Online but Disconnected

Young Adults' Experiences with Online Job Applications

JobsFirst**NYC**

JobsFirstNYC
Unleashing the economic power of young adults

About JobsFirstNYC

JobsFirstNYC is a neutral intermediary and a champion for the workforce needs of out-of-school, out-of-work young adults in New York City. Our mission is to improve the system for young adults by bringing together—effectively and efficiently—all available community, corporate, private, and public resources to accelerate the connection of out-of-school, out-of-work young adults with the economic life of New York City.

About This Paper

The breadth of the mission that informs our work at JobsFirstNYC demands that our institution set the highest possible bar in our vision for an inclusive economy in New York City. An economy that is ultimately successfully driven by what is presently a vast untapped resource of talent and possibility: the more than 140,000 New Yorkers aged 16–24 who are out of school and out of work.

In the last decade, technological advancements have propelled the use of online job applications in the hiring process to new heights. New York City community-based employment and training organizations challenged by the substantial barrier the personality assessment embedded in online job applications placed between the clients they prepare for careers—particularly young first-time jobseekers—and their entering the workforce, compelled JobsFirstNYC to undertake the research that resulted in this report. We set out to uncover the impact of personality assessments in online job applications on young adult employment and how to ensure that young people are optimally positioned to enter the labor force.

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Executive Summary

Your first job was likely behind the counter of a retailer or a fast food restaurant. A minimum-wage job with Dunkin' Donuts and Macy's may be short on glamor and pay, but it is the primary source of employment for most young adults and the first rung on the ladder of lifetime employment. Unless you are under 25, you were probably hired for that job after completing a one- or two-page application and being briefly interviewed by the manager. That simple process has virtually disappeared.

National retailers and franchisors of fast food and casual restaurants now dominate New York City's hospitality and retail landscape. In 2015, more than 300 national chains operated 7,550 stores and restaurants, an uptick of nearly 50 percent since 2008. Due to a boom in tourism, the number of jobs in these sectors has also grown, increasing by more than 100,000 during the same period.

Nearly all these national chains recruit entry-level workers online. Instead of a simple form asking for an address, telephone number, and previous experience, an application may now include a battery of 200 or more personality-related questions, even for jobs behind the counter at Dunkin' Donuts. These detailed pre-employment personality assessments can take anywhere from 90 minutes to more than two hours to complete.

As hiring processes have migrated to the online world, young first-time jobseekers in New York City have found it increasingly difficult to be hired for these entry-level jobs. Representatives of community-based employment and training organizations that assist young adults attribute this barrier in part to the rise in confusing, ambiguous, and seemingly irrelevant questions in online job applications.

To address this situation, these organizations approached JobsFirstNYC for help. JobsFirstNYC is a neutral intermediary and a champion for the workforce needs of out-of-school, out-of-work young adults in New York City. Its mission is to improve the system for young adults by bringing together—effectively and efficiently—all available community, corporate, private, and public resources to accelerate the connection of out-of-school, out-of-work young adults with the economic life of New York City.

About one-fifth of New York City's young adults are neither working nor enrolled in school. Any obstacle to their securing an entry-level job has serious long-term ramifications because joblessness between the ages of 16 and 24 is highly predictive of adult unemployment. Thus, in 2012, in response to the call from employment and training organizations, JobsFirstNYC resolved to investigate how personality assessments in online job applications affect young adult employment and to identify measures to alleviate such impacts.

Between 2012 and 2015, JobsFirstNYC convened representatives of community-based workforce organizations in New York City to explore these issues. The group recruited young adults to submit applications to major retailers and dining franchisors and to comment on their experiences. In addition, JobsFirstNYC conducted research on the history and science of pre-employment personality testing and on hiring trends in the retail and hospitality sectors of New York City. Finally, JobsFirstNYC submitted written inquiries to the companies to which the young recruits had submitted applications.

Based on this initiative, JobsFirstNYC found the following:

1 ONLINE JOB APPLICATIONS FOR ENTRY-LEVEL RETAIL AND HOSPITALITY JOBS INCLUDE DIFFICULT PERSONALITY ASSESSMENTS THAT ARE INAPPROPRIATE FOR YOUNG ADULTS.

JobsFirstNYC reviewed job applications for national retailers and several casual dining companies that included personality assessments intended to discern moods and tendencies. The questions in these personality assessments have no apparent relationship to the requirements of the jobs sought.

Several extreme assessments include more than 200 questions and take hours to complete. Limits on computer time at public terminals might preclude young adults without broadband internet access from applying to these employers. Moreover, even shorter assessments can be difficult to complete because many questions have no "right" answer or have multiple answers that appear equally correct.

Unfamiliar terminology and inappropriate assumptions in online applications may also bewilder young adults, particularly if they are first-time jobseekers. For example, Dunkin' Donuts asks entry-level job applicants whether they have "looked for a chance to advance to a higher level."

Young adults are also likely to struggle with test questions intended to measure executive function, since the part of the brain governing emotional maturity, self-image, and judgment is not fully developed until age 25. The preponderance of questions measuring judgment in many tests gives older applicants a distinct and immutable advantage over younger applicants. At the same time, employers can bar a rejected applicant from reapplying when they are older.

2 PERSONALITY ASSESSMENTS MAY BE INVALID AND UNRELIABLE FOR IDENTIFYING GOOD WORKERS FOR ENTRY-LEVEL JOBS.

Pre-employment personality testing has exploded in popularity, with as many as 60 percent of today's jobs requiring a personality test before an interview. However, there is no evidence that individuals selected on the basis of personality tests prove to be better workers in hospitality and retail jobs than individuals selected because of their customer service skills or relevant experience.

Psychometric research indicates that the correlation between the traits measured by personality assessments and job performance is "near zero." Because false scores can easily result from interpreting the meaning of certain questions differently, from reading the questions too quickly, or from faking responses, scores on pre-employment tests are largely unreliable. A dishonest applicant who knows the "correct" answer will be selected over a more qualified worker who answers honestly but "incorrectly."

3 ONLINE PERSONALITY ASSESSMENTS USED BY RETAILERS AND HOSPITALITY COMPANIES MAY VIOLATE THE CIVIL RIGHTS OF APPLICANTS.

Corporations such as Target and CVS have settled enforcement actions alleging that their pre-employment personality tests violated Title VII of the 1964 Civil Rights Act and the Americans with Disabilities Act. Many applications completed by JobsFirstNYC's recruits resembled those challenged as unlawful. JobsFirstNYC contacted companies that screened jobseekers with personality tests to see whether the tests had been established as being valid and job related. No company confirmed that its test had been independently validated.

4 FEWER YOUNG ADULTS UNDER AGE 21 ARE BEING HIRED FOR ENTRY-LEVEL RETAIL AND HOSPITALITY JOBS IN NEW YORK CITY.

The hiring of youth under age 21 has not kept pace with the city's boom in retail and hospitality jobs. Between 2010 and 2014, first-quarter hiring in these sectors increased by 17 percent, but the hiring of youth under the age of 19 *declined* by nearly 13 percent, and the hiring of young adults aged 19–21 grew by only 6 percent. With changes in New York City's labor market, these sectors are now the most significant source of employment for young adults. But because of their declining share of the retail and hospitality workforce, only about 20 percent of New York City teens aged 16–19 have jobs—the lowest rate of employment for this age group among the ten largest US cities.

The loss of a significant share of middle-wage jobs in New York City since the 2008 recession has pitted some older unemployed workers against younger applicants who are new to the workforce—and it seems that older workers are winning. This is likely due, in part, to the proliferation of online employment applications in the retail and hospitality sectors. Older workers outscore younger workers on personality assessments and are therefore more likely to be hired.

If pre-employment personality assessments consistently identified better workers, then it would be regrettable, but fair, for young workers to lose out. However, because such assessments are flawed, superior test-taking performance does not represent a superior ability to perform the job. Instead, these selection instruments yield irrelevant results with very real consequences for young adults who subsequently fail to connect to the workforce. Partly as a result, these young adults are likely to experience a lifetime of low wages and sporadic employment, as well as range of negative health and social impacts.

To ensure that qualified young adults in New York City have access to entry-level jobs, JobsFirstNYC urges retailers and hospitality companies to scrutinize their hiring practices. Pre-employment assessments must be independently determined to be valid, reliable, and job related. Moreover, in-store computer kiosks and paper applications should be available to young adults who lack broadband internet service, and public libraries should allow them sufficient time at computers to complete their applications.

Finally, hospitality and retail companies should consider adopting alternative processes that "screen in" young adults. Such processes include those adopted by companies such as Sprint and Old Navy through the platform LearnUp; those that partner with schools and community-based organizations to identify and train young jobseekers to improve retention and performance, as adopted by Swiss Post Solutions and The Gap; and processes that forego online personality assessments and instead evaluate applicants, often in person, for job-related skills, as done by Chipotle Mexican Grill and Pret A Manger.

Background

NATIONAL CHAINS ARE HIRING FEWER YOUNG ADULTS

A boom in tourism has led to major growth in retail and hospitality employment in New York City, with a net increase of more than 100,000 jobs between 2010 and 2014 and a 17 percent increase in first-quarter retail hiring in 2014 compared to 2010 (Table 1).[1] The expansion of large national retailers and casual restaurant chains propelled most of this growth. By 2015, more than 300 national retailers (such as Macy's, Staples, The Gap, and CVS) and restaurant chains (such as Chipotle and Subway) operated more than 7,500 stores and restaurants in New York.[2] Nearly all these corporations require the digital submission of job applications.

Although the retail and hospitality sectors should offer young adults the best chance at a job,[3] the hiring boom has overlooked many teens. Between 2010 and 2015, first-quarter hiring of young adults aged 19–21 for retail jobs increased by only 1 percent, while the hiring of young adults aged 14–18 declined by 6 percent.

In New York City, the hiring of teens declined by 6 percent between 2010 and 2015.

Meanwhile, the hiring of adults aged 25–34 increased by more than 32 percent.

This occurred because the city's middle-wage economic sectors experienced the biggest job losses after the Great Recession. Between 2011 and 2015, for example, employment in business support services declined by 11.4 percent, office administration declined by 7.5 percent, and manufacturing jobs continued a downward slide.[4]

Consequently, older workers are competing with young adults in the healthiest sectors of the city's economy— retail and hospitality—and taking an oversized share of available jobs (Table 1). For example, more than 52,900 workers aged 25–34 were hired by retailers in the first quarter of 2015, a 32 percent increase since 2010. If hiring rates were consistent with previous years, thousands more young adults would have jobs with retailers.

As of 2015, only about 20 percent of New York City teens aged 16–19 were working, the lowest rate of employment for this age group of the 10 largest US cities. The employment rate for 16- to 19-year-olds in the New York metro area decreased by nearly one-third between 2000 and 2012.[5]

TABLE 1: Age of NYC retail job hires in 2010 and 2015

Age	1st qtr. 2010	1st qtr. 2015	Difference	Change
14–18	4,130	3,880	250	-6.0%
19–21	15,642	15,831	189	1.2%
22–24	16,852	21,609	4,757	28.2%
25–34	40,083	52,969	12,886	32.15%
35–44	26,309	29,977	3,668	13.9%
45–54	21,964	24,459	2,495	11.3%
55–64	13,587	16,803	3,216	23.67%
65–69	4,707	7,243	2,536	53.88%
Total	**143,274**	**167,184**	**24,668**	**17%**

Source: QWI Explorer, United States Census Bureau, Center for Economic Studies, Longitudinal Employer-Household Dynamics

ONLY ABOUT 20% of New York City teens aged 16–19 are working—the worst big city rate in the US.

