

## NOT SO PRESIDENTIAL

Avoid gut-instinct hiring and check out job applicants thoroughly, to ward off later headaches

It's insulting, really. From now until Election Day, we'll be inundated with sound bites from both political parties, urging us to set aside reason and go with our gut as the basis for our presidential hiring decision.

But how can any of us reasonably judge the skill sets and potential competency of our presidential candidates based solely on a series of 30-second commercials or YouTube videos?

And why would either party incur tens of millions of dollars and rest the success of a campaign on the shoulders of 30 seconds of TV time?

### The answer: It works.

Studies consistently show that job interviewers decide whether or not to hire within the first five minutes of the interview. So we shouldn't be surprised that voters perform about as well.

How does this shoot-from-the-hip analysis play out for those of us making hiring decisions for corporate jobs requiring less skill than commander in chief? The consistent answer is that management frequently misses the target. Renowned management consultant Peter Drucker once stated that only one-third of all hiring decisions are successful. These decisions are particularly poor when managers spend a limited amount of time with a candidate in a single interview.

The irony? The very manager who resists spending the handful of hours needed upfront to conduct an effective screening of the employee and correctly assess the optimal candidate may be forced in the end to spend hundreds of hours fixing the problem or, in the worst-case scenario, engaged in litigation with a subpar ex-employee.

What can be done, then, for the employer attempting to improve the company's hir-



### EMPLOYMENT LAW

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ing odds? For starters, remember the basics. Don't run afoul of prohibited discriminatory hiring practices. Don't discriminate in hiring decisions based upon race, color, religion, sex, national origin, age or disabilities. The Genetic Information Nondiscrimination Act prohibits discrimination based upon genetic information in both employment and health insurance-related decisions. Yes, it's true that it's a tougher row to hoe for an applicant to press a successful legal challenge to a discriminatory hiring decision than a discriminatory firing decision (because the applicant generally is not made aware of the actual reasons for the decision). But, really, why take the risk?

### Function over form

With the basics out of the way, employers should, then, focus on the substance: preparing and working from a comprehensive, realistic job description. Loose criteria, such as "Must be willing to take urgent calls at 3 a.m.," won't get the job done. And be thorough. Put your formal job description through an internal review process by immediate supervisors and co-workers. While you're at it, be sure to create some objective performance measures that can serve as the basis for future employment reviews.

The next step? Create effective tools to assess the applicants. Numerous personality inventories, values assessments, mental

abilities tests, work simulations and structured interview programs are readily available to help managers determine just how well your candidates stack up against job requirements.

Some research suggests that the best predictor of future job success is previous behavior in similar circumstances. Effective interviewers can create situation-behavior impact questions related to the demands of the position.

Next, check the facts. Far too many employers take the resumes and letters of recommendation they receive at face value. Secure the applicants' prior written authorization for any background screening — then follow through with the screening.

Finally, take pains to identify and, then, adjust for the interviewer's subjective bias. Your company's employee-selection committee shouldn't comprise a single individual. To ensure that your interviewers are consistent and objective, ask all job candidates the same questions in the same order.

By implementing these steps, your odds for securing a qualified employee should increase. In turn, your employment-related litigation should decrease.

Now, if only these steps could be used as our presidential "hiring" process.

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### HIRING TIPS

- Best practices, in or out of the White House:
- Avoid discriminatory practices.
  - Prepare comprehensive, realistic job descriptions and performance objectives.
  - Create and use situational-behavior impact questions related to the position.
  - Verify all material facts.
  - Consider and adjust for interviewer bias.