



Overview:

Equal Employment Opportunity Commission (EEOC) Uniform Guidelines on Employee Selection Procedures

ACT provides this brief overview as a courtesy. The information presented here should not be construed as legal advice. Interested individuals and organizations are directed to consult regulatory reference Sec. 1607 . 1-18 [41 CFR 60-3. 1-17], Uniform Guidelines on Employee Selection Procedures (1978): 43 FR and appropriate legal counsel as needed.

The Equal Employment Opportunity Commission's (EEOC) Uniform Guidelines on Employee Selection Procedures (EEOC guidelines) were developed to establish a uniform federal policy prohibiting discrimination in employment practices based upon race, color, religion, sex, or national origin. Individuals who feel that discrimination has occurred during an employer's selection process may bring legal suit against the employer.

The measure of discrimination in the EEOC guidelines is "adverse impact." Adverse impact is a legal term defined as occurring if the protected group is selected at a rate that is less than 80% of the selection rate of the nonprotected group.

Evaluation of adverse impact under the EEOC guidelines is based upon the specific employer, the specific selection process, the specific job, and the specific candidate pool on which the discrimination claim is based.

If adverse impact is shown, the EEOC guidelines require the employer to justify the selection procedure by demonstrating all the following:

- There is a legitimate business necessity for the selection procedure,
- The assessment has been "validated" to demonstrate that it actually measures skills, knowledge, or ability required for performance of the job, and
- There is no other appropriate selection method that has less adverse impact.

A procedure with adverse impact is acceptable (does not in itself constitute discrimination) if these three conditions are met.

WorkKeys Validity Methodology

As assessment experts, ACT designed the WorkKeys system specifically for identifying and measuring job-related skills. The system's corresponding job analysis process documents the appropriateness of the WorkKeys assessments for skills related to a specific job. Use of this methodology and documentation makes WorkKeys appropriate and legally defensible for any job, and uniquely suited for use in a variety of employment and education (school-to-career) applications.

For more information, please call
1-800-WORKKEY
1-800-967-5539

or contact the Workforce Development Division
marketing staff at ACT, WDD Marketing, MZ 05
P.O. Box 168, Iowa City, IA 52243-0168
FAX: (319) 337-1585