Low teen employment is not unique to New York. The Brookings Institution has found that three out of four 16- to 19-year-olds nationwide are unemployed.[6]

High teen unemployment has major ramifications for these individuals because long-term employment is path dependent—meaning that one's recent employment history is strongly associated with current and future employment. The more weeks worked by an individual in one year, the greater the probability that the person will work the subsequent year. In the long term, a teen's reduced work experience, particularly for those who do not enroll in four-year colleges after graduation, is associated with a significantly lower chance of employment and lower earnings as an adult.[7]

WHAT JOB DEVELOPERS SAY

An estimated 136,500 young adults in New York City are neither working nor in school. Many of them seek help from job developers at local nonprofit organizations and social service agencies. Job developers assist clients in job searching and placement, and engage and partner with employers to help fill their hiring needs. Job developers are skilled at matching young adults to appropriate employment opportunities and helping them prepare for job interviews and meet workplace expectations. In 2012, a group of New York City job developers convened by JobsFirstNYC reported that their program participants were finding it more difficult to be hired, despite ostensible retail and hospitality job growth in the city.[8] They wondered whether these disappointing outcomes could be attributed to the explosive growth of online employment applications.

> **In a subsequent survey conducted by JobsFirstNYC (Appendix A), job developers discussed their substantial efforts to help young adults compete. Some of their responses include the following:**
>
> • *"The staff work with participants to complete online job applications. We also explain the process in detail including the time to complete the application online."*
>
> • *"Instruction is provided regarding how to complete an online job application. Although many have some experience doing so, most aren't aware of how employers are using the online application to screen out/in candidates and so they are completing online applications hastily and carelessly."*
>
> • *"[We provide] access to computers, storage of email addresses and passwords, guidance in reviewing and reading email, explaining what certain questions are trying to arrive at, defining certain words or phrases, provide workshops that cover online applications. We work on a one-to-one basis on their answers and interpretations of the questions."*
>
> • *"I meet face to face with participants to assist them to complete online applications and help them to complete the initial assessments, which are very difficult for most of the participants to complete and pass successfully."*

Despite their extensive efforts, survey respondents were widely dissatisfied with application outcomes. Over two-thirds of respondents reported that 75 percent or more of their program participants were unable to

TABLE 2: Response to a question from JobsFirstNYC's survey of job developers

Please estimate how many of your participants are hired after submitting online applications.

Category	Percentage
None	18.8%
Less than a quarter	68.8%
Between a quarter and a half	12.5%
More than a half	0%
All	0%
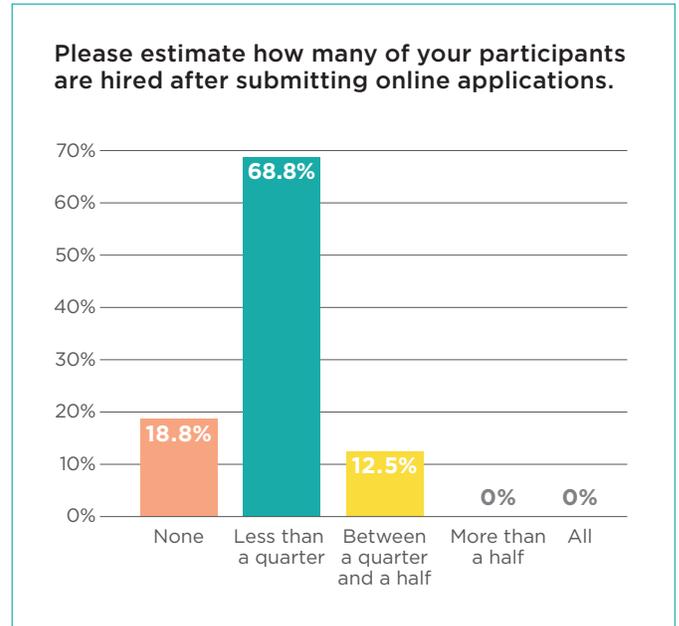
secure employment for entry-level jobs where online job applications were a required step in the process (Table 2). Nearly 20 percent reported that no program participant who submitted a digital application was hired.

Survey respondents attributed the high failure rate to flawed hiring processes. More than 82 percent of survey respondents reported that online applications screened out qualified applicants. Only 27 percent believed that candidates selected by employers from online applications were more qualified than those who were rejected.

ONLY 27%

of job developers thought that applicants hired from online applications were better equipped than those who were rejected.

Survey findings were corroborated by many other workforce practitioners interviewed by JobsFirstNYC.[9]

GROWING USE OF PRE-EMPLOYMENT PERSONALITY TESTS

To compete for jobs, as many as 60 percent of prospective workers in the United States—including nearly all applicants for customer service positions—undergo a pre-employment personality assessment, a test that usually consists of a battery of questions intended to identify personality traits and evaluate the applicant's judgment.[10] Personality assessments, also known as "pre-employment questionnaires," are believed by employers to be more effective at identifying motivated candidates who fit a corporation's culture and less susceptible to racial and gender bias than traditional cognitive assessments.[11]

However, the perceived utility of these tests as a predictor of job success has fluctuated widely during the past 60 years. First used during World War I to predict which soldiers might panic on the battlefield, personality testing came into widespread use in the postwar era, when companies such as Sears and Procter and Gamble adopted these tests as part of their hiring and promotion practices. Many companies throughout the country perceived the tests as a scientific mechanism for measuring the behavioral traits and "emotional intelligence" thought to characterize successful hires.[12] By 1954, 63 percent of large corporations used personality tests to guide their hiring decisions.[13]

The tide of opinion turned in 1965, after two influential organizational psychologists concluded that personality tests were an invalid basis for employment decisions.[14] They pointed to flaws in the theories linking personality characteristics to jobs, flaws in the quality of personality tests' measurements, and, most significantly, flaws in the consistency and strength of the relationships

between personality characteristics and work-related outcomes. Their findings were so persuasive that personality tests for job applicants were essentially abandoned for 35 years.[15]

However, after polygraph testing for employment screening was banned in 1988, businesses searched for a cheap alternative to identify candidates prone to theft, substance abuse, sexual harassment, violence, and other behaviors that prior employers might be reluctant to disclose out of fear of liability.[16] When research suggested small correlations between personality and job performance, the use of personality tests to screen job candidates became popular once again.[17]

Personality tests were also attractive to employers seeking protection from employment discrimination lawsuits. Companies are legally required to take reasonable efforts to remove biases from their hiring processes. Interviews were construed to be particularly susceptible to bias and unlawful discrimination while pre-employment tests were considered fairer and more objective tools. Companies that screened applicants using interviews were reportedly three times more likely to be sued than those using aptitude, personality, or skills tests.[18] Personality testing was also believed to better identify motivated workers than other selection methods, thereby reducing the considerable costs related to employee turnover. According to one estimate, the average cost of replacing an unsuccessful hire is 1.5 times the worker's annual salary and benefits.[19]

FROM THE KRONOS WEBSITE:

Kronos solutions automate processes to help engage employees and increase operational efficiencies. Learn how we help you control labor costs, minimize compliance risk, and improve workforce productivity to gain a competitive edge.

Today, workplace personality testing has become a $500-million-a-year business with annual growth ranging from 10 percent to 15 percent.[20] Retailers in particular have largely outsourced their hiring processes to third-party workforce management companies that use personality assessments as critical hiring determinants. For example, in 2008, Kronos's Unicru personality test was used to assess more than ten million jobseekers.[21] JobsFirstNYC recruits applied to major retailers that used Kronos's assessments, as well as those administered by Taleo, BrassRing, ADP VirtualEdge, HireBridge, and Aon.

WHAT PRE-EMPLOYMENT PERSONALITY TESTS PURPORT TO MEASURE

Most pre-employment personality assessments are intended to measure traits considered part of a normal personality[22] and to capture data on variables (such as motivation, honesty, self-control, persistence, leadership, and teamworking ability) that are believed to be relevant to work performance.[23] Questions intended to elicit information on these traits were observed in the pre-employment personality assessments collected by JobsFirstNYC recruits.

In the job applications collected by JobsFirstNYC, motivation appeared to be the single most important quality measured by employers. Because recruitment, training, and attrition costs have risen more in proportion to other costs, businesses seek workers who demonstrate commitment and willingness to work hard.[24]

To be identified as a worker who will "go the extra mile," applicants may be asked whether they "strongly agree, agree, disagree, or strongly disagree" with statements such as these:

• *Work is the most important thing in my life.*

• *I admire people who work long hours.*

• *People who know me say I work too hard.*

• *Employees should be expected to work extra hours to finish a job on time.*

• *I know many people who work themselves too hard.*

• *I feel sorry for people who put in long hours at work.*

JobsFirstNYC also found many questions intended to identify extraverts, even for jobs that do not involve customer service. This is likely because the qualities of friendliness, gregariousness, assertiveness, cheerfulness, and high energy are associated with people who work well in teams, as well as individuals with management potential.[25]

To identify extraverts, employers often ask candidates to respond to statements such as these:

• *I almost never feel bored at parties.*

• *It's easy for people to see my moods.*

• *Almost none of my friends are quiet and reserved.*

• *I find it easy to keep a conversation going.*

• *In social settings I enjoy introducing myself to an unfamiliar person.*

• *I find it more productive to work alone than as part of the group.*

• *I sometimes try to avoid meeting new people.*

Employers also use pre-employment personality tests to screen for leadership qualities, which are considered key to business success, even for non-supervisory positions. This was evident even in the entry-level job applications collected by JobsFirstNYC.

To identify leadership qualities, employers often ask applicants to respond to statements such as these:

• *I have a strong set of personal goals.*

• *Every person has the potential to be creative at work.*

• *Many managers focus too much on details and not the big picture.*

Tests for entry-level jobs that involve access to merchandise or the handling of money typically include many questions designed to measure honesty. Candidates must demonstrate that they possess a rigid sense of right and wrong with no room for moral ambiguity and are unacquainted with any individual who has engaged in illegal activity.

