

# Personnel c.a essay sample

[Law](#), [Criminal Justice](#)



## **Abstract**

Job analysis is an important feature of strategic human resource management. Job analysis can be understood as the process of analyzing used in the work place to classify and describe jobs (Brannick, 2007). Job analysis is used to collect information about the responsibilities, duties, necessary skills, work environment and outcomes of a specific job. Job analysis is also the thorough examination of tasks that make up a job. Job analysis seeks to find:

- What a worker does (duties and tasks)
- How the worker does it ( methods, tools and techniques)
- Why the worker does it ( products and services)
- Workers qualifications (skills, knowledge, physical demands and abilities)

Job analysis results into two sets of data namely: job description and job specification. This paper discusses the importance of conducting a thorough job analysis. The paper goes further to review legal implications and court cases of the same.

## **Introduction**

Job description is in most cases a document which is descriptive in nature. It states are the facts that pertain a certain job. It provides organizational information (organizational location and authority structure) and what the work is (functional information). A job description gives a clear scope of job activities, positioning of the job in the organization and major responsibilities. This information makes it clear to the worker what is expected of them. On the other hand, job specification is a statement of

qualifications usually in written form of all the traits, mental and physical characteristic that an individual must possess to execute certain duties (Harvey, 1991).

**It is important for Johnson’s enterprises to conduct a job analysis for the following reasons:**

- Job analysis can provide specific information about knowledge, abilities and skills required to successfully perform a certain job. This information can be used by Johnsons Enterprises during the formulation of job-related selection criteria tools such as interview questionnaires.
- Job analysis also plays an important role in providing the necessary information for classification purposes. This information makes it possible to determine objectives for a specific job in comparison with others (Ghorpade et al).
- In performance appraisal, job analysis creates an objective detailed description of the position that allows both the employee and supervisor to have a shared understanding of the job. Job analysis also provides information required to develop concrete performance standards.
- Job analysis provides a clear understanding of a job and provides a platform that an employee might require for career development.
- Job analysis can helps in developing standards and objectives for training purposes by both individuals and groups.
- Data obtained during job analysis is used for organizational decision making.
- In addition to serving as a legal compliance tool, job analysis can be used to help Johnsons Enterprises deal with change in today’s changing world.

- Job analysis results are also useful in workforce planning. Anticipated organizational demands create a need to effectively manage and base employment decisions.

### **Legal implications of job analysis**

A job analysis should describe all relevant work behaviors, their difficult level and their relative significance. Job analysis should be legally binding. Title seven of the Civil rights Act of 1964 addresses Equal Employment Opportunity and specifically prohibits making an employment decision on the basis of national origin, race, religion, color or gender of the employee. In addition, the act prohibits the use of a selection procedure that results in adverse impact unless the employee can show the application or relatedness of such a procedure to the job in question. According to the Act, an organization should refrain from violating the rights of employees, applicants and members of the public (Jones et al., 1999). This can be done by avoiding unfairness in job selection process. Johnson's enterprises can verify the legal defensibility of their selection process by providing documentation that their job analyses followed professionally-accepted principles and methods of assessment.

### **Griggs v. Duke Power Company**

In 1971, African American employees charged that their exclusion from promotional opportunities was based on their lack of high school diploma and their performance on an intelligence test. These two aspects were both unrelated to the job description at the duke power company. The Supreme Court ruled that the selection criteria for promotional opportunities were not

job related. The court further ruled that the power company could not use arbitrary practices that resulted in the adverse impacts even in the absence of intent.

### **Albermarle paper Company v. Moody**

In 1975, yet another group of African-American employees claimed that their bargaining agreement held them locked in lower paying jobs. The Supreme Court ruled that the selection instruments were either predictive or significantly correlated with the important elements of the African American's work. The court found that the employer validation study could not stand without a job analysis

### **Kirkland V. New York State Department of Correctional Services**

In this case of 1983, the court ruled that identifying critical skills and tasks in addition to competencies required to fulfill the different aspects of a job were the essential part of a job analyses. The court ruled that the foundation of a content valid examination is the job analysis.

### **The uniform Guidelines of 1978**

The Uniform Guidelines on employee selection were developed by the Equal Employment opportunity Commission, Department of Labor, the Civil Service Commission and the Department of Justice. The purpose of these guidelines was to help employers comply with the Federal laws that are against discrimination. The Uniform Guidelines created a platform for the proper use and validation of selection procedures (1978).

The Uniform Guidelines provide a foundation for the proper use of selection

instruments. These guidelines do not require for employees to carry out validation studies in the absence of evidence but they advocate for the use of valid selection criteria (SIOP, 2003).

The guidelines provide standards for the proper use of employment testing. This includes the definition of discrimination in testing. They further define selection procedures to include; combination of measures, any measures used as a basis from any employment decision.

According to these guidelines, policies and practices by employees which have adverse effects on employment opportunities of any sex, ethnic group or race are discriminatory in nature. Such policies are illegal according to these guidelines unless justified by business opportunity (Gatewood et al., 2001).

These guidelines are significant in preventing discrimination by the employers. An organization would benefit from implementing these guidelines. Johnsons Enterprises should aim to implement these guidelines as it would be protected from law suits in the future. Implementing these guidelines would mean that the management and top leaders at the organization would not be involved in any discriminatory selection processes thus would not be sued by employees. Law suits are expensive and cost organization money in compensation. Time that could have been productively used is also wasted during these law suits.

### **Standards for Psychological testing of 1999**

These standards were developed by the National Council on Measurement and Education, American Educational Research Association and American Psychological Association. The standards advocate for the use of job analysis

and provide assessment professionals with guidelines for the evaluation, use of testing instruments and their testing. Although these standards are not law or legislation, they are used by a number of courts as a source of technical information in litigation concerning employment selection cases (Franklin, 2005).

These performance standards have a symbolic value because they embody the values of the public concerning an organization. These standards are vital since they are referenced and used in court to settle employment cases.

### **The American with Disabilities Act.**

ADA was passed in 1990 and further emphasized the importance of carrying out job analyses. It requires for employers to conduct an evaluation of employee capabilities to perform the essential functions of a specific job. This Act considers the preparation of a written form of job analysis (Hartley, 1999).

### **Conclusion**

As mentioned above, it is important for Johnson's enterprises to carry out a job analysis. This is not only to benefit the employer but to benefit the employees and the society as a whole. By following the principles of the Uniform Guidelines and meeting legal and professional standards of job analysis, Johnson's enterprises will be able to make cost effective and valid employment related decisions while helping to avoid adverse impacts such as law suits. By using selection instruments that accurately measure the characteristics of the job, employment decisions are wisely and confidently made. These procedures are made to identify the most qualified candidates

for a job position. Job Analysis can also be used as a tool by management during the recruitment of new employees and as a basis for performance evaluations. Finally, data collected during job analysis can also be used by Johnson's enterprises as evidence during court cases

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