

The Experts: Striving to Keep You Informed

Biddle Consulting Group, Inc. (BCG) was founded in 1974. Since that time, the company has specialized in the areas of test validation, EEO consulting, and helping employers find ways to avoid adverse impact against protected groups while maintaining validity.

BCG has assisted over 1,000 employers in the areas of Equal Employment Opportunity (EEO) consulting and litigation support. For over a decade, BCG was the federal court-appointed monitor overseeing the implementation of a civil rights consent decree for the *Bouman v. Baca* court case.

Client Server & Desktop AAP Development Software On The Horizon

AutoAAP® 10.0 Affirmative Action Plan (AAP) Development Software will be available in Fall 2003 in anticipation of the release of the 2000 Census data.

The software will include many exciting new features, such as allowing users to import and create all of their company's plans simultaneously, from one set of databases.

The AutoAAP® software by Biddle Consulting Group, Inc. also includes the entire Census data file for no additional fee. A release update will be included in the next Quarterly Review. ❄

Since 1974, BCG staff have served as experts or consultants in over 160 state, federal, and circuit court of appeals cases involving EEO-related issues.

While most of BCG's litigation support has been for defense, the company has also worked on the plaintiff side in more than a dozen cases.

Since 1989, BCG has served as the class expert monitor in a complex case involving statistical effects and validation of practices, procedures, and custom developed tests used for entry-level selection, promotion, and assignments and transfers to 75 jobs. Over the past few years, several courts have supported BCG's statistical

analyses or job analysis and job-relatedness work products.

A substantial part of the practice is the determination of job relatedness (i.e., validation of selection devices) such as written tests, skills tests, oral interviews, and performance appraisals. Establishing job-related cutoffs for tests, and combining several test results into an overall list are other important components of BCG's validation work. BCG also evaluates skill, effort, responsibility, and working conditions in exemption cases.

In January of 1994, BCG released a computerized test that is a self-administered and automatically scored word processing test called **OPAC®**

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Editorial Note:

At Biddle Consulting Group, Inc. (BCG), our job, as experts in the field, is to help those in the human resources industry become more knowledgeable in the specialty fields of Equal Employment Opportunity, Affirmative Action, and Personnel Selection.

This is the first of many issues of the EEO & Testing Quarterly Review newsletter distributed by BCG.

We would like to invite you to read through the newsletter and then feel free to e-mail us at QReview@biddle.com with your article and content suggestions for future issues of the Quarterly Review.

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Affirmative Action Plan Development: *Government rules & regulations and your options*

In the world of federal contracts it is difficult for a company to decipher the regulations while balancing what is best for their business. Unfortunately, there is not always a clear roadmap for federal contractors to follow when trying to make good EEO management decisions, especially when it becomes time to create their annual Affirmation Action Plan (AAP). At Biddle Consulting Group (BCG), we have encountered all types of EEO management issues. In our thirty years of business, we have proven that we can help companies make the right choices.

Following is a description of the regulations associated with Executive Order 11246 as they pertain to plan development. Also included is a review of development options with our comments specific to strengths and weaknesses. We started with the recommended format for allocating all employees by the book and concluded with a non-compliance option where a federal contractor would only create plans to be compliant on a site-by-site basis when audited. We are providing five options and the strengths and weaknesses of each.

The Regulations

Title 41, Part 60 of the Code of Federal Regulations 41 CFR § 60-2.1(b) states, "Each non-construction contractor must develop and maintain a written affirmative action program for each of its establishments if it has 50 or more employees and (i) has a contract of \$50,000 or more." When determining who must be included in an AAP, section 60-2.19(d) offers the following methods for including employees in an AAP:

All sites may have their own

AAP, all sites under 50 employees may roll into the location with direct management authority over that site, all sites under 50 employees may roll into the location with direct hiring authority over that site, or an unwritten rule that is commonly followed is to roll all locations under 50 employees into a "site-plan" where corporate maintains the plan as a separate identity.

Development Options

Companies face a complicated challenge when trying to maintain an equilibrium based on what is best for the company while staying compliant with the EEOC.

Option One. BCG will always recommend that a client follow the regulations and develop plans "by the book." If a company chose this option, a plan would be created for each location with over 50 employees.

Option Two consists of creating regional plans as geographic rollups. There is much to be gained by bigger businesses, but there are also some major drawbacks. BCG does not necessarily endorse this option, but it is "more compliant" than option three.

Option Three consists of creating a single affirmative action plan for the entire business. This would be considered risky and not Office of Federal Contract Compliance Programs (OFCCP) "friendly."

Option Four is based on creating AAPs for the sites that have Federal contracts. BCG thinks this may be a reasonable starting point for those businesses that are unsure where to start and are not prepared for a company-wide implementation.

Option Five is assigned to companies that want to keep their federal contracts, yet apply little effort

into being compliant with federal EEO regulations. Due to a severe lack of resources or a lack of interest on the part of the executive leadership within a company, some businesses choose to ignore their EEO obligations until there is an audit underway at one of their facilities, then they react by creating a plan in order to meet a deadline. BCG does not recommend this option.

The five options mentioned are methods that businesses commonly employ to manage their EEO obligations as a federal contractor. It is obvious that there are strengths and weaknesses to each option, yet the fast and easy compliant option simply does not exist.

The most important thing is to have executive involvement in whatever

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Winning is Everything

Anthony Powell, SPHR, of EPB in Chattanooga, Tennessee, won Biddle Consulting Group, Inc.'s Playstation2 drawing at the SHRM 2003 Conference & Expo in Orlando, Florida.