To identify whether candidates have a tendency toward dishonesty, employers often ask them to respond to statements such as these:

• *Most people are honest by nature.*

• *Most people can be trusted.*

• *Very few people steal at work.*

• *Teenagers often go through a shoplifting stage.*

• *It is wrong for someone to escape conviction on a technicality.*

• *I know someone who has stolen something.*

Employers are also very concerned about preventing incidents of vandalism and violence that may expose them to liability and losses. Consequently, pre-employment personality tests commonly include questions intended to determine whether applicants have antisocial tendencies or are emotionally unstable.[26]

To identify whether applicants have a tendency toward instability or anger, employers often asked them to respond to statements such as these:

- *I cannot remember the last time I lost my temper at work.*
- *I have almost never become angry at work.*
- *People who know me would not say I had a temper.*
- *It's normal to lose your temper at work occasionally.*
- *Over the course of the day, I can experience many mood changes.*
- *I feel discouraged when my efforts go unnoticed.*
- *When I get upset, I yell at other people.*
- *Making new friends is not as easy as it seems.*
- *I have never felt angry at a supervisor or manager.*
- *I have never been annoyed with a co-worker.*

Other positive traits that pre-employment tests attempt to measure include the following: ability to cope with stress, achievement orientation, agreeability, assertiveness, conscientiousness, dependability, communication skills, imagination and creativity, openness to new experiences, optimism, responsibility, and tolerance. Test questions may also seek to measure negative traits, such as tendency toward time theft (e.g., sick leave abuse and tardiness), disregard for rules, rigidity, prejudice, predisposition to negative interpersonal relationships, and lack of self-worth.

Applications that use personality assessments are graded by software that is programmed according to a preset algorithm. The results are then transmitted automatically to the employer, along with a rating of the applicant. Kronos's Unicru test, for example, creates a hiring report for each applicant, with a test score percentile ranking and a color code denoting the score ranges: lowest quartile (red), second-lowest quartile (yellow), and the two highest quartiles (green). Applicants who score yellow or red are unlikely to be interviewed.[27]
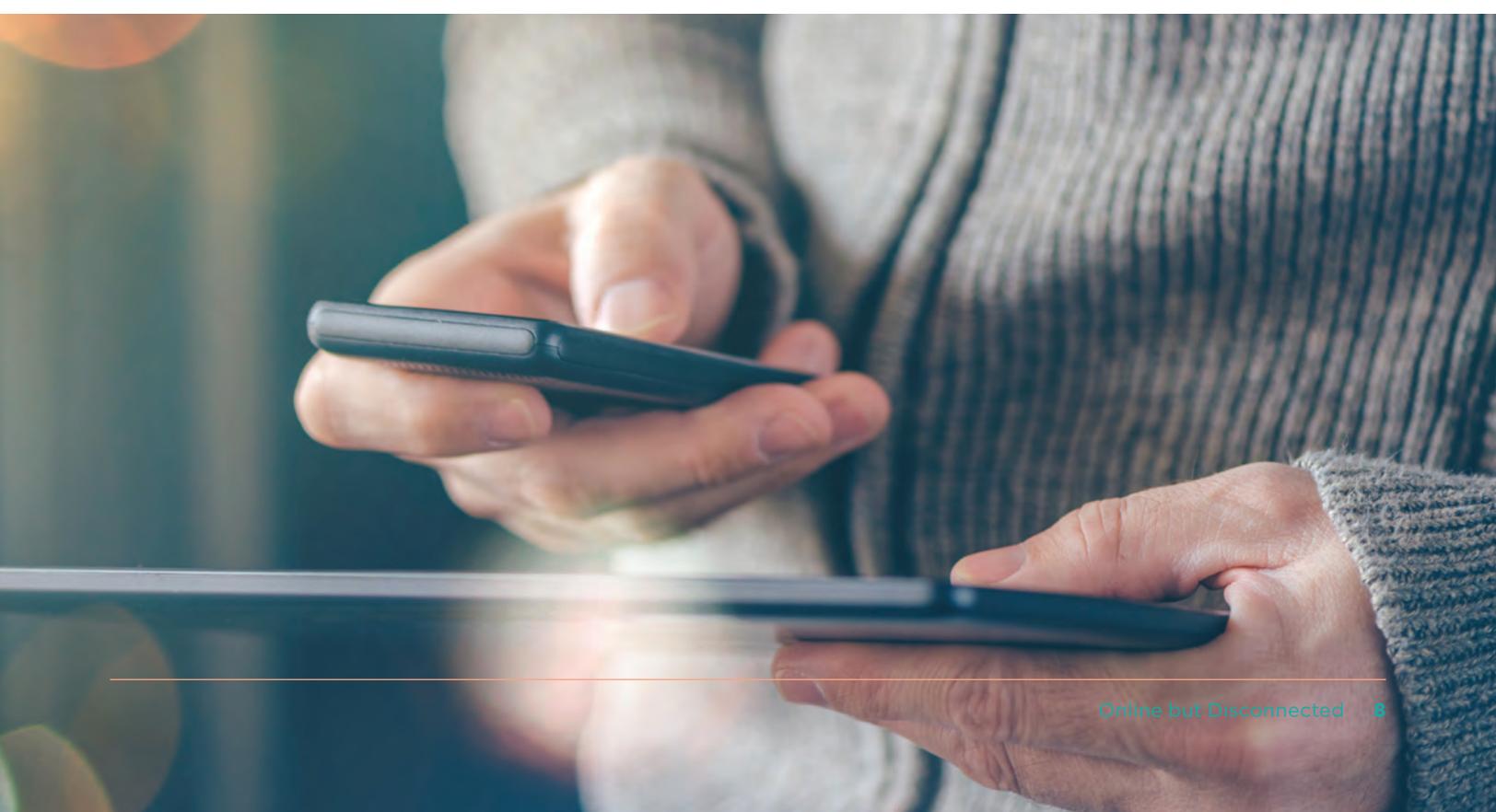
Issues with Pre-Employment Personality Tests

As discussed above, young adults under the age of 21 are not benefiting from booming employment in the retail sector. Their declining share of the workforce coincides with the increasing number of national retailers that screen employees with online personality assessments.

To understand how testing may affect hiring, in 2012 and 2014 JobsFirstNYC and the Employer Engagement Practitioner Work Group recruited young adults to apply to major retail, food service, and entertainment-related chains and to record their observations about the process.[28] The study recruits, who were between the ages of 18 and 22,[29] applied to 42 major businesses: 30 retailers and 12 hospitality businesses (ten food services companies and two entertainment-related companies).[30] The companies were selected based on their significant presence in New York City or the large size of their entry-level workforce.

At the time of the study, only five of the 42 companies accepted traditional paper applications.[31] The remaining 37 companies required digital submissions. Applicants printed out screenshots of digital application pages and noted the amount of time they spent completing each application; they also recorded their observations. (See Appendix B for the instruction sheet and survey form provided to the young recruits.)

JobsFirstNYC found that online applications, particularly for retailers, varied significantly in their length, complexity, and content. About half were time consuming and included questions that were complex and difficult to answer. Only one retailer's application (Home Depot) reflected content that was clearly pertinent to performance of the job sought. The applications of hospitality companies were more likely to include questions relating to customer service.

PRE-EMPLOYMENT PERSONALITY TESTS ARE ESPECIALLY CHALLENGING FOR YOUNG ADULTS.

While pre-employment personality tests are intentionally challenging for all candidates, they are particularly difficult for young adults. Many such tests include terms and reflect expectations bewildering to young and inexperienced jobseekers. Moreover, questions intended to measure impulse control, regard for rules, and ability to handle interpersonal conflicts and stress are difficult for young adults, whose neurobiological development is still in process until around 25 years of age. Finally, these tests can be problematic at a practical level, since many low-income young adults are constrained by a lack of broadband internet access, thus inhibiting their ability to complete lengthy personality tests.

A disturbing trend suggests that online applications are becoming progressively more time consuming. JobsFirstNYC recruits applied to eight of the same companies two years apart. None of the eight made it easier to apply after this two-year period, and several made it more difficult. For example, in 2012, the application for Pret A Manger, a casual dining establishment, took a college graduate only 25 minutes to complete; in 2014, the same application required a full hour due to its greater complexity. In addition, between 2012 and 2014, Rite Aid replaced its paper application with a lengthier online application, and CVS replaced a very simple online application with one that included a personality assessment.

Some specific findings of JobsFirstNYC's study are outlined below.

1. Online applications with personality tests are lengthy.

Online applications vary in their length and time needed for completion. Of the 37 online applications evaluated in this study, 15 included detailed personality assessments that typically took between 90 minutes to three hours to complete.[32] Among the 25 retailers with online applications, lengthy personality tests were found in 13 of them. Personality assessments were much less common among hospitality businesses. Of the 12 food service companies to which recruits applied, only two—Dunkin' Donuts and McDonald's—required a personality test.[33]

Observations from NYC job developers on online job applications:

- *They are quite tedious.*
- *Online job applications take lots of time and most [applicants] do not pass the initial assessment.*
- *They are lengthy and repetitive.*
- *Often students quit midway through an application because they are either confused, frustrated or just plain fatigued.*
- *They do not give a portrait of the candidate.*
- *Time consuming, they malfunction in the process.*
- *They often leave [applicants] feeling hopeless.*

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2. Questions in personality assessments are often complex and ambiguous.

Applications with personality assessments are enormously time consuming because of the number and complexity of their questions. For example, personality assessments in applications for Bloomingdale's, Dunkin' Donuts, and Macy's each had more than 200 questions, a large portion of which were extremely difficult to answer. Their assessments were characterized by questions for which there were either no apparent "right" answers, or multiple apparent right answers.

Some test questions asked respondents to choose the statement that best describes them. Each statement may appear equally desirable or undesirable for the job in question. For example:

When at work, I
- ○ *Talk cheerfully to the people I meet.*
- ○ *Speak to people in a candid and direct manner.*

Other questions tried to measure tendencies and preferences. For example, an application for a retail job asked the following:

On one of your breaks some of your coworkers start gossiping about an apparent romance taking place between a supervisor and another employee. Which of the following would you most likely do?
- ○ *Tell your co-workers that they should not be gossiping.*
- ○ *Join the conversation so that you can change the topic to something more appropriate.*
- ○ *Tell your supervisor about the conversation.*
- ○ *Listen to the conversation, but don't say anything.*

A co-worker needs help with a task, but you already have a lot to do. Which of the following would you most likely do?
- ○ *Apologize and say that you can't help because you've got too much to do.*
- ○ *Stop what you are doing and help your co-worker.*
- ○ *Tell your co-worker that you'll help as soon as you finish your own work.*
- ○ *Stop and help the co-worker only if the co-worker's task is more important than your own.*

In a "Self-Description" section, one department store presented respondents with pairs of adjectives from which they were asked to select the one that best described them. For example:

Which adjective describes you at work?
- ○ *Positive*
- ○ *Careful*

Which adjective best describes you at work?
- ○ *Content*
- ○ *Joyful*

Which adjective best describes you at work?
- ○ *Modest*
- ○ *Optimistic*

Similarly, another retailer presented candidates with 35 questions composed of a group of three statements in which they were asked to indicate whether each was most or least important to them. For example:

Most		*Least*
○	*Serious – focused; often in deep thought*	○
○	*Motivating – providing encouragement*	○
○	*Enthusiastic – full of passion towards meeting goals*	○

Young adults may also be perplexed by questions that look more appropriate for professional-level job applications. For example, Dunkin' Donuts' cashier application asked about "looking for promotion opportunities," "taking risks to implement innovative policies," "doable solutions," and "freedom in decision making"; it also asked how candidates felt about a "frequently changing work environment" and whether they had looked for a chance to "advance to a higher level." Such questions may seem trivial, but with 568 stores in New York City, Dunkin' Donuts' screening process has far-reaching implications for young jobseekers.

