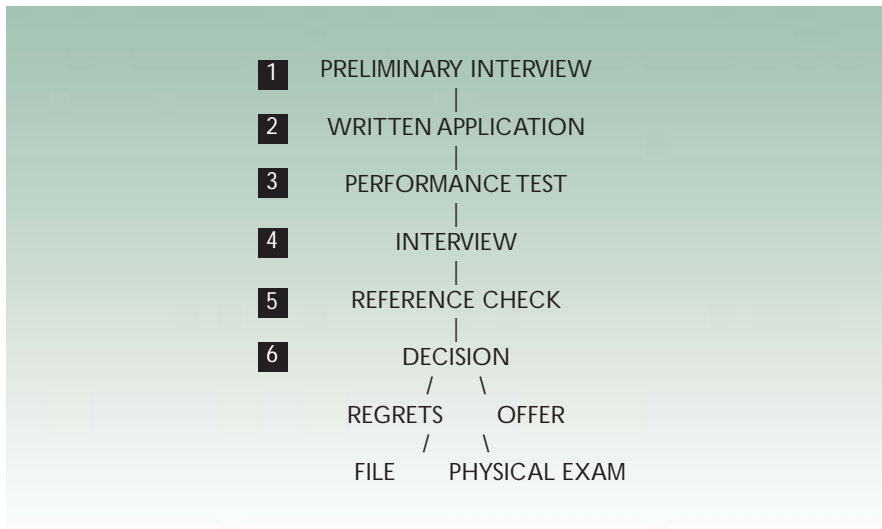


Figure 3.7. Sample information-gathering sequence in applicant evaluation.

information sources are used earlier, when the field of applicants is largest. Though not always cheapest, screening earlier in the process for the more important qualifications is most effective for keeping better applicants in contention longer.

Figure 3.7 presents an example of the sequence in a rather complete information gathering process. It shows a preliminary interview, followed by completion of a written application form, employment test, in-depth interview, and reference check. The post-offer physical exam may be used to ascertain pre-existing medical conditions or to verify fitness to perform certain tasks.

The steps and the responsibilities for carrying them out can be planned in advance. In large organizations, it is typical for the personnel department to conduct a preliminary interview and the written application procedures. After an initial screening by personnel staff, the immediate supervisor would conduct the in-depth interview, tests (if any), and reference check. In a smaller firm, of course, the steps tend to be fewer, and the owner or general manager might handle them all with some clerical help.

Lawful and Unlawful Discrimination

It is an employer's prerogative to choose whom to hire and in what capacity. Employers have good reason and the right to discriminate among workers on the basis of job-relevant knowledge, ability, and skill. People possess different sets of attributes, and the law recognizes the business need to assess them in efforts to identify those most likely to perform well.

Both state and federal rules, however, prohibit employment discrimination based on several personal attributes that have no bearing on performance in most jobs—race, color, sex, religion, national origin, ancestry, mental or physical

disability, marital status, age over 40, medical condition, sexual orientation, involvement in union or other protected activities, or prior record of arrest not resulting in conviction. Major federal discrimination laws are the federal Equal Employment Opportunity Act (EEOA) and the Americans with Disabilities Act (ADA). For detailed information, see agency links at *AgHelpWanted.org*.

Discriminatory questions to avoid

Selection validity, the relation of hiring criteria to on-the-job performance, is what gets called into question when illegal discrimination is charged. If answers to a pre-employment question that has nothing to do with valid qualifications are used to decide who gets the job, the employer is vulnerable to a legal complaint. In fact, questions that could be used directly or indirectly to classify applicants according to one of the factors protected by discrimination laws are prohibited. When an employer collects information in a job interview or job application on any protected attribute, the worker may conclude that the hiring decision is based, at least in part, on this information.

Several states provide pre-employment inquiry guidelines and examples of questions to avoid, based on federal Equal Employment Opportunity standards. These guidelines advise against asking applicants their maiden names or about such topics as their children, medical condition, credit worthiness, or social affiliations. Online guides are accessible from *AgHelpWanted.org*.

A criterion on which all managers are legally required to discriminate is eligibility for employment in the United States. The Immigration Reform and Control Act of 1986 requires all employers to verify that persons they hire are legally authorized to work. Instructions and the Form I-9 for doing so are online at *AgHelpWanted.org*. Pictures of the various documents that prospective employees may use to prove their work authorization in completing the I-9 are at *AgHelpWanted.org*.

Another form of mandatory discrimination involves restrictions on hiring minors without work permits, for certain dangerous jobs, and during certain hours. Prohibitions for minors in agriculture under federal law are specified at *AgHelpWanted.org*.

The Preliminary Interview

The initial contact with a prospective employee is a good time for the grower to give information about the job and the organization. While most pre-employment communication is devoted to obtaining information for the employer to use, applicants too need information to make decisions throughout the process. They develop a sense of the “psychological contract,” or set of unwritten expectations about the job and its conditions, and form attitudes that will affect whether they (1) continue pursuing the job, (2) accept it if offered, and (3) perform enthusiastically once in it. The step most effectively spent informing the applicant is the preliminary interview.