The following SHRM 2003 attendees were winners of William Truesdell's book, "Secrets of Affirmative Action Compliance": **Daniel Webb**, University of TN Chattanooga; **Marie Lodi**, Cambridge Savings Bank; **Kelli Plumley**, ECC; **Rhoda McCarty**, McNeil Nutritionals; and **Monica Bower**, Computer Technology Services.

BCG

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(Office Proficiency Assessment and Certification®). OPAC was validated in its development by Professional Secretaries International® and subsequently validated, using concurrent criterion-related validity and content validity, by Biddle & Associates in conjunction with a large employer for numerous occupations.

OPAC can be used by employers to help screen clerical, administrative, and word processor candidates. The OPAC software includes the Hogan Personality Inventory and a module for the inclusion of an organization's own validated test questions.

In 2000, BCG released a computerized pre-employment selection test for public-safety dispatchers and calltakers called **CritiCall®**.

CritiCall is based upon a national job analysis that originally included over 45 agencies, and has since been validated by over 200. It has been accepted by the Oregon Department of Public Safety Standards and Training for use in that state, and can be used by California agencies in lieu of the California Commission on Peace Officer Standards and Training's entry-level telecommunicator's test. ❄

OPAC Office Skills Testing Software Version 7.5 Just Released

Once again OPAC Testing Software has successfully released another version of its leading pre-employment skills testing software package.

OPAC 7.5 was released to all current customers in May and included two new assessment tests, Intermediate Microsoft®

Word and Spelling. We have also updated the software to expand computerized office skills testing into additional competency areas and enhance its use.

The Intermediate Microsoft® Word test measures a person's ability to efficiently work with Microsoft Word 97 and higher. Everything needed to take the test, including instructions, is provided to the test taker on the

computer screen, eliminating the need for printed (hard-copy) instructions or documentation.

The Spelling test measures an applicant's ability to correctly spell and use homonyms (words that sound alike, but have different meanings according to the context in which they are being used). Correct spelling is often crucial to communicating a message's true meaning, and automated spell-check programs do not correct misused homonyms.

OPAC version 7.5 also includes new features such as the Validation Wizard Tutorial, enhanced scoring features in the keyboarding test, enhanced privacy and test protection features, and more! ❄



AAPs

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decision is made and to make sure that everyone is aware of the risks associated with each option and that they will be accountable for the results.

For more details about the strengths and weaknesses of each option, please call BCG at (800) 999-0438 or e-mail staff@biddle.com. ❄

Spotlight: Selecting Firefighter Candidates with FSI

Firefighter Selection, Inc. (FSI), a affiliate company of Biddle Consulting Group, Inc., specializes in the development and validation of entry-level firefighter and promotional selection instruments. FSI knows agencies and human resource professionals have a challenging task of finding the best entry-level and promotional firefighting candidates, and finding them in a fair and legal fashion.

FSI's testing products and services have been used and praised by the firefighting community throughout the United States and Canada for over 15 years. With

a series of written tests, personality tests, physical ability tests, interview packages, and consulting services, FSI is your single source for the selection process.

FSI can also organize and lead your agency through a consortium process, so that your agency can enjoy greater benefits at reduced costs.

FSI stands by all of its products — ready to assist any client whose selection procedures might be challenged.



2003 Calendar

Conferences

- : August 11-13 :**
(Criticall)
APCO International (Booth #1123)
Association of Public-Safety
Communications Officials
Indianapolis, Indiana
- : August 12-14 :**
(AAP)
NILG Conference
National Industry Liaison Group
North Charleston, South Carolina
- : October 7-9 :**
(AAP)
HR Southwest Conference & Expo
Society for Human Resources
Fort Worth, Texas
- : October 27-30 :**
(OPAC)
Staffing World Conference & Expo
American Staffing Association
Las Vegas, Nevada
- : November 7 :**
(OPAC)
ALA Regions 1 & 2 Conference
Association of Legal Administrators
New York City, New York

Professional Training Workshops

For more information on any of the conferences, training workshops, or other Biddle Consulting Group, Inc. events listed, please call BCG toll-free at (800) 999-0438 or e-mail your questions to staff@biddle.com.

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| <ul style="list-style-type: none"> <li style="text-align: center;">: July 21 :
<i>Affirmative Action Plan
Methodology Workshop</i>
Rancho Cordova, California
Cost: \$495 <li style="text-align: center;">: July 21-22 :
<i>Affirmative Action Plan
Methodology & Software Training</i>
Rancho Cordova, California
Cost: \$990 <li style="text-align: center;">: October 21 :
<i>Affirmative Action Plan
Methodology Workshop</i>
Rancho Cordova, California
Cost: \$495 | <ul style="list-style-type: none"> <li style="text-align: center;">: October 21-22 :
<i>Affirmative Action Plan
Methodology & Software Training</i>
Rancho Cordova, California
Cost: \$990 <li style="text-align: center;">: November 3 :
<i>Affirmative Action Plan
Methodology Workshop</i>
Rancho Cordova, California
Cost: \$495 <li style="text-align: center;">: November 3-4 :
<i>Affirmative Action Plan
Methodology & Software Training</i>
Rancho Cordova, California
Cost: \$990 |
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Other Important Dates

- : August 13 :**
Criticall User's Group Meeting
APCO International Conference
House Room, Westin Hotel
Indianapolis, Indiana

Check out these websites:

www.biddle.com | www.opac.com | www.criticall911.com
www.fireselection.com | www.uniformguidelines.com



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