Dunkin' Donuts' crew member (i.e., entry-level) application asked respondents to indicate whether they "strongly disagree, disagree, were neutral, agree or strongly agree" with the following statements:

- *A person should look for promotion opportunities at work.*
- *Smart employers are willing to take risks in implementing innovative policies.*
- *I would enjoy working for a cutting-edge company, even there is some risk involved.*
- *Changing workplace procedures is not productive.*
- *In solving business problems, it is important to consider what works in the real world.*
- *When I resolve a problem at work I expect the solution to be very doable.*
- *I really like jobs where I am given free reign [sic] to make decisions.*
- *I am always looking for the chance to advance to a higher level job.*
- *Coworkers would describe me as someone who prefers a frequently changing work environment.*

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3. Questions on most digital applications were seemingly irrelevant to job performance.

Digital applications completed by JobsFirstNYC recruits rarely included questions relating to performance of the job sought. Companies were surprisingly uninterested in learning about the previous experience of applicants. A notable exception was Home Depot, which asked applicants to respond to realistic customer service scenarios in a computer simulation. For the most part, companies instead based their initial screening decisions entirely on personality measures.

4. Immature neurobiological development influences personality test outcomes.

Questions like those asked by Dunkin' Donuts (see above) are also intended to measure "executive function"—the cognitive skills needed for goal-directed behavior—and to identify individuals with high levels of maturity and judgment. The 37 digital applications JobsFirstNYC reviewed had questions intended to measure executive function. However, neuroscience has shown that a young person's cognitive development is only partially complete at age 18. Emotional maturity, self-image, and judgment continue to evolve until age 25, when the brain's prefrontal cortex is fully developed.[34]

Therefore, a 26-year-old is much more likely than a teenager to be hired on the basis of a personality assessment, even though any normal 18-year-old is capable of serving donuts and coffee. An 18-year-old who is screened out may never get a second chance to show that they have matured. Because of employers' misapprehension that personality is fixed and static, they often bar rejected candidates from reapplying in the future.

**CASE STUDY:
H&M'S MISUNDERSTANDING OF COGNITIVE DEVELOPMENT**

Clothing retailer H&M would not let Chad, a 22-year-old JobsFirstNYC recruit, complete a personality assessment after he had filled in his personal information on the store's application in November 2014. Why? Because he was identified by the company's database as a previously rejected applicant.

When Chad reached the personality assessment portion of the test, he received the following message:

> *You Have Completed All Questionnaires*
>
> *Our records indicate that you have already completed this process in the past.*
>
> *If you believe otherwise, please contact us.*
>
> *Since experts believe that people's personalities change very little over the years, we will use your prior questionnaire results in assessing you for the current position.*
>
> *You are done with the questionnaire. Should your qualifications meet our needs, we will contact you.*

Chad was never contacted by H&M.

5. Low-income young adults may be constrained from competing by their lack of broadband internet access.

The use of personality tests in online applications risks shutting digital "have-nots" out of work opportunities. About 25 percent of New York City households lack broadband internet service.[35] Not surprisingly, these households are concentrated in communities with high rates of public assistance[36] (Table 3); the problem is particularly acute for the 403,665 residents of New York City's public housing developments. OneNYC—New York City's plan for a "strong and just city," which includes universal broadband as one of its goals—will not be fully operational until 2025.[37]

TABLE 3: NYC communities with the lowest broadband connection rates

Community district (CD) and neighborhoods	Percent on public assistance (2011)	Percent without broadband (2013)
Bronx CD 1 & 2 – Hunts Point, Longwood, & Melrose	59%	34%
Bronx CD 3 & 6 – Belmont, Crotona Park East, & East Tremont	58%	40%
Bronx CD 4 – Concourse, Highbridge, & Mount Eden	58%	37%
Bronx CD 5 – Morris Heights, Fordham South, & Mount Hope	62%	32%
Bronx CD 7 – Bedford Park, Fordham North, & Norwood	52%	38%
Bronx CD 9 – Castle Hill, Clason Point, & Parkchester	45%	35%
Brooklyn CD 3 – Bedford-Stuyvesant	45%	39%
Brooklyn CD 4 – Bushwick	49%	33%
Brooklyn CD 5 – East New York & Starrett City	49%	32%
Brooklyn CD 8 – Crown Heights North & Prospect Heights	38%	34%
Brooklyn CD 13 – Brighton Beach & Coney Island	47%	42%
Brooklyn CD 16 – Brownsville & Ocean Hill	52%	39%
Manhattan CD 3 – Chinatown & Lower East Side	51%	33%
Manhattan CD 10 – Central Harlem	40%	34%
Manhattan CD 11 – East Harlem	46%	38%
Queens CD 3 – Jackson Heights & North Corona	44%	31%
Queens CD 14 – Far Rockaway	55%	32%

Sources: Bureau of Policy and Research, Office of the New York City Comptroller, Internet Inequality: Broadband Access NYC (2014), citing US Census Bureau, 2013 American Community Survey; New York City Department of City Planning, Community District Needs, Fiscal Year 2013.

In the meantime, young adults who lack broadband Internet service rely on public terminals. These terminals, however, are problematic because strict time limits may not allow enough time for a candidate to complete a lengthy personality assessment. For example, the Queens Public Library imposes a one-hour time limit.[38]

EXPERTS SAY PERSONALITY TESTS MAY NOT BE VALID FOR EMPLOYEE SELECTION.

Although businesses increasingly rely on personality assessments to select their employees, assessments in 2017 may be no more legitimate than the tests discredited in 1965.

Substantial research has failed to establish anything more than a minuscule correlation between personality test scores and employee performance. Furthermore, because such tests are so easy to "fake," their scores are unreliable. Additional issues include language that is often unfamiliar and ambiguous, and potential bias based on race or disability.

1. Pre-employment personality tests do not predict job performance.

For a personality assessment or other employee selection procedure to be valid, empirical data must demonstrate that its content is "job related"—in other words, that answers will predict or correlate strongly with important elements of job performance.[39] Data must establish that the test measures identifiable characteristics that have been determined to be important to the successful performance of the job that candidates seek.

For example, if the most important skills needed by an assembly line worker were speed and accuracy, and data established that faster and more accurate workers consistently scored higher on a particular test than slower and less accurate workers, the test would therefore be valid and job related. However, while we may know that the ability to work fast makes a person a better assembly worker and can test an applicant's speed, we don't know that isolated personality traits such as motivation and conscientiousness make better workers. There is no evidence linking personality traits like these with employee job success.

ONLY 5%
of an employee's job success is related to personality.

Five leading management psychologists reviewed more than 7,000 research papers on personality testing for employee selection and concluded that candidates' personalities accounted for only about 5 percent of employee job success, while the other 95 percent of performance had nothing to with personality.[40] One author asked, "Why are we now suddenly looking at personality as a valid predictor of job performance when the validities still haven't changed and are still close to zero?"[41]

Personality assessments are not predictive of success because there is not enough clear evidence linking specific personality characteristics to job performance, and because human resources staff can err in evaluating how to match personality correlates with jobs. According to one study:

> Job analysis has focused on determining abilities and skills that are necessary for successful job performance and it is not clear whether these same job analytic methods can be applied to determine which personality attributes make a difference in performing one's job.[42]

The digital applications evaluated by JobsFirstNYC included scores of questions intended to measure personality traits thought to be important for customer service, including numerous questions designed to select individuals with outgoing personalities. These questions are likely based on the mistaken, but widely held, belief that extraverts make better frontline workers who are more likely to be promoted to management positions.[43]

ONLY 14%

of the Fortune 500 companies that use personality tests say they have proof of positive business impacts.

Furthermore, even if they contain hundreds of questions, personality assessments are not very good at identifying consistent personality traits. This is because people's attitudes and behaviors are not fixed or static. Most of us have personalities that fall along a continuum, and our answers are therefore contingent and situational.[44] As a result, an applicant's answers to the same test can be widely divergent depending on their mood, energy level, or other factors.

Whole Foods Market learned this the hard way after it hired employees for food preparation jobs who passed the personality screening but had no cooking skills. The company subsequently dropped its personality assessment for food preparation jobs.[45]

> **Whole Foods Market dropped its personality assessment after this test led it to hire food preparation workers with no cooking skills.**

Experts have concluded that personality assessments are among the least effective methods for predicting job performance.[46] Thus, their use as an "instrument of decision" is recommended only after substantial testing "in the specific situation and for the specific purpose" for which it is meant to be used.[47] But this is not occurring.

Although 80 percent of Fortune 500 companies use personality assessments for employee selection, only 14 percent are said to have data indicating positive business impacts of such testing.[48] Even that number is dubious, as testing-industry leaders and the companies that hire them refuse to produce internal validity studies and other documents related to their assessments, claiming that doing so would compromise proprietary information.[49]

When JobsFirstNYC asked human resources executives whether their companies' personality assessments had been independently validated (Appendix C), none confirmed their validity. Furthermore, the ten million job applicants screened annually with Kronos's Unicru test demonstrate that it is not being applied only "in specific situations" for "specific purposes."

Therefore, today, as in 1965, there is still "no generalizable evidence that personality measures can be recommended as good or practical tools for employee selection."[50]

2. Personality tests are easy to game.

Nearly every online personality test admonishes applicants not to give false answers. For example, the Dunkin' Donuts application cautions the following:

> Distorting your responses to make yourself more favorable than you actually are will not help you because **there are no "right" or "wrong" answers**. Respond to each statement and do not spend too much time reflecting on the statements or your responses to them. Be aware that the software that administers this **assessment is able to determine if you are distorting your responses** in order to appear more favorable than you actually are. If you distort your responses that **information will be available to the company in which you are applying**. (Emphasis in original.)

Employers depend on honesty because "faked" answers undermine both the validity of personality measures and the hiring decisions that result. But considerable evidence indicates that there are indeed "right" answers and that applicants who supply them inflate their scores and are often hired.

The proliferation of unauthorized answer keys available on the internet makes it possible to game personality assessments.[51] Although it is impossible to confirm that the answers are "correct"—since test producers provide no scoring feedback—several individuals reported to the *Wall Street Journal* that they were hired after learning the "right" answers from answer keys or a friend.[52] Anton Smith is one such person. He was hired after relying on an unauthorized answer key to answer his test questions. Smith said of the assessment, "It isn't useful. People are hip to it." Mark Scott is another one. After he took a Unicru test for a job at Circuit City and was rejected, he applied to another chain that used the Unicru test, but this time enlisting the help of a friend who had passed the test. Scott was hired immediately on his second go-around.[53]

One study found that faked answers were given by one-quarter to one-half of applicants.[54] Since faking works and has a significant impact on hiring decisions, applicants have a major incentive to game the test.[55] As Scott put it, the test process simply "weeds out people who are honest and selects those who lie." This is because a person who answers honestly is more likely to be disqualified, while an individual with no scruples who simply chooses the "right" answers is more likely to be hired.[56]

> **Personality assessments weed out people who are honest and reward those who lie.**

Because of faking and lack of test validity, insiders say that such assessments fail to identify workers with good customer service skills. As a former human resources employee at Best Buy put it after reviewing Unicru ratings of hundreds of applicants, "I don't see a correlation at all [between top scores and good customer service] … A lot of people who score green just figured out how to cheat the system, or are the 'yes' people, and I don't believe it makes them more capable than anyone else."[57]

3. Data from personality tests are unreliable because most questions are open to individual interpretation.

Considering how much is at stake, personality tests must be reliable—that is, they must produce stable and consistent results. But test-takers' differing understandings or interpretations of a particular question are a frequent problem. The difficulty experienced by job applicants when interpreting such questions can yield widely differing and wholly unreliable results.

For example, the Dunkin' Donuts application asked respondents to answer whether they "strongly agree, agree, disagree, or strongly disagree" with the statement "I proudly display my awards and trophies." An individual taking the test (particularly one who has no trophies) would have a difficult time understanding and interpreting the question as intended by the test's authors.

Problems with interpretation also arise when questions are asked in the extreme, such as this one: "(true or false) I am a leader." An individual could answer it many ways, depending on their level of self-awareness or proclivity to lie. They might think they have leadership potential and answer affirmatively, even if they in fact do not. Or they might answer negatively, despite actually possessing leadership skills. Or they could lie and say that they have leadership skills when they know that they lack them. In other words, applicants—whether honest or dishonest—may answer such a question inaccurately, for different reasons. Because any of the above scenarios is possible, any answer given by an applicant to a question like this one would be unreliable.

Statements with indeterminate measures such as "seldom," "often," "always," and "rarely" are also problematic because it is impossible to ensure that each applicant will interpret them the same way. Examples in tests collected by JobsFirstNYC include the following:

- *I seldom toot my own horn.*
- *I read a lot.*
- *I don't talk a lot.*
- *I rarely get irritated.*
- *I am always prepared.*

The reliability of personality assessments is also compromised by questions that use terms unfamiliar to the individuals taking them, as well as by questions that appear neutral but may be interpreted differently based on one's socioeconomic status, ethnicity, or other factors. As a result, a "wrong" answer may be given that might nevertheless be correct for the individual taking the test, based on that person's individual circumstances.[58] Terms or concepts that are unfamiliar (such as "doable solutions" and "cutting-edge company") are also likely to impair comprehension and contribute to misleading test scores.

PERSONALITY TESTS MAY SCREEN OUT INDIVIDUALS BASED ON RACE OR DISABILITY.

A study of a major national retailer's 1,363-store rollout of a Unicru personality assessment found significant gaps between the scores of black and Latino applicants, on the one hand, and those of white applicants, on the other.[59] Federal Trade Commission member Julie Brill has warned that algorithms designed to reduce bias "ironically could have the effect of creating a new kind of discrimination."[60] As more companies turn to pre-employment personality tests, complaints of bias are rising. The federal Equal Employment Opportunity Commission is paying close attention to this issue by embracing an enforcement plan that gives high priority to claims of systemic discrimination in recruitment and hiring (including pre-employment tests).[61]

As discussed above, test content must be job related.[62] If a discrimination complaint is filed under Title VII of the 1964 Civil rights Act (Title VII), the employer must prove that the variables measured in the test are linked to job performance requirements. The employer can be held liable if the test excludes protected groups, even inadvertently. Higher scores by white applicants relative to their black or Latino counterparts could be evidence of bias if the knowledge required to understand these questions was unrelated to the performance of the job being sought.

For example, charges were brought against Denver-based Leprino Foods, accusing the company of discriminatory hiring practices based on its pre-employment test. After the company was unable to show that the test's content was relevant to the on-call laborer positions being offered, it entered into a consent decree mandating the payment of back wages, interest, and benefits to 253 rejected African American, Latino, and Asian workers. The company agreed to discontinue its use of the pre-employment test, hire at least 13 of the original applicants, undertake extensive self-monitoring measures, and immediately correct any discriminatory practices.[63]

Similarly, in August 2015, Target was forced to withdraw its online job application after the company was unable to show that its pre-employment assessment tests were job related and consistent with business necessity. The assessments were found to discriminate against applicants based on race, sex, and disability. Target agreed to abandon its use of these assessments and paid a $2.8 million fine.[64]

Pre-employment personality tests are also vulnerable to legal challenge because employers are prohibited under the Americans with Disabilities Act from asking candidates to take a medical exam until after an offer is made. Questions eliciting information about emotional instability and depression were common in the personality tests reviewed by JobsFirstNYC. For example, pharmacy chain CVS asked candidates whether they agreed or disagreed with the following statements:

- *People do a lot of things that make you angry.*
- *There's no use having close friends; they always let you down.*
- *Many people cannot be trusted.*
- *You are unsure of what to say when you meet someone.*

After being contacted by several applicants, the American Civil Liberties Union of Rhode Island filed a complaint with the state's Commission for Human Rights, which found "probable cause" that CVS was in violation of the Americans with Disabilities Act. The company agreed to remove the questions from future tests.[65]

Although pre-employment personality tests can put companies at legal risk and are just as likely to result in hiring poor workers as good ones, thousands of companies screen millions of jobseekers each year with such tests. Apparently, executives who set hiring policies and procedures for their companies are unaware of the issues raised by such tests and of alternative lawful selection processes. A survey of 1,000 corporate human resources managers, directors, and vice-presidents indicated that most human resources executives relied on misinformation and were unfamiliar with prevailing research findings.[66]
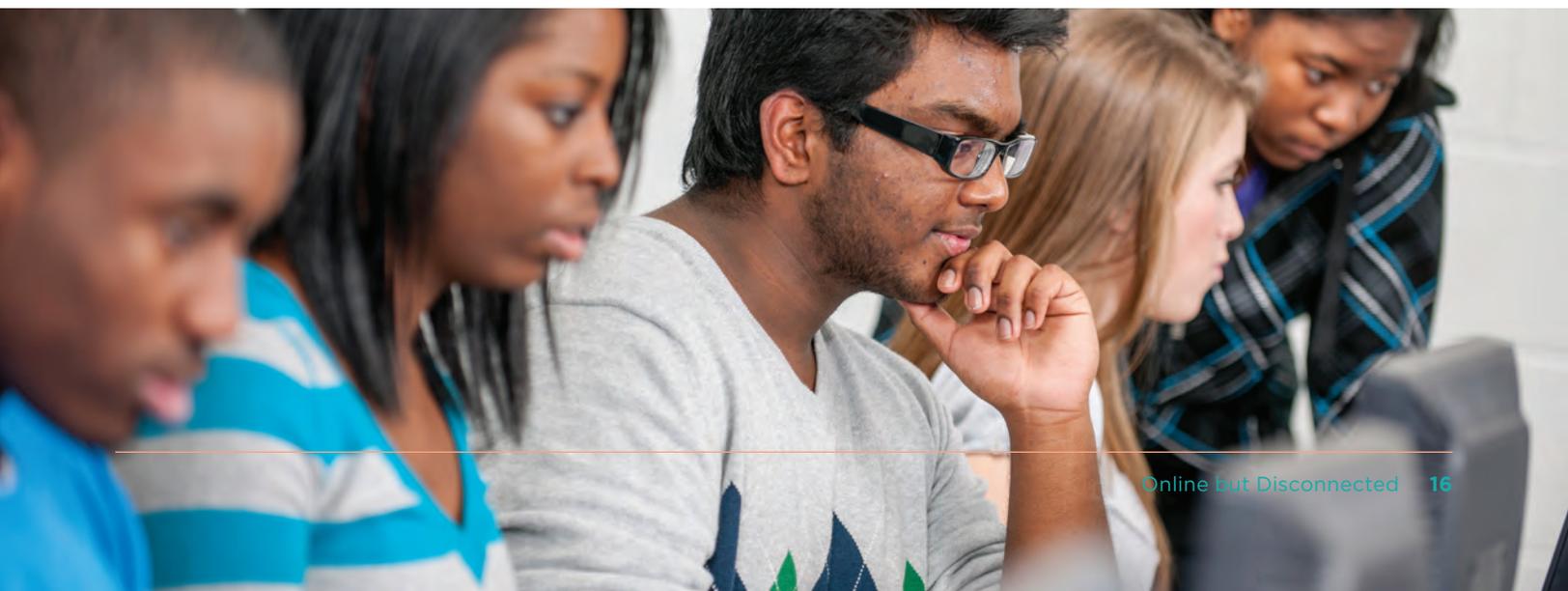
Fairer Screening Mechanisms: A Cost-Effective Alternative

Most companies cannot just drop personality assessments from online job applications. It would become so easy for individuals to submit applications that the companies could not cope with the resulting volume and adequately screen and hire employees. But that doesn't mean that personality testing is the automatic default. Alternative screening mechanisms are being pioneered by major corporations such as Old Navy, The Gap, Swiss Post, and Chipotle that are not only fairer but also more effective at identifying good employees who remain on the job. These companies find that the costs of implementing such alternatives are more than offset by reductions in attrition rates and hiring costs.

LearnUp
Banana Republic, Sprint, Old Navy, AT&T, Fresh Market, and other companies are turning to a new online platform, LearnUp, as an alternative mechanism to screen job candidates. With LearnUp, instead of submitting a job application, candidates log on to an online platform where they access job-specific training modules and coaching. After completing their online training, applicants are automatically slotted into a set of interview times and assigned an online job coach.

The online platform is underwritten by employers who then realize significant savings in recruitment and hiring costs from LearnUp's automatic interviewing feature. On average, half of LearnUp candidates are hired, as opposed to 14 percent of applicants selected on the basis of online applications. LearnUp candidates also outperform their peers on measures of job performance and are 30 percent more likely to be retained. Participating companies realize a return on investment through savings on sourcing, assessment, hiring, and retention of up to 900 percent after 12 months.

This Way Ahead

In addition to LearnUp, The Gap, Old Navy, and Banana Republic offer This Way Ahead, a ten-week paid-internship program that enables eligible young adults to compete for entry-level jobs without completing online personality assessments. Young adults aged 16–24 are recruited by nonprofit partners, such as The Door in New York. They typically work for 12 hours per week alongside store employee mentors while being coached by nonprofit partners to overcome work hurdles. After completing the ten-week program, about three-quarters of This Way Ahead graduates receive job offers.

Launched in 2007, This Way Ahead is now offered in 12 cities (San Francisco, Los Angeles, Austin, Chicago, Toronto, Philadelphia, New York City, Boston, Atlanta, Houston, Manchester, and London). The Gap—the parent company of Old Navy and Banana Republic—reports that hiring retention among program graduates is twice the rate of their non-program peers. In addition, program graduates exhibit higher engagement and are more ethnically diverse. Due the program's high return on investment, in September 2016 The Gap announced that it would seek to fill least 5 percent of entry-level store openings with This Way Ahead graduates. The company expects 10,000 teens and young adults to have participated in This Way Ahead by 2020.

Swiss Post Solutions Leadership Academy

Swiss Post Solutions' award-winning Leadership Academy is another alternative that yields dividends for both businesses and young adults. Swiss Post, one of the largest global administrative services outsourcing companies, works with colleges and community-based organizations to identify and recruit young jobseekers for training in experiential learning, leadership development, and customer service. Successful graduates are then hired by the company as entry-level employees. During the past five years, the company has hired 95 percent of Leadership Academy graduates.

Chipotle Mexican Grill

Fast-growing casual dining chain Chipotle eschews online applications entirely and screens entry-level applicants instead with a process that is a throwback to traditional screening. Crew members (who are entry-level employees themselves) interview candidates in person and select those who embody the 13 characteristics thought to mark Chipotle's best workers: "motivated, infectiously enthusiastic, respectful, curious, presentable, happy, polite, honest, smart, ambitious, high energy, hospitable, and conscientious."

Chipotle's website instructs jobseekers to prepare for interviews by studying the company's "Careers Page." They can expect to be asked about information on the company's website, as well as questions gauging whether they have the desired personality characteristics. The interviewer's perception of the candidate is the primary hiring determinant. Moreover, passing the interview with a crew member is not just a path to a short-term, minimum-wage gig—it may be a sure route to a career. More than 95 percent of Chipotle restaurant managers began their careers as crew members, and the company's business model emphasizes creating career paths for its employees and promoting them from within.

Chipotle is a national leader in successfully hiring and retaining young adults. From August 2015 to November 2016, the company hired more than 46,000 out-of-school, out-of-work young adults in positions from crew member to general manager; its retention rate for these young adults during the same time period actually exceeded the retention rate of its other workers.

Conclusion and Recommendations

Entry-level jobs are the first rung on the ladder of lifetime employment. Research has shown that individuals who are unable to attach to the workforce while between the ages of 16 and 24 are much more likely to be unemployed as adults.

As documented by JobsFirstNYC, young adults are being passed over for the kinds of entry-level jobs that earlier generations counted on. Jobs behind the counter at retailers such as H&M and fast-food restaurants such as McDonald's are instead being increasingly filled by older candidates. New York City is now in the ignominious position of having the lowest estimated teen labor force participation rate of the nation's ten largest cities.[67]

JobsFirstNYC believes that the widespread use of lengthy personality tests in online job applications is at least partly to blame for the employment decline among 16- to 21-year-olds. The average older worker is better equipped than the average teenager to navigate the tedious, lengthy, and tricky assessments that have become a hiring prerequisite for most entry-level retail and hospitality positions.

If these assessments actually yielded valid and reliable data concerning winning candidates' abilities to perform on the job, the result would be regrettable but fair. However, that is not the case—individual personality traits are not clearly correlated to job performance, and personality tests are unreliable at measuring them. As a result, personality testing is likened to phrenology, the popular and discredited nineteenth-century practice that purported to measure one's mental traits by examining the bumps on their head. While phrenology was harmless, pre-employment personality testing can create lifelong obstacles for young adults seeking entry-level retail and hospitality jobs.

JobsFirstNYC therefore calls for the implementation of alternative screening processes that enable qualified young adults, particularly 16- to 19-year-olds, to compete for jobs. One model that could be expanded to serve all national retailers and hospitality companies is LearnUp, a vehicle that provides entry-level job candidates with job-specific training and coaching paid for by employers. The Leadership Academy (created by industry leader Swiss Post Solutions) and This Way Ahead (created by The Gap) are other alternatives worth replicating by large employers. These alternative models boast high hiring and retention rates that boost the bottom line of companies by reducing recruitment, screening, and training costs that result from employee attrition.

At the very least, companies should consider replacing personality assessments with applications such as those used by Chipotle or Pret A Manger, which seek to determine whether a jobseeker has customer service skills. Job-related applications such as these are fairer and would insulate companies from allegations of discrimination.

In the meantime, less formal structures should be created that enable young adults to compete for entry-level jobs. For example, companies could create direct pipelines to human resources staff that allow young adults to be interviewed in lieu of taking a personality assessment. In addition, in-store kiosks and paper applications should be available, and strict time limits should be relaxed at public terminals for young adults who lack broadband internet at home.

JobsFirstNYC has documented the correlation between the proliferation of pre-employment personality tests and the decline in young adult employment in entry-level restaurant and retail jobs in New York City. Shining a light on this issue is the necessary first step—resolving it will require a vigorous, coordinated, and sustained response. Therefore, in addition to our recommendations to employers, JobsFirstNYC calls on practitioners, advocates, and researchers to work together to promote the adoption of fairer and more inclusive practices. Additional in-depth research, for example, would help confirm the disparate impact of pre-employment personality assessments on young jobseekers.

Thus far, several major companies have settled actions alleging violations of Title VII and the Americans with Disabilities Act. Assuming that the practices described by JobsFirstNYC are as widespread as they appear, case-by-case litigation will do little to protect our young adults from being shut out of the labor market. To ensure a different outcome, guardians of justice in the public sector and the civil rights community—such as the New York Civil Liberties Union, New York City Commission on Human Rights, New York State Attorney General, and the US Equal Employment Opportunity Commission—should develop a concerted plan of action that comprehensively attacks the use of unreliable personality testing in companies' hiring practices.

Acknowledgments

Appendix A

JOB DEVELOPER ONLINE JOB APPLICATION SURVEY

Name _____   Organization _____

Email _____   Telephone _____

1. Please estimate the number of young adults you help place in jobs in an average month. (Please check one box.)
    ☐ 1–10
    ☐ 11–20
    ☐ More than 20

2. How difficult is it for the young adults you help to find jobs? (Please check one box.)
    ☐ Extremely difficult, it takes a lot of time and effort (if checked go to question 3)
    ☐ Moderately difficult (if checked go to question 3)
    ☐ Not too difficult (if checked go to question 4)

3. What are the challenges that you face when connecting young adults to jobs?

	Disagree	Agree
The young adults I work with are not work-ready	☐	☐
There are not enough entry level job openings	☐	☐
Employers refuse to interview qualified young adults	☐	☐
Online job applications screen out qualified applicants	☐	☐

    Are there other reasons not shown? Please comment:

    _____

    _____

    _____

4. Why do you think you successfully connect so many young people to jobs?

	Disagree	Agree
The young adults I work with are work-ready	☐	☐
There are plenty of entry level job openings	☐	☐
Employers are eager to interview qualified young adults	☐	☐

    Are there other reasons not shown? Please comment:

    _____

    _____

    _____

5. Do you encourage or help young adults to submit online applications?
    ☐ No
    ☐ Yes

6. If yes, please describe how your organization prepares participants to complete online applications.

_____

_____

_____

7. If no, why do you discourage your participants from submitting online applications? Please comment:

_____

_____

8. Please estimate how many of your participants apply online in an average month.
   ☐ None
   ☐ Less than a quarter
   ☐ Between a quarter and a half
   ☐ More than half
   ☐ All

9. Please estimate how many of your participants are hired after submitting online applications.
   ☐ None
   ☐ Less than a quarter
   ☐ Between a quarter and a half
   ☐ More than half
   ☐ All

10. In the spaces below, please list the names of five companies that hired the **most** participants who applied online.

   1. _____

   2. _____

   3. _____

   4. _____

   5. _____

11. In the spaces below, please list the names of five companies that hired the **fewest** participants who applied online.

   1. _____

   2. _____

   3. _____

   4. _____

   5. _____

12. How did your participants submit their online applications? Check all that apply.
   ☐ At your offices
   ☐ At their homes
   ☐ At public libraries
   ☐ Do not know

13. Do you or your organization help participants prepare for online assessments?
   ☐ No
   ☐ Yes

14. Has a lack of broadband internet service hindered them from submitting applications?
   ☐ No
   ☐ Yes
   ☐ Don't know

15. In general, were participants who were hired from online applications more qualified than those who weren't offered jobs?
   ☐ No, they were not more qualified
   ☐ Yes, they were more qualified
   ☐ Neither, they were about the same

16. Are you able to bypass online applications and get participants interviewed or hired directly?
   ☐ Never
   ☐ Sometimes
   ☐ Frequently

17. Which employers permit you to bypass online applications?

   _____

   _____

   _____

18. What has been your experience with online job applications?

   _____

   _____

   _____

19. Do you think a mobile app that prepared young people to complete online job applications would be helpful?
   ☐ No
   ☐ Yes

20. Are you interested in hearing about the results of this project?
   ☐ No
   ☐ Yes

21. Please share the name, email, and/or phone number of anyone you believe could provide us with more information about connecting youth to jobs (e.g., colleagues, employers, friends, etc.):

   _____

   _____

   _____

THANK YOU FOR YOUR HELP!

Appendix B

ONLINE JOB APPLICATION SURVEY

Have you or your friends tried to fill out online applications for a job that was:
- Confusing?
- Ridiculously long? Or
- Difficult to understand?

This is because many companies have replaced the staff who formerly interviewed job applicants with online job applications. Because more people are now applying online, the applications have been designed to be extra difficult to reduce the number of job candidates.

During the next two months, JobsFirstNYC will be collecting information on how online applications affect young people looking for entry-level jobs. We will then work with New York City employers to create alternative ways to screen applicants that are fairer. We very much appreciate your help in this effort. A few things to remember:

1. Online applications cannot be printed **after they are completed**. So you will need to print **each page** individually after you fill in the answers, before hitting the "continue" icon.

2. You will also fill out a short survey (attached). Read the survey before beginning the application. As you can see from the questions, you will need to fill it in at the same time that you work on the application.

3. If you find that certain questions are confusing, or seem to have more than one right answer (or no right answer), **say so** on the survey. It is very important for us to learn which questions are difficult to answer and it is **not your fault** if you are having trouble! These applications are designed to be confusing.

4. Check the clock before you start each application and when you finish. We are very interested in seeing how long each application takes.

5. If there is anything you don't understand, ask your supervisor!!

Thank you so much for your help on this project. If you write your name and address on the survey form, we will tell you how it came out.

ONLINE JOB APPLICATION SURVEY

Name (optional) _____ Date _____

Organization _____

Online Employer Name _____

Job Title Applied For _____

1. How easy or hard was it to find the job application form on the employer's website? (Please check one box.)
   - ☐ Very easy. The website had a clear link to job listings and I could easily find and click on the job I was interested in.
   - ☐ Somewhat hard. I had to go through a couple of links before I found the application.
   - ☐ Very hard. The website did not show a clear link to job listings. I had to search around the site until I finally found the form for the job I applied for.

   Do you have anything to add?

   _____

   _____

2. Were all the questions clear and easy to answer?
   - ☐ No
   - ☐ Yes

   If you answered Yes to Question 2, please skip to Question 6.

3. Were there questions that you thought that if you answered honestly you would be disqualified, such as asking whether you could lift more than 50 pounds for a cashier position?
   - ☐ No
   - ☐ Yes

   If you answered Yes, which questions? Please list their numbers (if the questions were not numbered, please write them out):

   _____

   _____

   _____

   _____

4. Were there questions that you thought were confusing?
   - ☐ No
   - ☐ Yes

   If you answered Yes, which questions were confusing? Please list the numbers of the confusing questions (if the questions were not numbered, please write them out):

   _____

   _____

   _____

   _____

5. Were there questions with more than one right answer?
   ☐ No
   ☐ Yes

   If you answered Yes, which questions had more than one answer? Please list the numbers (if the questions were not numbered, please write them out):

   _____

   _____

   _____

   _____

6. Were there questions with no right answer?
   ☐ No
   ☐ Yes

   If you answered Yes, which questions had no right answer? Please list the numbers:

   _____

   _____

   _____

   _____

7. Were there questions that did not seem to match the job you were applying for (like asking about how much you could lift, although you were applying to be a cashier)?
   ☐ No
   ☐ Yes

   If you answered Yes, which questions did not match? Please list the numbers:

   _____

   _____

   _____

   _____

8. What did you like about applying online? Check all that apply:
   ☐ It was a lot easier than filling out applications in stores and restaurants.
   ☐ I like doing things online.
   ☐ It saved me ink and paper.
   ☐ It gave me an idea of what the employer was like.
   ☐ It gave me an idea of what kind of employee the employer wanted.
   ☐ I thought the questions were interesting.
   ☐ I did not like anything about applying online.

9. What did you dislike about applying online? Check all that apply:
    ☐ The application took much longer to fill out than applications in stores and restaurants.
    ☐ I don't like working on a computer.
    ☐ I did not know how to answer some of the questions.
    ☐ I like meeting employers before applying for jobs.
    ☐ I wanted to be able to go back and change my answers more easily.
    ☐ I could not tell how long the application would take to finish.
    ☐ There was nothing I disliked about applying online.

10. How long did it take to complete the application? _____

11. Did you have any other comments on the application?

    _____

    _____

Please clip the completed application form to the survey and give them both to your supervisor.

THANK YOU FOR YOUR HELP!

If you want to know the results of this project, write your name and address below:

JobsFirstNYC
Unleashing the economic power of young adults

December 2, 2015

Richard Emmet
Chief Legal and Human Resources Officer
Dunkin' Brands
130 Royal Street
Canton, MA 02021

Dear Mr. Emmett:

JobsFirstNYC is a citywide workforce development intermediary that creates mechanisms to help young adults connect to New York's labor market. After community based service providers reported that young adults were finding it more difficult to be hired for entry-level jobs, JobsFirstNYC began a study of pre-employment questionnaires administered as part of the hiring process.

In connection with this research, we recruited program participants aged 18 to 22 to apply for entry-level jobs with 40 major retail and food service chains. In 2014, Dunkin' Donuts was among them. As they completed their applications, participants printed them out. We expect to publish our findings in January 2016. In the meantime, we are fact-checking and would very much appreciate your help answering the following questions:

1. The 2014 Dunkin' Donuts online job application included a personality assessment. Was its job relatedness independently validated? If so, how was it validated and by whom? Was it tested on populations of different ages, and, if it was, did young adults score lower than older adults?

2. Is the 2014 application still in use? If not, does the new application include a pre-employment personality assessment? If it does, was this assessment independently validated and by whom? Was the new assessment tested on populations of different ages and, if so, did the scores of young adults differ from those of older adults?

3. If the current application does not include a personality assessment, could you explain why it was dropped?

4. When did Dunkin' Donuts first begin to screen applicants using online personality assessments?

5. Does Dunkin' Donuts track the age of new entry-level hires? If yes, has there been any change in their median or average age since Dunkin Donuts began online personality screening?

We would appreciate receiving a response by December 21, 2015. If you have any questions, you may contact me at mpstix@gmail.com or Chantella Mitchell, Policy and Program Associate, at (646) 738-5676 or at cmitchell@jobsfirstnyc.com.

Thank you for your help.

Sincerely,

Margaret P. Stix
Consultant

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Endnotes

1 Tourism reached an all-time high in 2015, with 59.7 million estimated visitors to the city. Patrick McGeehan, "Record Number of Tourists Visited New York City in 2015, and More Are Expected This Year," *New York Times* (March 8, 2016).

2 Christian González-Rivera, *State of the Chains, 2015* (New York, NY: Center for an Urban Future, 2015). This is double the number of national companies operating in New York in 2008. See "Attack of the Chains? A Borough-by-Borough Analysis of New York City's Largest Retailers," *New York by the Numbers: Economic Snapshots of the Five Boroughs* (vol. 1, no. 1, 2008).

3 These two sectors together employ 57 percent of working young adults (based on the 2010 Census). By contrast, only 20 percent are employed in the healthcare and social assistance sectors and about 12 percent are employed in blue-collar sectors (construction, manufacturing, wholesale trade, utilities, and transportation). James Parrott and Lazar Treschan, *Barriers to Entry: The Increasing Challenges Faced by Young Adults in the New York City Labor Market* (New York, NY: JobsFirstNYC, 2013).

4 Jonathan Bowles, *The Rise (and Fall) of Middle Wage Industries in NYC* (New York, NY: Center for an Urban Future, 2016).

5 Andrew Sum, *The Plummeting Labor Market Fortunes of Teens and Young Adults* (Washington, DC: Brookings Institution, 2014). The 2015 public high school graduation rate peaked at 70 percent—the highest rate in the city's history—but since a substantial share of high school and college students have historically worked while attending school, the decrease in employment is unlikely to be related to higher rates of school attendance.

6 See Martha Ross and Nicole Prchal Svajlenka, "Worrying Declines in Teen and Young Adult Employment," *Brookings* (December 16, 2015), https://www.brookings.edu/research/worrying-declines-in-teen-and-young-adult-employment.

7 Sum, *The Plummeting Labor Market Fortunes of Teens and Young Adults*, citing Chris Ruhm, "The Extent and Consequences of High School Employment," *Journal of Labor Research* (vol. 16, 1995) and Andrew Sum and Walter McHugh, "The Impacts of In-School Summer and Senior Year Work Experience on the Early Post-High School Employment Experiences of Class of 2009 BPS Graduates," report prepared for the Boston Private Industry Council (Boston: Center for Labor Market Studies, Northeastern University, 2012). Sum found that those who worked between 1 and 13 weeks in the previous year were 33 percent more likely to be employed than those without any work experience; those who worked 20 to 26 weeks had a 59 percent higher chance of employment; and those who worked more than 40 weeks were 86 percent more likely to be employed.

8 This group is known as the Job Developer Advisory Group. Its members included Gaspar Caro, Lower East Side Employment Network; Adrian Henry, Hostos Community College; Simone Ford, ResCareNYC; Jeannie Tung, Henry Street Settlement; and Lowell Hershberger, Cypress Hills Local Development Corporation.

9 JobsFirstNYC sought the firsthand observations of job developers at a breakfast forum we cosponsored with Workforce Professionals Training Institute in July 2015; through a survey in October 2015; and at meetings of the Employer Engagement Practitioner Work Group, which consists of 85 job developers from nonprofit and social service agencies.

10 Lauren Weber and Elizabeth Dwoskin, "Are Workplace Personality Tests Fair? Growing Use of Tests Sparks Scrutiny Amid Questions of Effectiveness and Workplace Discrimination," *Wall Street Journal* (September 29, 2014).

11 Devah Pager, Bruce Western, and Bart Bonikowski, "Discrimination in a Low-Wage Labor Market: A Field Experiment," *American Sociological Review* (vol. 74, no. 5, 2009).

12 Wayne Weiten, *Psychology: Themes and Variations*, 8th ed. (Boston: Cengage Learning, 2010), p. 385; Lee Borghans, Angela Duckworth, James Heckman, et al., "The Economics and Psychology of Personality Traits," National Bureau of Economic Research Working Paper No. 13810 (2008), p. 42; H. Beau Baez, "Personality Tests in Employment Selection: Use With Caution," *Cornell HR Review* (January 26, 2013), http://www.cornellhrreview.org/personality-tests-in-employment-selection-use-with-caution.

13 Peter Cappelli, "Assessing Personality," *Human Resource Executive Online* (October 15, 2007), http://www.hreonline.com/HRE/view/story.jhtml?id=39419841.

14 Robert M. Guion and Richard F. Gottier, "Validity of Personality Measures In Personnel Selection," *Personnel Psychology* (vol. 18, no. 2, 1965), p. 160. Guion and Gottier's study examined 12 years of scientific research on the validity of personality tests.

15 Kevin R. Murphy and Jessica L. Dzieweczynski, "Why Personality Measures Have Limited Applicability in Personnel Selection" (2005), http://www.rc.usf.edu/~jdorio/Personality/Murphy%20&%20Dzieweczynski%20ms%20special%20issue%20pers%20debate.doc.

16 The federal Employee Polygraph Protection Act of 1988 banned the use of polygraphs by employers to screen job applicants. Yvonne Koontz Sening, "Heads or Tails: The Employee Polygraph Protection Act," *Catholic University Law Review* (vol. 39, no. 1, 1989).

17 See, e.g., Murray R. Barrick and Michael K. Mount, "The Big Five Personality Dimensions and Job: A Meta-Analysis," *Personnel Psychology* (vol. 44, 1991).

18 Criteria Corp., "Legal Issues Relating to Pre-Employment Testing," http://www.criteriacorp.com/resources/definitive_guide_legal_issues_of_preemployment_testing.php.

19 See Kay Lazar, "Employers Test with a New Attitude: Controversial Questionnaires Screen Applicants for Hire Purposes," *Boston Herald* (April 18, 1999), p. 3.

20 Weber and Dwoskin, "Are Workplace Personality Tests Fair?"

21 Vanessa O'Connell, "Test for Dwindling Retail Jobs Spawns a Culture of Cheating," *Wall Street Journal* (January 7, 2009).

22 Lewis R. Goldberg, "The Structure of Phenotypic Personality Traits," *American Psychologist* (January 1993). The "big five"—traits widely accepted as a comprehensive taxonomy of a normal personality—include neuroticism/emotional stability, extroversion, openness to experience, agreeableness, and conscientiousness. These five job traits are connected to job performance and are considered predictors of certain outcomes: "avoiding counterproductive behavior, reducing turnover and absenteeism, exhibiting more teamwork and leadership, providing more effective customer service, influencing job satisfaction and commitment and enhancing safety." *Id.*

23 Murphy and Dzieweczynski, "Why Personality Measures Have Limited Applicability in Personnel Selection."

24 See Psychometric Success, "Motivation, Extraversion and Leadership," http://www.psychometric-success.com/personality-tests/personality-tests-motivation-leadership.htm.

25 Carmen Nobel, "Introverts: The Best Leaders for Proactive Employees," Working Knowledge: Business Research for Business Leaders (October 4, 2010), http://hbswk.hbs.edu/item/introverts-the-best-leaders-for-proactive-employees. The article notes that employers look for extraverts but that introverts can make more effective leaders.

26 In general, it is acceptable to admit to negative thoughts and feelings but never to admit to negative behavior in the workplace. Occasional feelings of anger, frustration, and annoyance are considered normal, and employers seek candidates who can control their emotions, not those who profess to have none. Answers that suggest that the applicant never feels annoyed or angry are interpreted as a lie or lack of concern and will result in rejection. See Psychometric Success, "Can You Beat the Personality Test?" http://www.psychometric-success.com/personality-tests/personality-tests-beat-the-test.htm#sthash.Tag1Rr4c.dpuf.

27 O'Connell, "Test for Dwindling Retail Jobs Spawns a Culture of Cheating."

28 JobsFirstNYC prepared sets of instructions for the young adults who would be assisting in the effort. Each participant was given (1) the names of one or two different companies to which to apply; (2) a background and instruction sheet; and (3) a survey form (attached as Appendix B).

29 The individuals who completed applications had relevant work experience, and two had graduated from competitive colleges.

30 Participants obtained applications for the following companies: 7-Eleven, Aéropostale, American Eagle Outfitters, Applebee's, Barnes and Noble, Baskin-Robbins, BJ's Wholesale Club, Bloomingdale's, Century 21, Chipotle, Chuck E. Cheese's, Cold Stone Creamery, Costco, CVS, Duane Reade, Dunkin' Donuts, FreshDirect, H&M, Home Depot, IKEA, J. C. Penney, Kmart, Macy's, Marshalls, McDonald's, Modell's, Payless, Pret A Manger, Regal Entertainment Group, Rite Aid, Sephora, Shake Shack, Staples, Starbucks, Subway, Target, Toys "R" Us, Trader Joe's, Uniqlo, Urban Outfitters, Walgreens, and Whole Foods Market. About half the applications were completed in 2012, and the other half were completed in 2014. Of this list, eight companies were applied to in both 2012 and 2014.

31 Aeropostale, Marshall's, Modell's, Trader Joe's, and Uniqlo accepted paper applications.

32 The applications for Bloomingdale's, Century 21, Dunkin' Donuts, Home Depot, IKEA, J. C. Penney, Kmart, Macy's, McDonald's, Rite Aid, and Target included personality assessments. Applications to IKEA, Macy's, and Kmart each took more than two hours to complete. Half the applications (18) were relatively simple and straightforward, with 14 of them essentially being digital versions of traditional paper applications that took 30 minutes or less to complete.

33 The applications of three other hospitality companies—Chipotle, Pret A Manger, and Whole Foods—reflected job-related essay questions instead. For example, Chipotle's application asked applicants for written responses to the following: "Why do you want to work for Chipotle? What are you passionate about? Please explain why you would be an excellent candidate for Chipotle." Pret A Manger asked for an example of "a time you delivered excellent customer service."

34 US Department of Health and Human Services, Office of Population Affairs, "Maturation of the Prefrontal Cortex," http://bridges2understanding.com/maturation-of-the-prefrontal-cortex, citing David Walsh, Why Do They Act That Way? A Survival Guide to the Adolescent Brain for You and Your Teen (New York, NY: Atria, 2004). See also Jim Casey Youth Opportunities Initiative, The Adolescent Brain: New Research and Its Implications for Young People Transitioning from Foster Care (St. Louis, MO: Jim Casey Youth Opportunities Initiative, 2011).

35 Broadband is generally defined as internet service other than dial-up service. It includes technologies such as digital subscriber lines, cable modems, fiber optic technology, mobile broadband, and satellite service.

36 The percentage of the population on public assistance refers to the share of the population that receives cash assistance, Supplemental Security Income, or Medicaid benefits.

37 In July 2015, Mayor de Blasio announced that 16,000 residents of five New York City Housing Authority developments would receive high-speed broadband service as part of OneNYC. The program also includes LinkNYC, which will create 7,500 new outdoor Wi-Fi hotspots. Kif Leswing, "A Guide to New York's Plan to Cover the City in Wi-Fi Hotspots," Gigaom (February 1, 2015), https://gigaom.com/2015/02/01/link-nyc-explained. See also Anthony Marx, "Too Poor to Afford the Internet," New York Times (August 12, 2016).

38 JobsFirstNYC recruits were reportedly unable to log back on to complete applications they had begun earlier.

39 "Uniform Guidelines on Employee Selection Procedures," http://www.uniformguidelines.com/uniformguidelines.html. In 1978, the Civil Service Commission, the Department of Labor, the Department of Justice, and the Equal Employment Opportunity Commission jointly adopted the Uniform Guidelines on Employee Selection Procedures to establish uniform standards for employers on the use of selection procedures and to address adverse impact, validation, and record-keeping requirements. See also Equal Employment Opportunity Commission, "Employment Tests and Selection Procedures" (September 23, 2010), https://www.eeoc.gov/policy/docs/factemployment_procedures.html.

40 Baez, "Personality Tests in Employment Selection."

41 Frederick P. Morgeson, Michael A. Campion, Robert L. Dipboye, et al., "Reconsidering the Use of Personality Tests in Selection Contexts," Personnel Psychology (vol. 60, 2007).

42 Murphy and Dzieweczynski, "Why Personality Measures Have Limited Applicability in Personnel Selection."

43 Research shows that introverts are in fact better managers. Nobel, "Introverts: The Best Leaders for Proactive Employees."

44 Malcolm Gladwell, "Personality Plus," The New Yorker (September 20, 2004). Gladwell cites a study by social psychologist Walter Mischel that involved watching children interact with one another at a summer camp. Mischel found that how aggressively a child responded in one situation was not a good predictor of how that same child would respond in another situation. Just because a boy was aggressive when teased by another boy did not mean he would be aggressive if warned by an adult. Gladwell wrote, "We have a personality in the sense that we have a consistent pattern of behavior. But that pattern is complex and that personality is contingent: it represents an interaction between tendencies and the situations in which we find ourselves."

45 Weber and Dwoskin, "Are Workplace Personality Tests Fair?"

46 Dori Meinert, "What Do Personality Tests Really Reveal?" Society for Human Resource Management (June 1, 2015), citing research by Frank L. Schmidt, Management and Organizations Professor Emeritus at the University of Iowa.

47 Frederick P. Morgeson, Michael A. Campion, Robert L. Dipboye, et al., "Are We Getting Fooled Again? Coming to Terms with Limitations in the Use of Personality Tests for Personnel Selection," Personnel Psychology (vol. 60, 2007).

48 Whitney Martin, "The Problem with Using Personality Tests for Hiring," *Harvard Business Review* (August 27, 2014).

49 Weber and Dwoskin, "Are Workplace Personality Tests Fair?"

50 Guion and Gottier, "Validity of Personality Measures in Personnel Selection."

51 Unauthorized answer keys were downloaded by JobsFirstNYC from http://hubpages.com/business/Unicru; http://www.mattburnsproductions.com/subpage77.html; http://www.timothyhorrigan.com/documents/unicru-personality-test.answer-key.html#sthash.75lhYIqs.dpbs; and https://www.testprep-online.com/unicru-kronos-personality-test.

52 O'Connell, "Test for Dwindling Retail Jobs Spawns a Culture of Cheating."

53 *Id.*

54 Richard L. Griffith, Tom Chmielowski, and Yukiko Yoshita, "Do Applicants Fake? An Examination of the Frequency of Applicant Faking Behavior," *Personnel Review* (vol. 35, no. 3, 2007).

55 Morgeson et al., "Reconsidering the Use of Personality Tests in Personnel Selection Contexts," citing N. Christiansen, R. D. Goffin, N. Johnston, et al., "Correcting the 16PF for Faking: Effects on Criterion-Related Validity and Individual Hiring Decisions," *Personnel Psychology* (vol. 47, 1994).

56 O'Connell, "Test for Dwindling Retail Jobs Spawns a Culture of Cheating."

57 *Id.*

58 The issue of how a person's background shapes their interpretation of test questions came up in a study of how students answered an educational test question about budgeting for school lunches. White students from affluent suburbs answered very differently than did African American students from urban areas and Native American students from rural areas; 84 percent of the white students interpreted the word "only" in the question as intended by test drafters, while only 56 percent of the Native American students and 52 percent of the African American students interpreted it as intended. See Guillermo Solano-Flores and Elise Trumbull, "Examining Language in Context: The Need for Research and Practice Paradigms in the Testing of English-Language Learners," *Educational Researcher* (vol. 32, 2003).

59 David H. Autor and David Scarborough, "Does Job Testing Harm Minority Workers? Evidence from Retail Establishments," *Quarterly Journal of Economics* (vol. 123, no. 1, 2008). The study found that nearly 55 percent of white candidates scored "green," compared to only about 47 percent of black candidates.

60 Weber and Dwoskin, "Are Workplace Personality Tests Fair?" Commissioner Brill is a specialist in "big data" issues. See https://www.ftc.gov/about-ftc/biographies/julie-brill.

61 U.S. Equal Employment Opportunity Commission, "Strategic Enforcement Plan FY 2013–2016," https://www.eeoc.gov/eeoc/plan/sep.cfm.

62 The Equal Employment Opportunity Commission publishes a fact sheet of best practices for testing and selection, recommending the following:

• *Employers should ensure that employment tests and other selection procedures are properly validated for the positions and purposes for which they are used. The test or selection procedure must be job-related and its results appropriate for the employer's purpose. While a test vendor's documentation supporting the validity of a test may be helpful, the employer is still responsible for ensuring that its tests are valid under [the Uniform Guidelines for Employment Selection Procedures].*

• *If a selection procedure screens out a protected group, the employer should determine whether there is an equally effective alternative selection procedure that has less adverse impact and, if so, adopt the alternative procedure. For example, if the selection procedure is a test, the employer should determine whether another test would predict job performance but not disproportionately exclude the protected group.*

• *To ensure that a test or selection procedure remains predictive of success in a job, employers should keep abreast of changes in job requirements and should update the test specifications or selection procedures accordingly.*

• *Employers should ensure that tests and selection procedures are not adopted casually by managers who know little about these processes. A test or selection procedure can be an effective management tool, but no test or selection procedure should be implemented without an understanding of its effectiveness and limitations for the organization, its appropriateness for a specific job, and whether it can be appropriately administered and scored.*

U.S. Equal Employment Opportunity Commission, "Employment Tests and Selection Procedures," http://www.eeoc.gov/policy/docs/factemployment_procedures.html.

63 United States Department of Labor, "US Labor Department Settles Charges of Hiring Discrimination with Federal Contractor Leprino Foods," press release (July 19, 2012), http://www.dol.gov/opa/media/press/ofccp/OFCCP20121443.htm.

64 U.S. Equal Opportunity Commission, "Target Corporation to Pay $2.8 Million to Resolve EEOC Discrimination Finding," press release (August 24, 2015), https://www.eeoc.gov/eeoc/newsroom/release/8-24-15.cfm.

65 American Civil Liberties Union of Rhode Island, "ACLU and CVS/Pharmacy Resolve Discrimination Complaint" (July 19, 2011), http://www.riaclu.org/news/post/aclu-and-cvs-pharmacy-resolve-discrimination-complaint.

66 Martin, "The Problem with Using Personality Tests for Hiring," citing Sara L. Rynes, Amy E. Colbert, and Kenneth G. Brown, "HR Professionals' Beliefs about Effective Human Resource Practices: Correspondence between Research and Practice," *Human Resource Management* (vol. 41, no. 2, 2002), pp. 149–174.

67 Source: S2301 EMPLOYMENT STATUS, 2015 American Community Survey 1-Year Estimates for the cities of New York, NY; Los Angeles, CA; Chicago, Ill., Houston, TX; Philadelphia, PA; Phoenix, AZ; San Diego, CA; San Antonio, TX; Dallas, TX; and San Jose, CA.